



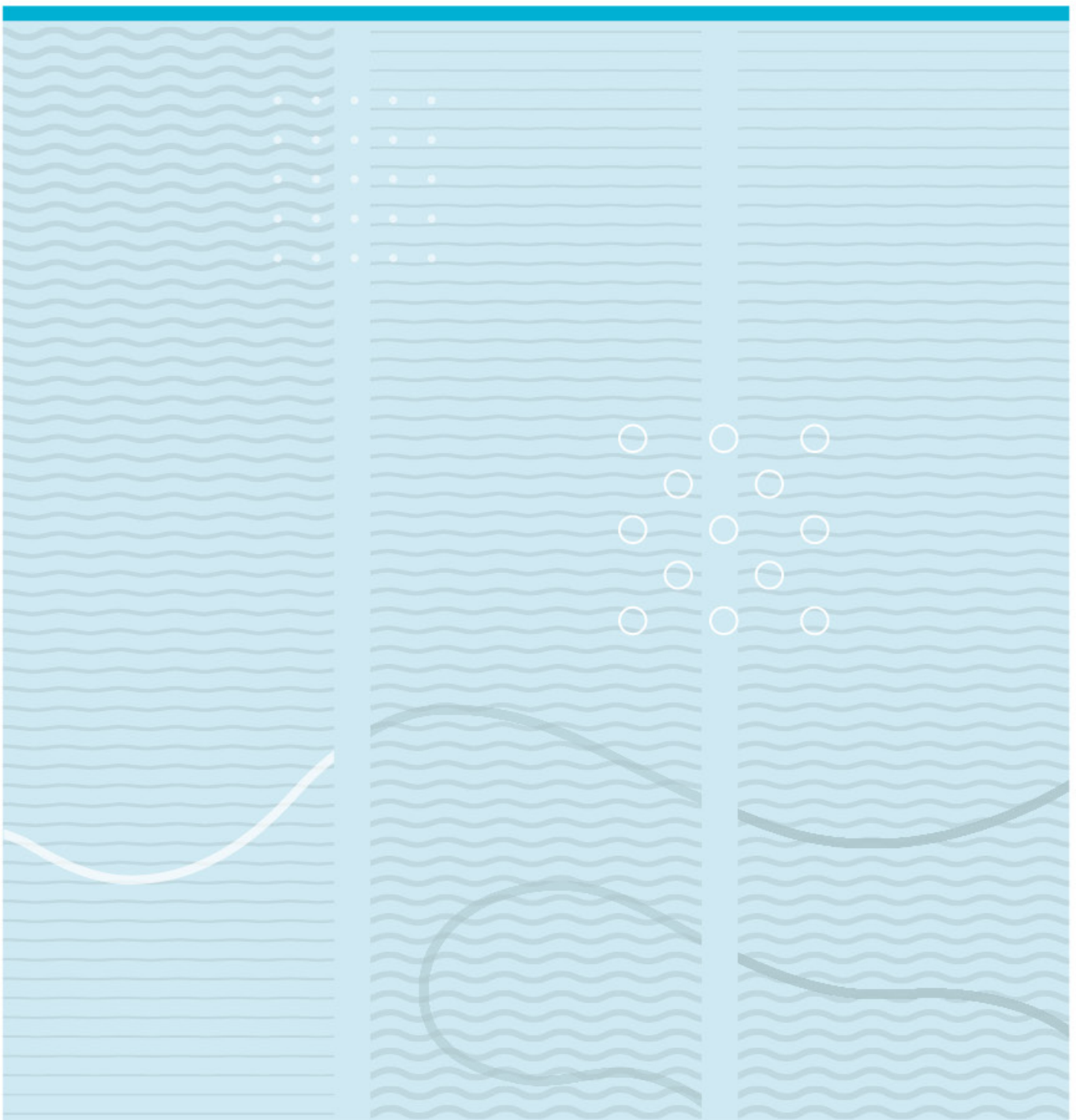
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Master's Thesis
Human Rights & Multiculturalism
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Power relations and its ripple effects in humanitarian aid

A study on the post-years of the aftermath of hurricane María in Puerto Rico.



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This thesis is worth 45 study points.

Abstract

In 2017, a major hurricane had its landfall in Puerto Rico (PR), a territory of United States of America (USA). My topic is centered in hurricane María and the subsequent years of this hurricane (2017-2022). The reference is María, but the hurricane was the climatological event that unveiled and made visible other crucial elements of crisis like management of aid received, human rights' protection, power relations, sustained embedded ideologies and problems of socio-economic-political nature. María is the perfect context for my project that aims to explore human rights during the century of climate change under a colonial framework.

Key words: power relations, hegemony, colonial power, humanitarian aid, humanitarian crisis, natural disaster, climate change, state responsibility, human rights

Acknowledgments

I dedicate this thesis to my parents and my sister for all their constant effort and help to pave the way for me to fulfill a dream. For their constant teachings of perseverance under live circumstances and struggles and to never give up.

To all those who lived through a disaster and carry-on with their scars, to the survivors who in some way or another were left behind and for the ones that perished but will never be forgotten.

Thanks to all those passersby who helped with words or actions to keep the light on when all seemed dark. I'm grateful for all the participants who opened-up and trusted me with their memoirs. To my supervisor Gabriela Mezzanotti for seeing in me great things and helping me contour my potential. To Lena Lybæk for your teachings, passion for human rights and constant kindness.

To all of you, friends and family, thank you.

The disaster was in 2017, hence the use of documents around this date, although recent dated documents are applied as well. From 2017–2022 I was revising and corroborating current status of events, official documents and reports. A final revision for updates on the selected references was done in late 2023.

As a note to the reader, some of the references, citation, or terminology used to build this thesis were in some way presented during the master's program. Although it was apropos the events in María, some of the material was examined upon other concerns at the time or with another study focus. There are many paths to be taken on applying the theorists, literature review and other supportive material related to this study case. What is presented in this work is the product of my investigation, as well as a collection of new sources, and the responder's/survivors' accounts. This is a compilation of a long period of investigation and thought development.

This project was approved by the Norwegian Agency for Shared Services in Education and Research [SIKT], formerly known as the Norwegian Centre for Research Data [NSD].

Norway/2024

Llanel Koren Rivera Aponte

List of Abbreviations

AAA	Autoridad de Acueductos y Alcantarillados
COFINA	Corporación del Fondo de Interés Apremiante
COR 3	Central Office for Recovery, Reconstruction and Resiliency
CRED	Centre for Research on the Epidemiology of Disasters
DHS	Department of Homeland Security
DoD	Department of Defense
ELA	Estado Libre Asociado (Commonwealth of Puerto Rico)
EM-DAT	Emergency Events Database
FICA	Federal Insurance Contributions Act
FEMA	Federal Emergency Management Agency
FOMB	Financial Oversight and Management Board
GDB	Government Development Bank
HMGP	[FEMA] Hazard Mitigation Grant Program
HUD	United States Department of Housing and Urban Development
IA	[FEMA] Individual Assistance
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
IDP	Internally Displaced Person
INA	Immigration and Nationality Act
IVU	Impuesto sobre Ventas y Uso
MERC	Mortuary Enhanced Remains Cooling
NFIP	National Flood Insurance Program
NGO	Non-governmental Organization
NOAA	National Oceanic and Atmospheric Administration
OCHA	Office for the Coordination of Humanitarian Affairs
OHCHR	Office of the High Commissioner for Human Rights
PA	[FEMA] Public Assistance
PDA	Preliminary Damage Assessment
PDMDA	Presidentially Declared Major Disaster Area

PNP	Private Non-profit
PROMESA	Puerto Rico Oversight Management and Economic Stability Act
PR	Puerto Rico
PRARNG	Puerto Rico Army National Guard
PRCAO	[FEMA] Puerto Rico Caribbean Area Office
PREPA	Puerto Rico Electric Power Authority
PROMESA	Puerto Rico Oversight Management and Economic Stability Act
SBA	United States Small Business Administration
SDE	Substantial Damage Estimator
SUT	Sales and Use Tax
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNESCO	United Nations Educational, Scientific, and Cultural Organization
UNDRR	United Nations Office for Disaster Risk Reduction
UNGA	United Nations General Assembly
US/USA	United States/United States of America
USACE	United States Army Corps of Engineers
VOAD	Voluntary Organizations Active in Disasters
WHO	World Health Organization
WMO	World Meteorological Organization

Contents

Abstract	2
Acknowledgements	Error! Bookmark not defined.
List of Abbreviations	6
Contents	6
1 Introduction	9
1.1 Introductory Context	9
1.2 Research Questions and the Purpose of the Research	18
1.3 Definitions.....	19
1.4 Methodology	23
1.5 Thesis Structure	23
2 Literature Review	25
2.1 Hurricane María in Puerto Rico	25
2.2 On Power	29
2.2.1 Insular Cases	29
2.2.2 Citizenship and Territorial Clauses	32
2.2.3 Jones Act	35
2.2.4 Commonwealth of Puerto Rico (ELA).....	38
2.2.5 PROMESA and FOMB.....	41
2.3 On Humanitarian Aid	47
2.3.1 Stafford Act.....	47
3 Theoretical Framework	63
3.1 Power	63
3.2 Oppression.....	67
3.3 Necro-power & Necro-politics	71
4 Methodology	75
4.1 Epistemological Foundation	75
4.2 Selection of Participants.....	75
4.3 Positionality	76
4.4 Ethical Considerations	77
4.5 Data Collection	77

4.6	Data Analysis.....	77
5	Data Findings and Analysis.....	83
5.1	Theme One: Power Relations " <i>Stockholm Syndrome</i> ".....	84
5.1.1	Colonial Power.....	84
5.1.2	Coloniality of Power.....	107
5.2	Theme Two: Second-class Citizens " <i>Children of the Sugarcane Fields</i> ".....	112
5.2.1	Identity and Oppression.....	112
5.3	Theme Three: Abandonment " <i>A Cadaver to Feed Our Crows</i> ".....	132
5.3.1	Humanitarian Crisis.....	132
6	Conclusion.....	143
	Bibliography.....	145
	List of Figures and Tables.....	159
	Annexes.....	160
	Annex 1: Letter of Consent.....	160
	Annex 2: Interview Questionnaire.....	164
	Annex 3: Conversion of Codes into Themes and Sub-themes.....	172
	Annex 4: Participants' Reference on <i>Identity and Oppression</i> : Song.....	173
	Annex 5: Saffir-Simpson Hurricane Wind Scale.....	1718

“The modern disaster is anything but natural in its constitution;
it is deeply political, moral and cultural phenomenon (...) it is also legal”

- Kristian Cedervall Laut

1 Introduction

1.1 Introductory Context

Natural disasters have seen an increase of five times in occurrence - an equivalent of one every day – over the past 50 years. As stated by the World Meteorological Organization (WMO) and UN Office for Disaster Risk Reduction (UNDRR), the five-fold increase is driven by escalating extreme weather due to climate change, affecting disproportionately poorer countries¹. The WMO *Atlas of Mortality and Economic Losses from Weather, Climate and Water Extremes*² from the period of 1970 – 2019 informed:

There were more than 11,000 reported disasters attributed to these hazards globally, with over 2 million deaths and \$3.64 trillion in losses (...) [Weather, climate, water] hazards accounted for 50% of all disasters, 45% of all reported deaths and 74% of all reported economic losses (...) More than 91% of these deaths occurred in developing countries³. (WMO, 2021)

Statistically, storms are the second deadliest hazard and the first in terms of economic losses around the globe⁴, although in the North America, Central America and the Caribbean regions tropical cyclones are the greatest cause for loss of life and economic costs. Causing severe damage, storms apart from costing human lives are also “the sole hazard which economic costs are continually increasing” (UN News, 2021; WMO, 2021). In this period of 5 decades comprised in the WMO report, as per numbers reported, the United States (US) accounted for one third (38%) of global economic losses due to climate disasters. In 2017 alone, three of the ten costliest disasters took place in United States (mainland and territories) accounting for 35% of the total economic costs worldwide. All three hurricanes placed on the top five⁵ and two of them – Irma and María – impacted Puerto Rico.

¹ Press release by WMO and UN News based on the WMO report, both in 2021.

² Contributors to the Atlas are World Meteorological Organization (WMO), Emergency Events Database (EM-DAT) by the Centre for Research on the Epidemiology of Disasters (CRED), UN Office for Disaster Risk Reduction (UNDRR) and the World Health Organization (WHO).

³ Notice that these figures are based on the reported numbers only and there should be awareness that it could be more than accounted for. States report their numbers to global mechanisms such as the United Nations Country Classification and the World Bank.

⁴ Droughts being the first deadliest and floods being the second in economic losses.

⁵ UN News 2021; WMO, 2021.

As expressed by WMO Secretary-General Petteri Taalas, in their studies experts estimate that extreme weather will increase, become more frequent and severe. In the same WMO report, he explains how climate change's repercussions are all interconnected:

More heatwaves, droughts and forest fires, (...) we have more water vapor in the atmosphere, which is exacerbating extreme rainfall and deadly flooding. The warming of the oceans has affected the frequency and area of existence of the most intense tropical storms. (WMO, 2021)

Which means that these occurrences will be continuous since one affects the other, all in chain reaction and more catastrophic as witnessed in recent years. Frequency has also affected preparedness, but countries that are constantly hit by disasters of one nature or another – weather, economics, social, political or humanitarian – makes it challenging to fully recover, if ever. These mounting ripple effects are the case of Puerto Rico (PR), a United States of America (USA⁶) non-incorporated territory island in the Caribbean.

For the above-mentioned triple region, 2017 was a particularly active hurricane season with multiple systems ranging in intensity from Categories (Cat) 1 to 5. Cat 5 and 4 being the highest in the scale based on sustained wind speed, are considered major hurricanes because of the disastrous damage and significant loss of life caused simply by wind's strength (National Oceanic and Atmospheric Administration [NOAA], n.d.). According to NOAA's description on the *Saffir-Simpson Hurricane Wind Scale* for both Cat 4 and Cat 5 "catastrophic damage will occur", meaning that damages, loss of infrastructure and homes, uninhabitable areas and isolation are known to be expected.⁷

On September 20, 2017 – peak hurricane season in PR – the island was devastated by the worst disaster recorded in modern US history. Hurricane María left PR's 3.8 million residents without electricity and access to food, water and critical infrastructure, leaving 90 billion dollars in damages and affecting 100% of the population. "The resulting response represents the longest sustained air mission of food and water delivery in Federal Emergency Management Agency's [FEMA]⁸ history" (FEMA, 2018).

Puerto Rico was hit by several tropical cyclones, but Irma and María were classified as major hurricanes and affected the island the most, leaving on display remnant problems of another nature

⁶ USA and US used interchangeably.

⁷ For hurricane scale on wind speed and damages see NOAA description in Section: Annexes.

⁸ USA agency managing assistance.

to this day. Although María is the hurricane of interest of this thesis, the importance of mentioning Irma is to highlight conditions two weeks prior to María’s arrival, and which started unraveling the visibility of connecting events. Irma (Cat 5) didn’t hit PR directly due to its storm center not making landfall as opposed to María. Nonetheless, Irma “caused high storm surge, flooding, extensive damage to buildings and infrastructure, and widespread power outages” (FEMA, 2018). María made landfall in PR as Cat 4 after losing intensity when passing through US Virgin Islands as Cat 5. It “severely damaged or destroyed a significant portion of both territories’ already fragile critical infrastructure” (FEMA, 2018). In the same FEMA report of 2017’s hurricane season:

Hurricane María was the first Cat 4 storm to make landfall on PR in 85 years. Following the storm, every airport and seaport in Puerto Rico was closed and even after reopening had limited capacity for approximately seven days post-landfall due to restrictions. Less than 12% of the territory’s population had access to cell phone service in the immediate aftermath of the storm. The majority of the main island’s power grid was down until November 17, with outages continuing through May 2018. Additionally, the storm disrupted critical supply routes from Puerto Rico to the US Virgin Islands. (2018)

Figure 1 illustrates how María’s impact affected 100% of its population.

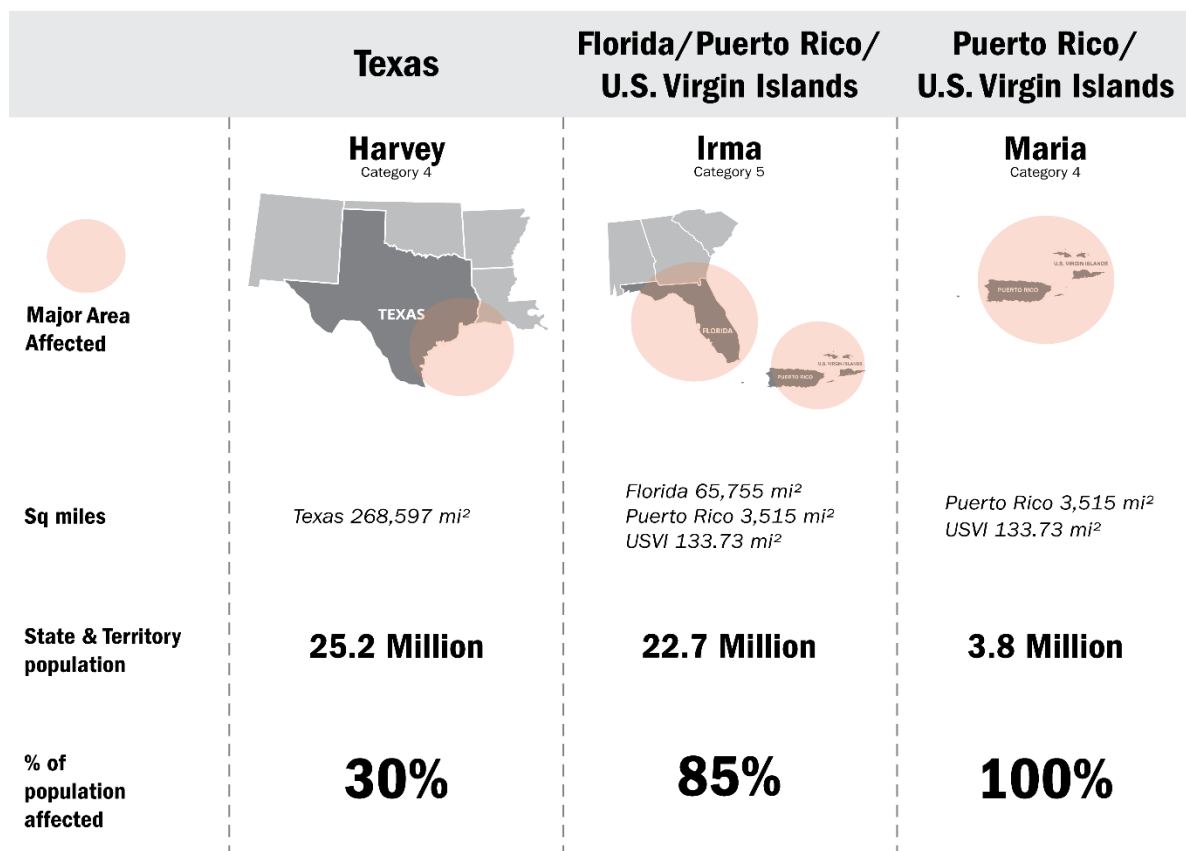


Figure 1: US state and territories’ 2017 hurricane season’s major hurricanes impact (FEMA, 2018).

Apart from economical, infrastructural and environmental destruction, the irreparable damage is the loss of human life. The sustained life-threatening conditions endured during months led to the crisis later measured in a study from 2018 by Harvard T.H. Chan School of Public Health in collaboration with Albizu University in Puerto Rico and the University of Colorado School of Medicine, Department of Emergency Medicine, Section of Wilderness and Environmental Medicine. The research published in the *New England Journal of Medicine* illustrated that the mortality rate in PR rose 62% in the aftermath of María and that the original government proclaimed deaths were a “substantial underestimate” (Harvard News, 2018b). The examination concluded that during those 3 months (September 20 – December 31, 2017) after the hurricane around one third of the reported deaths were attributed to delayed, interrupted or prevented access to medical care:

In addition to a significant higher death toll, the study showed that the average household went approximately 41 days without cell phone services, 68 days without water, and 84 days without electricity following the storm. More than 30% of surveyed households reported interruptions to medical care, with trouble accessing medications and powering respiratory equipment being the most frequently cited challenges. (Harvard News, 2018b)

The popular academic paper is well-known in the scientific-literature, and it is meaningful for other disciplines as well as PR’s population. Given the damages, it was of much importance to “ensure the availability of as much hurricane-related death information as possible prior to the next hurricane season” (Irizarry, 2018, as cited in Feldscher, 2018). In addition, it helped put an end to disputes over the discrepancies between number of deaths from previous studies and tolls conducted by the government, and it also quantified the magnitude of losses. A researcher collaborator of the study, Domingo Marqués-Reyes, Psy.D. (2018, as cited in Feldscher, 2018) explains that the emotional toll and vulnerabilities of the population were reflected in survivor’s guilt, post-traumatic stress disorder (PTSD), an increase in domestic violence and alcohol use, and an escalation on suicides and suicide-related hotline calls. He highlights how the study also helped Puerto Ricans start the grieving process of the losses. The storm-related mortality study revealed that illness and death continued for months after María, driven by a loss in infrastructure – lack of electricity, clean water and cell phone service – necessary for medical care (Balsari, 2018, as cited in Feldscher, 2018).

For this thesis, the Harvard study findings confirm that the lack of infrastructure, basic services and the prolonged exposure of people to dire conditions caused physical and mental deterioration, and even death. The impact of the loss of basic needs, isolation, aid provided, absence of human rights and a sustained state of extremes also accentuates the States’ (USA and PR)

responsibility and power, contributing to a humanitarian crisis. The mortality rate post-disaster speaks for itself.

The damages by María were enormous, but the slow humanitarian response efforts were devastating. Official assessments estimated a full recovery to take around 20 years, and although the period of emergency response was projected to take a few weeks it took months - and still looms over today. María's state of emergency turned into a sustained crisis in which the governments' responsibility towards their people was questioned due to how the disaster was managed: the poor emergency response and deficiency of the humanitarian aid⁹. Approximately 1.5 months after María's landfall, in a news release issued by the Office of the UN High Commissioner for Human Rights [OHCHR], UN experts expressed¹⁰ an alarm on mounting rights concerns in PR, damage, and prolonged dire conditions in which Puerto Ricans were exposed to, as well as reminding the government's obligations and that reconstruction efforts should be guided by international human rights standards (UN News, 2017). Governments' roles and humanitarian action were highly criticized for its inefficiency, discrimination, power abuse and bureaucratic technicalities adding weight to a critical situation. PR's public opinion focuses on the States' abandonment, the lack of response and accountability and leaving the most vulnerable exposed, which in turn fueled already existing historical conflicts. The socio-economic-political tensions in relation to the liaisons between USA and PR governments are not new, but the 2017's post-disaster period uncorked some old issues and human rights concerns which the hurricane only made evident. International community guidelines intend for humanitarian aid response to be accessible to all without discrimination and to operate independently from government agendas; "Humanitarian response should be governed by the key humanitarian principles of humanity, impartiality, neutrality and independence" (The Humanitarian Charter, 2019, p. 10). In the wake of hurricane María, PR served as the extreme milieu to illustrate various problematics.

To understand the many dimensions of the problem, the investigation's concerns, and technicalities surrounding the PR case, it is of utmost importance to explain the island's complicated socio-political power relationship to the US. It will make evident the connection to lack of sovereignty, equality and several aspects of humanitarian aid. It's almost impossible to talk about any aspect of PR politics, history, society, institutions, economics, underlying poverty, education, health care, culture, mindsets or even humanitarian action – to name a few – without discussing and needing to

⁹ See interchangeable definition on humanitarian aid in Section: 1.3 Definitions.

¹⁰ See full statement in Section: 2 *Literature Review*.

understand the political relation with US. A relation affecting and forming perceptions of PR society as it is today.

Power relations affect more than the management of humanitarian aid, they affect the composition of a society and perpetuate ideologies. It has effects on all aspects of life at a collective and individual level. The process of cultural hegemony “contributes to the adoption of colonial mentalities, which include some attitudes that are self- and group-defeating and that reflect the internalization of inferiority” (Rivera Pichardo et al., 2022, p. 83). PR’s case study demonstrates that the system in place, a non-incorporated territory of USA, translates to a colonial power that consequently maintains systematic oppression. These hegemonic dynamics retain control and transmit beliefs, preserving coloniality¹¹. Apart from retaining autonomy, domination can be seen in many aspects of the culture as well. “The adoption of a colonial mindset reflects ‘internalized oppression, characterized by a perception of ethnic or cultural inferiority’ and an ‘uncritical preference’ for the colonizers’ ways of being” (David & Okazaki, 2006, p. 241, as cited in Rivera Pichardo et al., 2022, p. 83).

PR is a unique example of an unincorporated territory with conditional rights that forged a complex relationship with the USA. The status does bring inequalities to Puerto Ricans:

The form of U.S. citizenship created for Puerto Ricans via congressional statutes, beginning with the *Jones Act of 1917*, differs from that of most “mainland” citizens along all the major dimensions of citizenship: modes of acquiring citizenship; modes of relinquishing citizenship; and the civil, political, and social rights associated with citizenship. On balance, these differences mean that Puerto Rican citizenship remains a form of second-class citizenship that should be transformed. But neither domestic nor international political pressures are likely to prompt the US government to alter Puerto Rican citizenship in the near-term future. (Smith, 2017, p. 56)

When thinking about causes that affected the aid response –jeopardizing human rights and human lives of those in the States’ care– US systems where Puerto Ricans are repeatedly not seen as equals, must be pondered on. The discrimination established by the US Supreme Court on the *Insular Cases of 1901*¹² decision “established the precedent that territories could be acquired by, but not incorporated into US” and “remains the foundation for denying territories full rights” (Russo, 2015, pp. 1-2). The US Supreme Court stated that “the denial of constitutional rights and statehood was

¹¹ See Section: 1.3 *Definitions*.

¹² *Downes v. Bidwell* is part of the *Insular Cases* of 1901.

under the assertion that the possessions had alien races different from US ways and were incapable of understanding Anglo-Saxon principles” (Russo, 2015, p. 1). Since early history PR has been a possession. First under the crown of Spain for 405 years and then a USA tenure for 126 years. This constructed the embedded ideology of power in citizens and States. PR’s society oppression is not only external, but also internal through power relations between federal (USA) and local (PR) governments. PR local government’s role has also been responsible for repression, visible during María as well, although as a secondary hierarchy power. The ripple effects of power on humanitarian aid during the post-disaster period do not cover only humanitarian aspects of recovery, but also uphold PR’s continuous state of crisis during María’s subsequent years. Yet there is a problematization of humanitarian aid in a territory possessed by but not considered part of the USA, and where humanitarian assistance is also managed by the USA.

Human rights are instruments that can help secure social justice to prevent such dreadful scenarios at that scale – e.g., María’s aftermath – from happening again or mitigate the impact. OHCHR defines human rights as “the universal legal guarantees that protect individuals and groups against actions and omissions interfering with fundamental freedoms, entitlements and human dignity” (Human Rights Council, 2015, para. 37). Concurrently, UNICEF more specifically demarcates human rights principles and values of universality and non-discrimination “mean that the promotion of social inclusion, equality and justice should be central concerns” and are “also for the response in emergencies” (Human Rights Council, 2015, para. 37). The importance of reviewing human rights is not solely to call on the misconception that in natural disaster scenarios their absence is acceptable, but also the significance stands on that they “seeks to analyze the inequalities that lie at the heart of development problems and those in emergency situations, as well as to redress discriminatory practices and the unjust distribution of power, which impede development” (Human Rights Council, 2015, para. 38).

Humanitarian aid is crucial for the response and recovery from any large-scale emergency. In a research-based report, the Human Rights Council Advisory Committee “found in fact commonalities between post-disaster and post-conflict situations in that both can represent a critical threat to health, safety, security or well-being of a community or large group of people” (2015, para. 6). Post-disaster and post-conflict situations are handled equally in terms of humanitarian action due to the abrupt disruption of life and the consequences it can have on the population. Humanitarian action helps restore life and relieve the burden caused by disaster or conflict. As presented in the report to the UN General Assembly [UNGA]:

Post-disaster ends once the right to life and the security, physical integrity and dignity of the affected population is protected again and the population has recovered its rights related to basic necessities of life, including economic, social, cultural, civil and political rights. (Human Rights Council, 2015, para. 7)

Mentioning these similarities between post-disaster and post-conflict are necessary to frame how urgent these two scenarios are as recognized in the international community. Paired circumstances that nowadays are happening more and more frequently and are bringing a simultaneous shockwave to the world.

Due to the range of effects post-disaster situations have, instruments have been created in response. As stated by the UN Office for the Coordination of Humanitarian Affairs [OCHA] in a message on humanitarian principles (OCHA, 2021), four fundamental values enshrine all their activities and are fundamental for humanitarian aid: humanity, neutrality, impartiality, independence. These principles are the foundation for humanitarian action and are adopted by the United Nations General Assembly in resolutions 46/182 (year 1991) and 58/114 (year 2004), which in turn were derived from the core codes of the International Red Cross and Red Crescent Movement (International Institute of Humanitarian Law, 2021, July). These same principles are core to the previously quoted Humanitarian Charter of the Sphere Project¹³, which compiled them into The Humanitarian Charter and Minimum Standards in Humanitarian Response¹⁴, and is the main international instrument guiding this investigation, being a vital source of both ethical and legal importance. It provides the framework on legal rights and obligations by centralizing core legal principles on the welfare of those affected by disaster or conflict and on ethical principles governing the response. The project did a great effort on integrating practices, roles, responsibilities, practical operations, policies and actions for humanitarian response between all parties¹⁵. The common principles, rights and duties are: the right to life with dignity, to receive humanitarian assistance, to protection and security, and to fully participate in decisions related to their own recovery¹⁶. All being major concerns in the PR case. Likewise, the strength of the document is that it's a compilation mainly

¹³ The Sphere Project focuses on humanitarian aid and is a thorough compilation of international mechanisms – i.e., Humanitarian Charter; UN Charter; UN Universal Declaration of Human Rights [UDHR]; International Red Cross and Red Crescent Movement Code of Conduct – emphasizing in disaster and conflict aspects.

¹⁴ See Sphere Project: www.sphereproject.org/handbook/ Also see Humanitarian Charter 2018: <https://handbook.spherestandards.org/en/sphere/#ch003>

¹⁵ See: The Sphere Project- Annex 1 Legal Foundation to Sphere: <https://handbook.spherestandards.org/en/sphere/#ch010>

¹⁶ <https://spherestandards.org/handbook-2018/>

of human rights' treaties, covenants and conventions concerning only humanitarian action aspects which are of relevance to this disaster related context case study.

Mentioning these key humanitarian points gives a clear understanding on the basis guiding humanitarian action. It's important to notice that the perspective examined in this work it's the *manner* in which humanitarian aid took place and the reasons behind it which have had tremendous consequences to this day. Considering how international humanitarian assistance works what happened in PR was very different, a case in which humanitarian aid was perceived more as conditional and not necessarily following the humanitarian principles practiced by international mechanisms¹⁷. Although USA is one of the Founding Member states of the UN and is still one of the five permanent members of the Security Council, by virtue of adhering to the Universal Declaration of Human Rights in 1942 and signing the UN Charter in 1945 (Dag Hammarskjöld Library, 2023), one can only reflect on the positive or negative effects of the grasp of a Great Power.

Even though national or international mechanisms took humanitarian action to help survivors with the current systems in place, public opinion and current research suggest that PR is still in crisis and has not recovered. The conditionality of humanitarian response provided did not adequately aid the individual nor relieve the necessities of the people. For the population in PR the repercussions on aid made it difficult to recover in the face of multiple crises post-María and shaped a mindset of need. As part of these significant post-disaster events, hurricane Fiona in 2022, though a Cat 1, serves as a reminder that things are still unstable and old systems are prevalent. It materialized the dread that there would be a repeat of what happened in María to some degree. How both governments (US and PR) handled María's aftermath, and the massive breach of human rights made me wonder who is responsible for protecting or exposing human beings to extreme conditions and even death. Humanitarian action being so crucial for survival, yet receiving it not always being a given – power can tamper it. It made me question the link between power and humanitarian aid. This sets the focus of my investigation and research questions.

To better understand the extent of what constitutes the grip of power in respect to humanitarian aid, the analysis on power relations – articulated as coloniality of power – will be primarily through the lenses of Quijano, Young with her five faces of oppression theory pinpointed in USA, and consequently Mbembe's theory of power through necro-power and necro-politics. Choosing these theorists will confidently support themes identified in the public discourse collected

¹⁷ See Section: 2 *Literature Review*.

through semi-structured interviews of both ‘survivor’ and ‘responder’. Current research focuses on the survivor, leaving the responder’s experience to the side. Considering both sides provide a more comprehensive picture. Themes revealed by the data were power relations, second-class citizens, abandonment, and humanitarian aid. This permits visibility on norms and patterns, internalized oppression that comes with coloniality, identity devaluation, cultural lack of recognition, discrimination, lack of governments’ accountability, and politicization of humanitarian aid – to name a few. Consciously understanding the multiple consequences of power can contribute to decoloniality, genuine autonomy, cultural recognition, equity, for positive outcomes of biculturalism to flourish, decolonize humanitarian aid practices, and protection and diffusion of human rights.

María is the perfect context for my project that aims to explore human rights during the century of climate change under a colonial framework.

1.2 Research Questions and Purpose of the Research

Considering a background dense with pre-existing social issues along with the post-disaster situation in PR added to worsening variables, such as the mismanagement of aid received, protection of human rights, power relations, sustained embedded ideologies, socio-economic-political problems, plus the developments the following five years after the climatological event give ground for this investigation.

The way power structures are constructed in Puerto Rico (PR) in relation to the United States (US) and their actions had serious consequences not only for aid in the aftermath of Maria but even still five years after the hurricane hit. Actions that like a domino effect mark today’s challenges in PR.

Framing all this premise, I ask my research questions:

How did colonial power struggles shape the aid available in Puerto Rico in the aftermath of hurricane María, revealing the implications of everyday coloniality and necro-politics imposed in Puerto Rico until today?

How did affected people perceive the effect of such struggles on aid?

These interrogatives serve as a guiding compass through this investigation.

The main purpose of my research is to shed some light on the current situation of PR by considering the subsequent five years after hurricane María’s landfall and the effects of power relations in the humanitarian aid context. The magnitude in which the survivors were affected makes it imperative to consider the evidence and study this case to prevent future crises to this scale. Therefore, it is relevant to include other objectives such as:

- To understand key social tensions in PR with the US and demonstrate how these are issues of equality, equity, cultural recognition, and selectiveness; altogether affecting aid.
- Illustrate that humanitarian aid in USA does not operate like, nor is equal to, how international humanitarian aid works, risking it to be political, bureaucratic, discriminatory, restrictive, putting human life at peril, contradicting the very neutral nature of what humanitarian aid should embody. Likewise, expose hegemonic dynamics on the PR government's side.
- Analyzing the aftermath of hurricane María is relevant to rethink possibilities of solving crises – whether it is accumulative or humanitarian – and aiming at the preservation of human rights.

Starting my investigation there was a noticeable difference in the amount of existing literature regarding humanitarian aid and human rights in the context of disasters as opposed to conflicts, being the latter the higher number. Another gap was that there was an even more limited quantity of articles adjudicating the injustices happening in PR, as being a direct human rights' violation. The claims were more towards civil, political or social rights connected to US citizenship rather than verbalizing it as human rights.

Awareness of the situation exposes the onset of previous tensions, mechanisms of power and politics. It can hopefully help deconstruct and recreate new ideologies – i.e., sense of worth, sovereignty, and break the invisible chains of coloniality. But most importantly, the goal will be to change the narrative perceived on power relations. From a humanitarian aid standpoint, this will help survivors recover, stop being exposed to crisis and be able to heal the trauma marked by a chain reaction in a 'before' and 'after' María.

To recapitulate, the aim of my investigation is to understand the role that power relations occupy in a colonial context and how this affects several areas of social issues that were unveiled by a natural disaster. By looking at the progression of events from 2017-2022, it is possible to understand the mixture of issues brewing towards PR's contemporary reality.

1.3 Definitions

It is necessary to define some terminology on which I will be basing the usage of concepts along the project in the interest of comprehensibility and reducing ambiguity. The principal terms will be discussed in this section and the remaining ones will be allocated in other chapters where it will be more appropriate in the context presented.

The Sphere Project's¹⁸ Humanitarian Charter is the international mechanism assembling principles – ethical and legally – from UN conventions and international law treaties, delivering the focus on disaster and humanitarian assistance components while keeping their original integrity on other concerns. Thus, the soundness on referencing this mechanism and extracting particular terms from its Sphere Glossary¹⁹.

A consideration regarding the term *humanitarian aid* is its interchangeable usage. The Human Rights Council on a UNGA, stated:

The terms “*humanitarian action*”, “*humanitarian aid*” and “*humanitarian assistance*” are often used interchangeably in post-disaster or post-conflict situations where the principles and rules of humanitarian response are applied. (...) Irrespective of the terminology used, all humanitarian responses have the same objective: to save lives, to alleviate suffering and to maintain and protect human dignity during and in the aftermath of emergencies. They are guided by the principles of humanity, impartiality, neutrality and independence. Furthermore, during emergencies, the timeliness of humanitarian aid and the protection of vulnerable groups become vital, particularly at the stage of rescue. (2015, para. 25–26)

This supports the centralized definition given by Sphere Glossary in which humanitarian *action*, *assistance*, *response*, or *intervention* are consistent and complement each other (2019, p. 10).

Humanitarian action: The objectives of humanitarian action are to save lives, alleviate suffering and maintain human dignity during and in the aftermath of man-made crises and natural disasters, as well as to prevent and strengthen preparedness for the occurrence of such situations. Humanitarian action has two inextricably linked dimensions: protecting people and providing assistance. (...) Humanitarian action is rooted in humanitarian principles - humanity, impartiality, neutrality and independence.

The term *humanitarian action* will be used here in accordance with what constitutes human rights and in contrast with the importance of preserving and promoting them even in the most extreme conditions as a result of a disaster or its aftermath. Part of the problem of PR's case rested on the equality issue, by the perception and distribution of humanitarian action. Help and assistance should

¹⁸ Some international mechanisms ruling Sphere Project include: International Covenant on Civil and Political Rights [ICCPR]; International Convention on the Elimination of All Forms of Racial Discrimination [ICERD]; International Covenant on Economic, Social and Cultural Rights [ICESCR]. There are other instruments – i.e., women, disabilities, children, internally displaced persons (IDPs) – also included as part of the legal framework governing the Sphere Project. For a complete reference on law mechanisms see: Sphere Project- Annex 1 Legal Foundation to Sphere <https://handbook.spherestandards.org/en/sphere/#ch010>

¹⁹ <https://spherestandards.org/wp-content/uploads/Sphere-Glossary-2018.pdf>

be available to all without discrimination. This ideal of equality is rooted in Article 2 of the Universal Declaration of Human Rights [UDHR]:

Everyone is entitled to all the rights and freedoms set forth in this Declaration, regardless of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty. (UNGA, 1948)

What constitutes humanitarian action is important for understanding key factors that detonated the crisis of PR. However, the root cause of the issues concerns power. How the aid was managed and controlled by the States was mainly what turned it into a *complex emergency*. Sphere Project understand it to unfold into a humanitarian crisis:

Complex emergency: A humanitarian crisis in a country or region in which authority has totally or substantially broken down due to multiple causes and where people's lives, wellbeing and dignity are affected. The crisis may have been caused by human activity (i.e., conflict or civil unrest) and/or by natural factors (e.g., drought, flood, hurricanes). (2019, p. 4)

Supplementing this idea, The Human Rights Council identifies a complex emergency as one of the categories for it to be a humanitarian crisis, "when the effects of a series of events or factors prevent a community from having access to basic needs, such as water, food, shelter, security or health" (2015, para. 23). It also defines *humanitarian crisis* as:

Humanitarian crisis: An event or a series of events representing a critical threat to the health, safety, security and/or well-being of a community or other large group of people, usually over a wide area. (...) Natural disasters and other major emergencies may all involve or lead to a humanitarian crisis that extends beyond the mandate or capacity of any single agency. An emergency is a large-scale crisis that destroys the lives of individuals, wrecks communities and overwhelms their ability to cope. (2015, para. 22–23)

Humanitarian crisis as defined above, will be used as a designation of the consequences of hurricane María's aftermath on an entire nation and its people. It will serve to explain a man-made disaster by the response being mainly in the hands of only one US federal agency. The sustained crisis left the most vulnerable exposed to a prolonged state of in-between-life-and-death situation which will be addressed with Mbembe's theory on necro-power & necro-politics. Additionally, the crisis was due to a complex emergency situation in which already existing socio-economical-political

civil unrest resurfaced, apart from the hurricane itself destroying infrastructure, collapsing the power grid and communications systems, and affecting access to basic services.

Not forgetting the political status of PR in relation to the USA, it is necessary to clarify what is and constitutes power, and its connection to its domain on humanitarian aid. US governance brings forth considerations on the extent of power, its execution and what is permissible. In addition, structures of control are seen as well in PR's State in regard to its people where models of power are reproduced. Both States reflected power dynamics through humanitarian aid. I found appropriate for this thesis' context the turn on power – colonial; coloniality – given by Quijano. It is applicable to consider US' power relation to PR as a colonial power, in which coloniality of power has also taken place. Quijano's definition of what constitutes **power** is “the relations of exploitation, dominance and conflict” (Quijano, 2007a, p. 98). Quijano understands *coloniality* to be different from *colonialism*. Quijano's distinction is articulated by:

Colonialism denotes a political and economic relation in which the sovereignty of a nation or a people rests on the power of another nation, which makes such nation an empire.

Coloniality, instead, refers to long-standing patterns of power that emerged as a result of colonialism, but that define culture, labor, intersubjective relations, and knowledge production well beyond the strict limits of colonial administrations. (Maldonado-Torres, 2007, p. 243)

This project will explore Quijano's view on coloniality of power since he brings attention to the 'race' factor for a fuller view of the equation. Race is a key element of the old ideas of superiority and inferiority on the dominant structures of colonialism. It is the social category that conceived what constitutes coloniality of power by transmuting the old ideas into the capitalist colonial/modern world power (Quijano, 2007b, p. 171). Therefore, there is a difference between colonialism and coloniality, although one is ignited by the other. PR as a US territory portrays both scenarios, since it holds political and economic bonds to the dominant while sustaining its position of the dominated, and simultaneously fusing it in institutional systems in place – i.e., family, education, labor – affecting a social structure, culture, language which defines the individual as part of a collective and thus maintaining embedded ideologies and perpetuating dominance. All these constituents of power relations were made evident in the humanitarian aid management at the wake of María, as well as in actions during the subsequent years.

1.4 Methodology

This is a qualitative study²⁰. I conducted semi-structured interviews as this allowed the discussion of relevant topics. The eight participants are Puerto Ricans that lived through María, its aftermath and the post-years. The contributors for the data collected are all survivors. However, I was able to secure responders to share their account. A distinct variable for the study is the fact that the collaborating responders were also survivors. Interviewees are part of the affected population portraying two sides of the narratives by having roles of survivor, and responder in FEMA – the controversial USA agency managing aid. It is important to have gathered data from both sides of discourses to have a clearer overview of what is being analyzed. The data collected in the interviews uses thematic analysis since the information shows links between ideas and recurrent patterns, hence the need to classify them as themes. This type of analysis helped me organize the data, allowed me to identify labels and concretely describe my findings. The analysis chosen in combination with my positionality helped me define what is important to be attentive to for the study, what to inquire about and how to ask it, given that I was both survivor and responder as well and have a sound understanding of the two points of view.

1.5 Thesis Structure

As a means to organize coherently the material presented in this thesis, six key chapters will catalogue the investigation. The opening chapter gives the basis of the topic from macro to micro for thorough comprehension and conscientization on the expansive outcomes of the matter at hand. It then brings the reader to a precise location of study – Puerto Rico. After the introductory context comes the statement of the problem with its novelty and mentioning of the theories. Next, I present my premise, research questions, and the purpose of the research with its aims – objectives, gap, goal. I then clarify some key terms necessary for establishing uniformity across lexicon used in the thesis. The introduction finalizes with a short description on the methodology employed so the reader can understand the process involved for the gathering and analysis of the findings.

The subsequent chapters go deeper into the above-mentioned divisions. The second chapter provides the background that delineates the pathway of understanding this case study by interconnecting history – PR relation to US; María – with existing knowledge and literature on the topic. The third chapter contributes with the framework of theories – power; oppression; necro-

²⁰ See full discussion in Section: 4 *Methodology*.

power & necro-politics – applicable to this investigation and permitting to examine the problems raised. Accordingly, the theories are a match with the themes found in the data. The fourth chapter outlines the research design and choice of methods. Covering epistemological foundation, selection of participants, positionality, ethical considerations, data collection, and data analysis. The fifth chapter holds the data findings and analysis. Here, the findings will be described in detail and will be allocated into themes generated by a coding process, as part of a thematic analysis. The main themes – power relations; second-class citizens; abandonment – will be discussed in sections. This chapter delivers a profound knowledge of the events and its focus on humanitarian aid, as recounted by the interviewees’ experiences. The final chapter resumes the thesis by revisiting the material presented in whole. I achieve to answer the interrogations proposed in the study, as well as aspects of the aim of the project. The conclusion holds the closing remarks and possibilities for further research.

In the *Bibliography* the reader will find all the material I used. It contains as well, all the references mentioned in-text. Both give the bibliophile an informed list for further reading and for the researcher a guide for future investigations. Following, there is a *List of Figures* containing items to help visualize the mental process that took place in building this thesis. After, there is the *Annexes* which encompasses various aspects – e.g., letter of consent, interview script – that additionally supports the thesis.

2 Literature Review

In the following sections I will present an overview of Maria's aftermath structured within a legal framework. This background is necessary to connect it to the theory chosen, and for the reader to access the textual narrative and the actual wording employed legally. To understand the scope of this work it is imperative to mention the conditions prior and post María that influenced humanitarian aid. The legal structure is constructed based on Quijano's colonial power theory's framework of exploitation, domination, and conflict, as well as his coloniality of power's frame of superiority, racism and discrimination. The legal aspects explained in this section also lead to understanding of Young's oppression which in turn gives ground for considering Mbembe's theory of necro-power and necro-politics. This due to its importance on the effects of the State's disposal of human life and continuous morbid decision making. These legal mechanisms are also an example of laws impeding self-determination, equality and impacts on political, economic, and social nature. The explanations of instruments presented are in the interest of revisiting already explored concepts of systematic oppression via legal grounds by both governments. They serve to bind an ethnic group to policies that inhibit them to develop -are structured to prolonging their domination- and inhibited recovery from María's aftermath and subsequent chain of events. Further examples are provided which are relevant to understand the repercussions on PR current reality, and which fortify the arguments of this case study. The apporting legal aspects are a general overview of what constitutes the applicability to this thesis.

2.1 Hurricane María in Puerto Rico

Hurricane María was a meteorological system without precedent and the strongest hurricane recorded in almost 90 years²¹. Monitoring of Maria started already from September 12th, by the 16th prior to its landfall it was known to be a Cat 5 hurricane, making the imminent impact and high-level damages a well-known outcome. On September 20, 2017, María split the island in half leaving in its wake a shattered landscape without comparison. Making landfall as a hurricane Cat. 5 in the small municipal PR islands – Vieques and Culebra – it then entered PR mainland with winds of 165 miles per hour (about 266 kilometers per hour)²². María continued its trajectory inland as a Cat. 4, but with sustained winds of maximum strength for its category and in some elevated locations reaching Cat.

²¹ During the century of US occupation in PR.

²² For hurricane categories, windspeed and damages see NOAA description in Section: *Annexes*.

5 windspeed intensity. It was a strong hurricane formation that had triple eyewall replacement cycles. PR was still reeling from the destruction caused by Cat. 5 hurricane Irma two weeks before (e.g. deaths, loss of homes, water, electricity, crops). María deepened what Irma started. The devastation was due to: heavy rains where 10% of PR had 500 millimeters (approximately 19.7 inches, where 37.9 inches was the highest); record flooding of over 8 feet (about 2.44 meters); flash-floods; extreme soil saturation; landslides; mudslides; storm surge and tide of over 9 feet (about 3 meters); lakes and rivers overflowed its banks; erosion; entire geographical areas and coastal lines had to be remapped (since they ceased to exist); complete disruption of ecosystems – land and sea – and displacement of animal species due to their habitat’s destruction (e.g., crocodiles in floodwaters in urban areas); extreme windspeeds (reported structures to be shaking like an earthquake); loss of vegetation (resembled a forest fire or a nuclear bomb explosion); and 80% of losses in agriculture (Bonilla & LeBrón, 2019, pp. 3-5; Caraballo, 2018, pp. 688-705; Deibert, 2019, pp. 113-135; Mora et al., 2021, pp. 1-6; Morales, 2019, pp. 198-226; Santos-Hernández et al., 2020, pp. 192-200).

As a result, all 78 municipalities experienced damages such as: critical damage to infrastructure; total collapse of the power grid (island-wide); 95.6% of telecommunication towers were down (no cell phone, no internet or landline phone service, radio or television); communications were inexistent (85% above-ground and underground phone and internet cables were damaged) resulting in no contact with relatives or emergency services; limited functioning in bank ATMs to access money in cash; wires and cables exposed (over 500,000 wood and cement poles carrying cables were down); 97% roads were impassable; massive debris everywhere (e.g., tree trunks, metal, glass, concrete pieces of buildings, pieces of houses, steel or iron structures like sports’ courts); collapse of bridges and roads left communities totally isolated for months; nonfunctional stoplights; machinery, buses, cars, boats were upside-down; ports (air/sea) presented damage; major or total destruction to houses (even concrete ones); businesses, restaurants and supermarkets shutdown; and supplies distribution networks were highly affected. Total damages were estimated somewhere between \$90-\$100 billion (Mora et al., 2021, pp. 4-5).

The population experienced: extreme heat; dehydration; being trapped in rooftops from rising floodwater levels; loss of homes caused internal displacement (Internally Displaced Person [IDP] shared crowded households or shelters); supplies that could produce energy (i.e., batteries, generators, solar systems) were in shortage and high demand; for months other shortages were on basic needs (i.e., food, drinking water, medicine) and utilities (i.e., water, electricity); for months the aqueduct and sewage authority – *Autoridad de Acueductos y Alcantarillados* (AAA) – transported

used water from pumping stations to treatments plants; rotting garbage or carcasses were in immediate populated areas; people who had access to rivers washed clothes and bathed in them, risking to be contaminated; lack of security; gender violence; domestic and intimate partner violence spiked; and a collective hopelessness, despair and mental health problems increased (Bonilla & LeBrón, 2019, pp. 3-5; Caraballo, 2018, pp. 688-705; Deibert, 2019, pp. 113-135; Mora et al., 2021, pp. 1-6; Morales, 2019, pp. 198-226; Santos-Hernández et al., 2020, pp. 192-200).

Prior to Maria PR was dependent on importing 85% of the food consumed, with only 15% being produced. Due to 80% crop losses, PR had to “import 95% of its food. The situation was dire and state and federal government inefficiency and bureaucracy stunted progress” (Díaz, 2021, p. 118). A farmer expressed “[t]here is no more agriculture in PR. And there won’t be any for a year or longer” (Díaz, 2021, p. 118). Other food sources were lost like livestock, or some were discarded due to lack of electricity to preserve them (e.g., milk, eggs). One month after María, 8 out of 10 (83%) remained without electricity and up to 52% lacked running water, and after three months electricity has not been restored to nearly half of the island (Mora et al., 2021, pp. 1, 4; Rubin & Cutter, 2020, p. 195) – for some it was 13 months. Electricity was crucially linked to medicine refrigeration (e.g., insulin) and medical services (e.g., treatment, operations), but the health care system interruption was also seen in lack of personnel, shortage of medicines, patient’s access to oxygen tanks, ventilators or dialysis (Kishore et al., 2018, pp. 162-169; Rivera et al., 2021, pp. 82-89).

Despite the shortage, desperate for supplies people stood in long queues – average of 6–11 hours a day – sometimes in vain to try to get the most needed resources for survival such as food, potable water, gasoline/diesel, ice, cash, medicine, or access to hospitals. Outside the long lines, the end-of-the-world environment was tough. Some examples of the immediate scene were: hospitals with “patients groaning in pain due to shortage of medicine and supplies; a retirement home for the elderly were the administration left before the hurricane landed, leaving residents on their own, in the dark and without water, for over a week until they were discovered by a group of volunteers; or two weeks after the hurricane how residents were forced to live amid a fetid goulash of dead cows, goats, chickens, and horses bobbing in still-standing flood waters and try to avail themselves of a nonfunctioning sewage system” (Deibert, 2019, pp. 116, 124). Apart from the chaos, sickness also loomed. Cases of leptospirosis were first reported in early October, later turning into an outbreak. The infection was contracted through exposure of rat urine in the water source or floodwaters. “A number of those who died had worked on relief efforts and had been in regular contact with floodwaters” (Deibert, 2019, p. 124). Direct deaths reported were from drowning, being buried from

mudslides, sustained injuries from debris, contaminated drinking water (e.g., dead animals, rat urine, other pollutants), infections (hospitals unable to lower the patient's high fever temperature), or sometimes by patients being prematurely discharged from hospitals, or ambulances that could not reach their destination. The prolonged human suffering lasted for months or over a year which made things worse, especially when humanitarian relief was not in sight. "Bodies were already piling up at morgues or in people's backyards" (Morales, 2019, p. 201). It was described as total devastation and despair.

In spite of USA's relationship to PR, discussions between federal and local officials about the situation and response didn't happen until almost a week after María's landfall and from then onwards the slow response commenced (Deibert, 2019, p. 117). FEMA didn't enter the scene until two weeks later. The lack of urgency from the federal government was highly criticized. The extended state of emergency of an unhurried response and ineffective humanitarian intervention produced a massive outmigration – called The Great Exodus – mainly into continental US. A study by tech firm Teralytics estimated a reach of 12% – 400,000 people left – between September 2017 – February 2018, so far PR largest migration. (Morales, 2019, p. 220). The forced migration seen in the massive exodus due to inhumane prolonged circumstances post-María is the reason why Puerto Ricans are considered to be "climate refugees" or "climate migrants" – although they didn't flee PR due to the hurricane but rather due to the humanitarian response (Bonilla & LeBrón, 2019, p. 12). Another reason for the mass migration is the persistent conditions that created a new normal for PR – some still part of the reality nowadays.

María's destruction covered 110 miles long by 40 miles wide, the entire island – 100x35 – but the real catastrophic devastation was seen in the humanitarian intervention. Hurricane María is the worst disaster recorded in modern US history. For PR it was the costliest and deadliest hurricane – the second deadliest hurricane in US. The apocalyptic panorama caused a total disruption of life, irreparable losses, a humanitarian crisis, and marked in PR history a "before and after" María²³.

²³ See Section: *Bibliography* for the complete references of the facts presented.

2.2 On Power

2.2.1 Insular Cases

The *Insular Cases* are a set of cases from 1901-1922 in which US Supreme Court legally verbalized the differentiation between territories and continental US, and for the first time legally established why US Constitutional rights and privileges do not apply to territories although holding a US citizenship. Mainly two things were evident: the differentiation on ethnicity and race between territories (i.e., full US Constitutional rights do not apply to territories) and clarifying to the subordinates the US colonial project (i.e., extent of the totalitarian power that US legally has towards its territories and the intention to keep it as such). “According to these Supreme Court decisions, the US Constitution was not fully applicable to the new territories because they were not an integral part of US, but belonged to the US and thus came under plenary powers of Congress” (Collado-Schwarz, 2012, p. 8). The cases have a colonial discourse of superiority, ownership and discrimination used to justify having unlimited powers and the exclusion from rights – all legally protected within federal law. For PR the two most significant cases were *Downes v. Bidwell* (1901) and *Balzac v. Porto Rico*²⁴ (1917). The case decision in 1901 was more specific on establishing US supremacy and racial difference, and in 1922 – still under the 1901 rulings – citizenship and incorporation was mainly addressed. Both cases built the second-class citizenship treatment for it “defined PR as an unincorporated territory belonging to but not part of the US” (Collado-Schwarz, 2012, p. 221), which still rules to this day.

In the Supreme Court decisions (...) Justice Henry Billings Brown wrote, ‘those possessions are inhabited by alien races, differing from us in religion, customs, laws’ as well as ‘modes of thought’, deeming that inhabitants of territories acquiesced during the Spanish-American war may be unable to understand ‘Anglo-Saxon principles’ and thus may be denied full Constitutional rights and statehood. (Russo, 2015, p. 1)

With these court cases’ decisions, the duties a territory holds within the Foraker Act 1900 were redefined, and it marked the discriminatory discourse with the second-class citizenship settled by the Jones Act (1917) which did not incorporate PR to the Union and therefore cannot have its privileges

²⁴ US changed the name of Puerto Rico to Porto Rico once it acquired the territory ceded by Spain when losing the Spanish-American War. After resistance from Puerto Ricans, the name was then changed back again to Puerto Rico.

nor constitutional's rights, mainly because US Supreme Court is aligned with US Congress on thinking that Puerto Ricans are a different race²⁵ (Barreto & Lozano, 2017, p. 999-1000).

The conception of US to be a "protector/savior" is hold by racial superiority and is transposed to the legal system, leaving Puerto Ricans with little or no say on their matters. As US President Theodore Roosevelt expressed:

There are vast differences in political capacity between the races, that it is the white man's mission, his duty, and his right to hold the reins of political power in his own hands for the civilization of the world and the welfare of mankind. (Rivera-Ramos, 1996, p. 29)

During María all this power relation's ideology came into play – the idea of a superior that will save the territory in need. However, the idea of US being a savior was shattered by the slow response to the emergency and the treatment of the survivors. Likewise, the excessive control on humanitarian aid – supplies or funds – and bureaucratic procedures of PR accommodating to US terms, put in question if the reasons behind were a matter of racial difference and discrimination. It's important to mention that although the ideology suffered national and international backlash, the imperium was successful on preserving the colonial constant idea of need. As a call on US, the American Governor Rexford G. Tugwell²⁶ expressed his preoccupations on the morbidity of US colonial project, which didn't permit PR growth:

That is what colonialism was and did: it distorted all ordinary processes of the mind, made beggars of honest men...²⁷ (...) Relief was something which the Congress made PR beg for, hard, and in the most revolting ways, as a beggar does on a church step, filthy hat in hand, exhibiting sores, calling and grimacing in exaggerated humility. And this last was the real crime of America in the Caribbean, making of Puerto Ricans something less than the men they were born to be. (Tugwell, 1947, p. 32).

²⁵ "US citizenship is not split in two – civic or ethnic – but subdivided into multiple hierarchies on the basis of race, ethnicity, and territoriality. (...) US is a landscape of inequalities grotesquely incompatible with the grand mythology of equality under a common citizenship. (...) State residents enjoy the full range of civil and political rights while territories descended to a second-tier, tutelary citizenship" (Barreto & Lozano, 2017, p. 999-1000).

²⁶ Appointed from 1941-1946 by US President Franklin D. Roosevelt.

²⁷ "(...) sycophants of cynics, American-haters of those who ought to have been working beside us for world betterment – and would if we had encouraged them. Economically it consisted in setting up things so that the colony sold its raw products in a cheap market (in the mother country) and bought its food and other finished goods in a dear market (also in the mother country): there was also the matter of foreign products to be carried in American ships. In that sense PR was a colony just as New York and Massachusetts had been colonies. Except for "relief" of one kind or another, which George III and the others were too foolish to give when it would have been wise, PR was just as badly off. (...)" (Tugwell, 1947, p. 32).

Almost eight decades prior to María the noticeable colonial project was at work. María's destruction in combination with a colonial agenda (i.e., *Insular Cases*; PROMESA) accelerated the decadence and enhanced the dependency level already established. The continuous use of legal instruments to sustain US perception of inferior populations incapable of self-government, consequently solidified US ideologies with racism (Rivera-Ramos, 1996, p. 29). The decisions on the *Insular Cases* were key for legally establishing "the notion that the peoples of the new territories were incapable of self-government [and] they were not fit to become full-fledged members of the American polity, with a right to participate in its government" (Rivera-Ramos, 1996, p. 32). The racism is perceived in the official language used in the cases, for instance, Justice White will refer to as "alien and hostile peoples"²⁸ (Rivera-Ramos, 1996, p. 32). The ideology of imperialism is based on inferiority of "the other" and is the basis of the doctrine of incorporation as seen in the *Insular Cases* verdicts. It is also the basis of a predispose construction of identity, since it is the "superior" who defines who is the "inferior", therefore "justifying again its subordination as a colonial territory"²⁹ (Rivera-Ramos, 1996, p. 32).

The US relationship of power is an indoctrination learned from the English Crown and reproduced in the American colonies, for as "two centuries ago, a former European colony took into its head to catch up with Europe. It has been so successful that USA has become a monster where the flaws, sickness and inhumanity of Europe have reached frightening proportions" (Fanon, 1963, pp. 236-237). PR was part – and continuous to be part – of US colonial endeavor commenced "[In 1898] the Americans established new colonial institutions that severely restricted Puerto Rican's political participation. These institutions were patterned after the British 'Crown colony' model" (Collado-Schwarz, 2012, p. 7). The *Insular Cases* represented a particular power relationship³⁰ – i.e., justification of power and the legitimation of the colonial project – as of the doctrine developed by them provided explicit justification of the new American colonial project (Rivera-Ramos, 1996, p. 37).

²⁸ Justice Harlan will oppose this categorization and will call upon that discourse labelling them "dependent peoples": "The "other" is always inferior, less capable, predestined, of course, to be governed, to be held in tutelage, to be "civilized" or "protected," to be brought within the ideological world of the dominating power, but sufficiently at a distance so as not to confuse the respective communities they inhabit; in short (in the "constitutionalized" world of American political life), to be kept at the same time "within and without" the Constitution" (Rivera-Ramos, 1996, p. 32).

²⁹ "Keeping the "other" as a "separate," but subordinated, identity and entity justified governing it without the restraints imposed by membership in the political community of the imperial power. At the same time, constructing the "other" as inferior, as incapable, justified not treating the group as an equal in the community of nations" (Rivera-Ramos, 1996, p. 32).

³⁰ Post the *Insular Cases*, there has been other cases until this day "regarding the applicability of constitutional provisions to PR and the constitutional guarantees that its "inhabitants" may claim" (Rivera-Ramos, 1996, p. 40).

The decisions became the legal truth and reality of PR³¹ as “the doctrine became part of the “reality” of the colonial project. (...) The colonial venture had been justified at the representational level of law” (Rivera-Ramos, 1996, p. 38). The colony is kept through legal construction, affecting rights such as: self-determination, freedom, discrimination (i.e., race, language, religion, national origin, birth status), dignity, free development, cultural identities, and participation in political, social and economic life. Despite the fact that the main statement of the UN International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), reads as follow:

Considering that United Nations has condemned colonialism and all practices of segregation and discrimination associated therewith, in whatever form and wherever they exist, and that the Declaration on the Granting of Independence to Colonial Countries and Peoples of 14 December 1960 (General Assembly resolution 1514 (XV)) has affirmed and solemnly proclaimed the necessity of bringing them to speedy and unconditional end. (ICERD, 1969, p. 214)

As defined³² by the United Nations Educational, Scientific and Cultural Organization (UNESCO) a colony is “a territory, subordinate in various ways – political, cultural, or economic – to a more developed country. Supreme legislative power and much administration rest[s] with the controlling country, which [is] usually of a different ethnic group from the colony” (Gould & Klob, 1964, p. 102, as cited in Torruella, 2017, p. 118). By definition, PR remains to this day a colony.

2.2.2 Citizenship and Territorial Clauses

Citizenship Clause:³³

As defined by Section 101(a)(22) of the Immigration and Nationality Act (INA), “‘citizenship’ includes the status as a ‘national³⁴ of the United States’ and applies to both citizens of the US and ‘non-citizen nationals’ of US” (8 U.S.C. § 1101(a)(22)). This important differentiation divides hierarchies between people of territories that are US possessions. In the 14th Amendment, US citizenship in PR is determined by birthright. The Jones Act of 1917 conceded US citizenship to Puerto

³¹ “Being an unincorporated territory, Congress had plenary powers over them, that their inhabitants could claim only limited protection from the Constitution, came to be part of the social understanding of the policy makers, part of the way in which the political reality of the new territories came to be perceived” (Rivera-Ramos, 1996, p. 38).

³² UNESCO Dictionary of Social Sciences.

³³ 42 C.F.R. § 436.407

³⁴ “A person owing permanent allegiance to a state – US” (Section 101(a)(21)).

Ricans according to certain conditions³⁵ (42 C.F.R. § 436.407). Since the 1898 Treaty did not specify it would grant citizenship, nor did the Citizenship Clause automatically confer privileges by annexation, thus “the US had become a colonial power” (Cabranes, 1978, p. 411-412).

The Citizenship Clause 1866³⁶ provided all citizens “equal protection under the law”, but US citizenship was not granted until 1917. In the Clause “all persons born or naturalized in the US, and subject to the jurisdiction thereof, are citizens of the US and of the State wherein they reside” (Harrington, 2018, p. 1; 42 C.F.R. § 436.407, Amdt 14.S1). The access to protective rights under the Citizenship Clause against the conditional rights under US Citizenship 1917 constituted differential treatment. However, different kinds of duties were expected from Puerto Ricans. “Citizenship binds individuals to the state via a chain of interconnected rights and responsibilities” (Barreto & Lozano, 2017, p. 999) which for PR meant taxes, cargo payments and military service. Therefore in 1917, citizenship meant a “collective naturalization and the creation of a class whose rights and privilege under the Constitution were regarded as inferior to those of the fellow citizens on the continental US” (Cabranes, 1978, p. 403). Before 1917 Puerto Ricans were considered “non-citizen nationals” who owed allegiance to US. As US Senator Foraker stated in Congress the objective of making Puerto Ricans citizens was merely ‘to recognize that PR belongs to the USA’,³⁷ (Cabranes, 1978, p. 487). The assumption was that equal treatment, benefits, application of the law and constitutional rights from the US Bill of Rights would be equally shared with the US (Ayala & Bernabé, 2016, p. 45-46), but the citizenship never extended full political nor civil rights, consequently creating a “second-class citizenship for a community of persons that was given no expectations of equality under the American system [and] had the effect of perpetuating the colonial status of PR” (Cabranes, 1978, p. 398). Nowadays, US citizenship has become synonymous with holding a US passport and it heightens identity construction along the way – an inferior and undeserving complex where being different from another is depreciatory.

³⁵ Such as birthdate, residence and that the person did not take an oath of allegiance to Spain (42 C.F.R. § 436.407). Possibilities for Puerto Ricans to acquire citizenship were mostly connected to war events (WWI and WWII), and citizenship also made sure to cut ties with other nations, such as PR’s strong relation with Spain. When ceded over, Puerto Ricans lost their Spanish citizenship and became US subjects – establishing a new form of colonialism.

³⁶ Passed by US Senate June 8, 1866, and ratified July 9, 1868.

³⁷ “Thus, a half century after the US proclaimed the inadmissibility of the ownership of persons, it affirmed its acceptance of the contemporaneous European concept of the ownership of peoples” (Cabranes, 1978, p. 487).

Territorial Clause:

US Congress' unlimited powers over territories has its legal protection under the Territorial Clause – Article 4, Section 3 – of the US Constitution (1787). It concerns the relationship between the states, and the relation of new states and federal property: “Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to US (ArtIV.S3.C2). It distinguishes between types of territories or US properties – incorporated and unincorporated. PR is still classified as an unincorporated territory belonging to US, and as long as it is under a property clause, Congress can rule over it as a colony. The legal basis for the exercise of broad Congressional authority over the territories was construed as the Territorial Clause of the Constitution and in the “inherent powers of a national sovereign government” doctrine (Rivera-Ramos, 1996, p.6). This territorial incorporation doctrine is supported by the Supreme Court and holding citizenship does not affect it. “For the first time in history, citizenship was granted to a people without the promise of eventual statehood” (Cabranes, 1978, p. 490). Since 1952, “Congress has refused to commit itself to any binding process that might obligate it to grant statehood to PR if so requested” (Collado-Schwarz, 2012, p. 12).

Both clauses – Citizenship and Territorial – played a decisive role in the *Insular Cases* rulings legally justifying the racial reasons and power relationship that US has with PR, clarifying that holding US citizenship did not mean getting equal treatment, and systematic oppression is permitted and legally protected. Having a status of ambiguity, “limits voting rights to U.S. citizens that choose to reside on the island, despite their origin” (Remeselnik, 2022, p. 358). In the months following María, the pro-statehood PR Governor Ricardo Rosselló unsuccessfully pushed the idea of being part of the States of the Union, neither Trump nor Congress agreed: “Arguments that Congress would never support PR formal integration were apparent in the island’s political sphere” (Remeselnik, 2022, p. 358).

The need for increased federal representation became more apparent. (...) María required the immediate assistance of FEMA and the federal government. The promised assistance largely fell short, however, as the territory awaited the necessary funds for multiple years following the disaster. The result was further distrust of the federal government, which may have been avoided if the territory was allotted more influence in Congress to timely provide the disaster relief funds. (Remeselnik, 2022, p. 358).

2.2.3 Jones Act

The Jones Act is part of a continuation of regulations approved under Jones-Shafroth Act³⁸ which “conferred US citizenship on residents of PR” (Papavizas, 2020, p. 13). It made PR a US territory, and was implemented when US needed soldiers during WWI. The “Selective Service Act of 1917 followed, which permitted drafting Puerto Ricans.³⁹ (Library of Congress, n.d.). This was prompted by Act of 1916 as part of the WWI Mobilization Acts in connection to US’ “government vessels ownership and operation” (Papavizas, 2020, p. 5-6). This showed once more the strategic location and importance PR has during military times. (Collado-Schwarz, 2012, p. 8)⁴⁰ Granting US citizenship was aimed at ensuring loyalty to US during wartime. However, for PR it upheld the intent of perpetuating the colonial status, making it a permanent territory impeding its independence and excluding any consideration of independence, thus affirming US government permanency in PR (Ayala & Bernabé, 2016, p. 89-92). Voting rights were however not extended and US could veto any laws passed found incompatible with federal laws (Art. 58, 48 U.S.C. 1917).⁴¹ Additionally – Art. 23 – when a law is decreed in PR, the Governor has 60 days to get it approved by Congress.

“The Jones Act later became best known as a symbol of US coastwise maritime policy” (Papavizas, 2020, p. 2), and with Section 27 the Act’s US cabotage maritime laws⁴² formally continued as an economical blockage restricting the market for PR, in the sense that commerce expansion, trade, import and export of goods can only exclusively be made to and through the US since 1900.⁴³ (Collado-Schwarz, 2012, p. 164). In his study, economist José Herrero estimated that PR is overpaying nearly “\$500 million per year in transportation of goods between PR and US (at constant prices for 2000)” (Collado-Schwarz, 2012, p. 163). If PR were exempt from the cabotage law or they were equally applicable in US territories, PR costs of transport would be reduced by 40%,⁴⁴ “almost \$150 million per year” (Collado-Schwarz, 2012, p. 164). Another study conducted by John Dunham &

³⁸ 2nd March 1917

³⁹ “Approximately 20,000 Puerto Rican service members served in World War I and 65,000 fought in World War II” (Library of Congress, n.d.). These figures are not taking into account other wars and conflicts in which US partook – and partakes – and Puerto Ricans have been deployed under US affairs.

⁴⁰ “Just as the Spanish had, the Americans assigned great strategic importance to the new colony, particularly as part of US defense of the recently opened Panama Canal. Another factor was Germany’s interest in establishing a presence in the Caribbean” (Collado-Schwarz, 2012, p. 8).

⁴¹ As per Art. 58, 48 U.S.C. Act of Mar. 2, 1917, ch. 145, § 5, 39 Stat. 951-953 (1917).

⁴² Originated with the Foraker Act 1900 and still in force through the Merchant Maritime Act, 1920.

⁴³ The shipping traffic is limited “between US ports to ships built and registered in US” (Collado-Schwarz, 2012, p. 164).

⁴⁴ Additionally, “it will mean a reduction of almost \$150 million per year in the transportation cost of our exports” (Collado-Schwarz, 2012, p. 164).

Associates (2019), “found that the Act increases shipping costs to PR by \$568.9 million, with a total increase of prices on the island of \$1.1 billion attributable to cabotage restrictions” (Keyser, 2022, p. 278).

Cabotage laws force us to use the US Merchant Marine exclusively, which is the most expensive and inefficient commercial shipping service in the world (it has not built a single ship for years). This imposition is an aberration in current times, when free trade and globalization prevail. (...) The fact that PR generates one-fourth of the total income of the obsolete US Merchant Marine is indeed ironic. Puerto Ricans subsidize the colonial power. (Collado-Schwarz, 2012, p. 164).

These millions mentioned were important when humanitarian aid money was granted or denied by the US during María’s recovery. They would deny claims while at the same time making it inaccessible for international aid to engage with recovery – immediate or long-term – efforts. Vincent H. Smith of the American Enterprise Institute explains:

The value of aid dollars spent on hurricane recovery is undercut by the Jones Act. (...) The actual impact per dollar spent on shipping supplies is undercut by the higher rates charged by Jones Act-compliant vessels, at least tripling the cost per container. (Keyser, 2022, p. 278)

The Act’s blockage restricted the ports from quicker and cheaper international help to arrive with materials for the reconstruction of collapsed systems, critical infrastructure (i.e., electric grid, hospitals) and goods (i.e., food, water batteries, gasoline/diesel for generators) which complicated the urgent situation.

Only US vessels privately owned by US citizens or US government and built on US grounds can enter PR. They exercise complete control over coastlines - a power legally constructed through the Jones Act. It gives supremacy on the affairs in states’ and territories’ – unincorporated & incorporated⁴⁵ – ports and seas, having a direct impact when disasters strike.⁴⁶ This both delayed and most crucially obstructed efforts. They have the power to waive this reservation in order for international relief to reach PR via vessels carrying humanitarian aid. Other countries were offering help, but only via a bureaucratic process of approval could it be waived temporarily, if necessary for national defense and after evaluating cost-effective benefits⁴⁷ (Baker, 2022, p. 2882). “The Act

⁴⁵ Territories: Unincorporated e.g., Puerto Rico, American Samoa, Guam, Northern Mariana Islands, and US Virgin Islands. Incorporated e.g., Alaska, Hawaii.

⁴⁶ E.g., hurricane María in PR, hurricane Katrina in Louisiana, hurricane Sandy in New York, Alaska’s oil spill.

⁴⁷ “Under 46 U.S.C. § 501, [the] Department of Homeland Security (DHS) may waive the navigation laws, including the Jones Act, but only if a waiver is necessary for national defense. To that end, if [the] Department of Defense (DoD)

fundamentally seeks to promote U.S. shipping by ensuring it a stable and protected market, but the magnitude of harm caused by delaying aid supplies outweighs the business interests of American shipping lines” (Keyser, 2022, p. 280).

During María it was temporarily waived due to national and international pressure on the US allowing PR to receive help from abroad. However, it was reluctant and prioritized shipping agreements rather than responding to the humanitarian emergency with imminent threat to life. In ex-US president Trump’s words: ‘We’re thinking about that [waiving the Jones Act], but we have a lot of shippers and a lot of people that work in the shipping industry that don’t want the Jones Act lifted’ (Papavizas & Shapiro, 2018, pp. 343-344; Zanona, 2017) Moreover, they claimed there were enough ships (Zanona, 2017) to manage the situation deeming international help unnecessary, (Papavizas & Shapiro, 2018, p. 343) which proved untrue as per the death-toll confirmed by the Harvard university study. The humanitarian relief was direly needed, as the mayor of San Juan, Carmen Yulín Cruz, expressed at a press conference (2017):

We are dying here... I cannot fathom the thought that the greatest nation in the world cannot figure out logistics for a small island... I am asking the President of the United States to make sure somebody is in charge that is up to the task of saving lives... If we don't get the food and water into peoples' hands what we are going to see is something close to a genocide. (Murray, 2019, pp. 346-347).

A ten-day long waiver of the Jones Act was granted, not enough time for vessels to arrive before it was again in force.

In the aftermath of Hurricane María, the DHS approved a ten-day waiver at the request of the Secretary of Defense under 46 U.S.C. § 501(a) in the interest of national defense. However, waiver for such a short period had little effect upon recovery. For instance, the limited period was not enough time for a Norwegian ship to transport 53 containers of aid from New Orleans to Puerto Rico, or for a Dutch vessel, owned by Greenpeace, to carry supplies to the beleaguered island. Waivers for too brief a period are meaningless in the context of ocean shipping. (Keyser, 2022, p. 279)

A complex law, Jones Act's purpose is to enhance US security and economy - mainly the rise of US as a naval power, militarily and in commerce. (Papavizas, 2020, pp. 1-3) For PR it means

requests a waiver, DHS is required to issue one. If non-DoD entities request a waiver, however, DHS can only grant the request if it determines that it is necessary for national defense” (Baker, 2022, p. 2882). The DoD and DHS evaluate the cost-effective benefits of overriding the law and if so, they also determined the time frame that the waiver will be in effect.

economic and human resource exploitation, control over political and social affairs, and conflicting interests between political, civil and human rights. It had the most damaging effect during María's response— thus prolonging the crisis. Consumers in mainland US bought and shipped goods from the US, but the 'American-made' rule⁴⁸ limited efforts. Jones Act hindered authentic long-term recovery during María and meant having power over the life of survivors. In a post-María PR where cascading events exacerbated the conditions – Jones Act had significance for humanitarian response, as relief would have been realistically possible if critical aid supplies arrived. Removing it would allow neighboring countries to aid, meaning not depend on the US. This law fosters dependency forcing PR to recur only to US and comply to arbitrary laws, as seen by its reliance on US for food and risk of food shortage again: “must import 80% of food” and “there's less than a week's worth of food at any given moment on the island” (Rivera, 2018, pp. 133-134). Right after María, losing almost all food sources in agriculture, “PR was forced to import almost all of its food for the following year” (Baker, 2022, p. 2868).

The Jones Act continues in place, amidst the known repercussions of its implementation. It can be however repealed by US Congress, which holds voting powers (Martinez, 2022, p. 134, 143). It violates voting rights for Puerto Ricans, encourages unequal treatment, forces military service in US foreign affairs and ultimately cripples the capacity of a country to have control and access to its capital through systematic oppression, economic and financial freedom constraints. Being bound to a law in which the affected do not take part in the decision-making process only endorses a pathway of dependency to the US.

Sovereign countries have the power to make the decisions that serve their citizens best; they also possess the tools to overcome their crisis. A territory or colony must wait for the colonial power to send additional remittances to solve the crisis. (Collado-Schwarz, 2012, p. xxiii)

The Jones Act did affect humanitarian aid and recovery by having complete control over what happened before, during and after María.

2.2.4 Commonwealth of Puerto Rico (ELA)

Partly the colonial framework in which PR was built and still lives today, is influenced by terminology use. As opposed to “colony” the term “territory” is employed, despite the fact that restricted citizenship “thereby indefinitely extended the colonial status.” (Cabranes, 1978, p. 490).

⁴⁸ As Keyser coins it “Buy American Law”.

After decades of arguments, another version of colonialism was established by Congress. They passed the Elective Government Act 1947 allowing PR to vote for its Governor (no longer would American Governors be appointed by US) and the Puerto Rico Federal Relations Act of 1950 founded the “Commonwealth of Puerto Rico” (*Estado Libre Asociado* - ELA). The ELA was proposed by the PR Governor, the US President and the last American Governor appointed to PR: Rexford Tugwell. Initially it gave a better form of self-government and more control over their internal affairs, but with it “Congress expressly disavowed any intention to alter the island’s pre-existing political relationship with the US” (Cabranes, 1978, p. 490-491). With neither statehood nor a “first-class” citizenship and the change of status to partial self-government, it maintained “a citizenship of an inferior order, of an inferior class” (Cabranes, 1978, p. 492).

This is the current status for PR today, Commonwealth only by name, because it’s still a “colony, territory, non-state, ultimately ruled by external forces” (Morales, 2019, p. 168) through current legislation and institutions that drastically cut those powers⁴⁹ and control humanitarian aid funding.

PR presently has a controlled “self-government” with no mainland voting rights nor representation in US, and US Congress has full jurisdiction over the territory as intended in the Puerto Rico Federal Relations Act 1950. The Act 1950 had several provisions: it kept in force the Foraker Act (1900), and Jones Act (1917), it granted a self-government to PR and permission to draft a PR Constitution -effective in 1952. The conditions for a Puerto Rican Constitution (Public Law 600) was the recognition that the law of the land will be federal law (i.e., acknowledge US sovereignty), and that PR’s Constitution does not interfere with US power.⁵⁰ PR continued being considered an unincorporated territory, so a new constitution “did not alter the basic legal and political relationship between the US and PR” (Rivera-Ramos, 1996, p. 5).

The creation of the Commonwealth⁵¹ was always a kind of fantasy whose main purpose was to solve the nationalist problem in PR and satisfy the newly formed UN requirements for

⁴⁹ Currently, PR has US legislation (i.e. PROMESA) and institutions (i.e., FOMB, FEMA, PRCAO, COR3) in place that drastically cut powers granted since 1947, while executing a thorough oversight on the allocation of funding and administration of humanitarian aid.

⁵⁰ Upon adoption of the constitution by the people of Puerto Rico, the President of the United States is authorized to transmit such constitution to the Congress of the United States if he finds that such constitution conforms with the applicable provisions of this Act and of the Constitution of the United States (§ 600, S.3336).

⁵¹ Contrary to the “Free Associated State” (Spanish translation of ELA) imagined nation “the economic policies implemented entailed almost absolute subjugation and dependence” in which the “US policy makers could camouflage PR still-existing unincorporated territory status” – making Congress, PR’s “ultimate legal owner” (Morales, 2019, pp. 64, 172, 193).

decolonization.⁵² This fantasy was essential to help Puerto Ricans avoid the cognitive dissonance between their view of their cultural and national identity and their legal status as colonial subjects with second-class citizenship. (Morales, 2019, p. 43)

Having legislation in place bestowing a self-government and national constitution excludes PR from being defined as a colony – regardless of whether Congress can actually override PR’s government legislature and constitution, and that status as an unincorporated territory maintains its unequal treatment. The understanding is that PR is “part of US”, and the importance of being regarded in the international community as a sovereign country is “a sovereign PR would be able to participate in the UN” (Collado-Schwarz, 2012, p. 195) and UN’s involvement in the aftermath of María would have been different. In 1953, US succeeded in removing PR from the UN’s list of “non-self-governing territories” (Cabranes, 1978, p. 399). There have been repeated pleas⁵³ to UN to declare PR again as such under the United Nations Charter (Art. 73), and PR has met with the UN Special Committee on Decolonization under denunciation of US violations of Puerto Ricans’ “national rights” (Cabranes, 1978, p. 399).

During María, the main problem with the UN’s participation was that PR was seen as part of a bigger nation, the US which manages and is responsible for it. This is problematic in terms of how much the international community can intervene. These UN limitations were expressed in an official call to US expedited by OHCHR under an alarming concern on rights:

Thousands of people are displaced, with homes destroyed, and without any relief in sight. We call for a speedy and well-resourced emergency response that prioritizes the most vulnerable and at risk (...) After a natural disaster, (...) people are at their most vulnerable. It's the obligation of all levels of government to act to protect them, and to ensure that lives can return to some normality quickly. People need safe and adequate homes – temporary and long-term (...) All reconstruction efforts should be guided by international human rights standards. (UN News, 2017)

⁵² After WWII, UN’s pressure to the world’s major powers to decolonize increased. A colony/territory should be a transitional state into becoming a self-governing State.

⁵³ Cuba and other third-world countries have been attempting to get the UN to place PR back on that list (Cabranes, 1978, p. 399).

This in turn implicated that the US was in control of managing humanitarian aid whichever way they chose to. PR was at their mercy and not having intervention from the international community intensifies a state of emergency and dependency.⁵⁴ (Caraballo, 2018, p. 741).

2.2.5 PROMESA and FOMB

The most damaging legislation regarding María's recovery period and following events⁵⁵ was The Puerto Rico Oversight, Management, and Economic Stability Act (PROMESA⁵⁶) – signed by former US President Barack Obama in 2016. It established a Financial Oversight and Management Board (FOMB) which surveils and manages all financial affairs and decisions of the island.

[The Act] imposed an unelected fiscal oversight and management board with the power to control all aspects of public policy on the island. PROMESA was ostensibly installed as a federal mechanism to restore fiscal responsibility, with a moral mission to cut back on expenses and impose on the US territory a sense of shared sacrifice. (Morales, 2019, p.11)

The constitutional basis was the same as the Territorial Clause in which “the Congress enacts this Act pursuant to Article IV, Section 3 of the Constitution of the United States, which provides Congress the power to dispose of and make all needful rules and regulations for territories” (48 USCA § 2121). All members are appointed by the US President and only one possible candidate needs to have residency or business in PR. (48 USCA § 2121, Sec. 101). The creation of an Oversight Board⁵⁷ was in response to the rising financial crisis (2008), but a result of a long pre-recession period and PR's intention to file for bankruptcy due to massive public debt. The cause of the debt was “the island's government, which had been already borrowing to cover essential services, engaged in a shadowy partnership with Wall Street municipal bond market speculators, exacerbating the accumulation of the debt, which eventually grew into the \$72 billion debt crisis” (Morales, 2019, p. 10) as of 2015, now \$74 billion (Mora et al., 2021, p. 7).

Beyond the debt, the problem was that in 1984 Congress removed PR's right to bankruptcy. “The federal bankruptcy code authorizes Congress, not territories, to enact bankruptcy legislation” (Mora et al., 2021, p. 7). Treatment as a state by denying full bankruptcy and in place a modified

⁵⁴ In terms of International Law, PR has serious limitations that impede international relations with other nations including humanitarian aid, consequently sealing a dependency towards US relief aid (Caraballo, 2018, p. 741).

⁵⁵ Still under the 2008 financial crisis 2008, other important events were earthquakes (2019-2020), Covid-19 (2020), hurricane Fiona (2022).

⁵⁶ The word PROMESA means in Spanish ‘promise’.

⁵⁷ Commonly known in Spanish as *La Junta*.

provision applied only to territories – Title III clause⁵⁸. This affected PR decades later when bankruptcy seemed an option from the financial crisis, yet Congress did not allow it. PR’s Governor García Padilla even tried to write his own bankruptcy law in 2015 to renegotiate PR’s debt given that it was unpayable. (Morales, 2019, pp. 11, 43, 65). His statement at a Senate hearing was: “PR may have to choose between paying its creditors and providing essential services to the island’s 3.5 million American citizens”. (CNBC News, 2015).

As a reaction, in 2016, Congress passed the law PROMESA, a strict Act which stated clearly the power relationship that would be imposed in PR. Its supremacy consists in it being the highest authority and going beyond previous legislation inconsistent to the Act (48 USCA § 2103, Sec. 4). The Board’s autonomy is absolute and goes above PR’s Governor or Legislature which cannot “exercise any control, supervision, oversight, or review over the Oversight Board or its activities; or enact, implement, or enforce any statute, resolution, policy, or rule that would impair or default the purpose of this Act, as determined by the Oversight Board” (48 USCA § 2128, Sec. 108). Moreover, the Board is not liable for any obligation of or claim against them resulting from actions taken to carry out this Act (48 USCA § 2125, Sec. 105). This FOMB represents PR in bankruptcy court, and wields the final approval of all budgetary decisions including: which services they deem “essential” and need to be left largely intact and which are not and can be cut drastically; which services and jobs to cut; which government authorities will be privatized; imposition of budget cuts and wage; pension reductions (Morales, 2019, pp. 14-15, 138).

The purpose behind their strict austerity measures was – still is today – to find a way for both the government and Government Development Bank (GDB⁵⁹) to reestablish the ability to sell bonds. (Morales, 2019, p. 110). As per stated in the Act, “the purpose of the Oversight Board is to provide a method for a covered territory to achieve fiscal responsibility and access to the capital markets” (48 USCA § 2121, Sec. 101). Power is then allocated to the Board which “has authority over all budget proposals and expenditure allocations; and bondholders, who want the most return on their defaulted debt” (Morales, 2019, p. 14). The ultimate message from the authorization of PROMESA was that Wall Street decreed the outcome, since the Liability Clause stated that PROMESA ensured the rights of creditors to payment regardless of whether the debt was deemed “legal” or “equitable”. The ultimate protection against any finding of illegality in a debt audit was built-in the legislation

⁵⁸ PR not considered a state, was now excluded from bankruptcy protection by being considered a state – inconsistencies of Chapter 9 in the bankruptcy law (Morales, 2019, pp. 64-65).

⁵⁹ The GDB was one of the institutions players in the formation of the financial crisis and which comprise part of the Oversight Board.

(Morales, 2019, pp. 137-138). The Act defines this clause as “right to payment, whether or not such right is reduced to judgement, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured” (48 USCA § 2194, Sec. 405). The importance of a debt audit will be to “reveal how much of the debt is illegal, who is responsible for putting together the illegal bonds that were sold and who was involved in underwriting” (Tort, 2017, as cited in Morales, 2019, p. 152). If there is no audit, then PR has to pay in full all the debt. As explained by the scholar and theorist Naomi Klein, an audit of the debt meant:

If its causes were closely examined, as much as 60 percent of the more than \$70 billion PR supposedly owes would be found to have been accumulated in violation of the island’s constitution and is therefore illegal. And if large part of the debt is illegal, not only would it need to be erased, the fiscal control board would need to be dismantled, and debt could no longer be used as a cudgel with which to impose austerity and further weaken democracy. (Klein, 2018, p. 51)

As a whole, the Board “would take away all legislative powers from Puerto Rican elected officials and cost hundreds of millions of dollars for Puerto Ricans” (Morales, 2019, p.137).⁶⁰ Puerto Ricans think that the measures of the FOMB are harsh, authoritarian and punish the population for government corruption and official’s accumulation of debt. The FOMB “is widely perceived as a group of self-interested outsiders, an obvious imposition of colonial authority” (Morales, 2019, p. 12). These plenary powers, once more are a reminder of the *Insular Cases*’ notion that Puerto Ricans being “mongrels”⁶¹ and an “alien race”⁶² were unfit to govern themselves. A treatment reflected in María’s aftermath.

During María, it made things worse for how funding was going to be allocated. As economist Martín Guzmán attested in 2019 to the Committee of Natural Resources of the US House of Representatives:

The outcome of the political game among the Board, the government of PR, the US Congress, and the bondholders over disaster relief funds is contrary to the interests of Puerto Rican

⁶⁰ For instance, a report in 2018 cost \$3 millions, the salary of executive director Ukrainian American Natalie Jaresko was \$625,000 a year, and the Board’s “initial five-year term cost \$1.5 billion that had to be covered by the island’s government coffers” (Morales, 2019, p. 11).

⁶¹ Actual vocabulary used in the court’s decisions.

⁶² *Ibid.*

citizens. (...) Those who bought COFINA⁶³ bonds in the months that followed Hurricane María have made massive profits at the expense of the future of PR economy. In fact, with this deal, COFINA bondholders will be among the main beneficiaries of the effects that the federal relief will have on the island's economy. (Morales, 2019, p. 285)

In 2019, the National Hurricane Center Tropical Storm Report estimated damages to be \$94.4 billion (Enchautegui, 2021, pp. 21-22). Although during María the US administration claimed PR received \$91 billion in aid, PR was promised \$45 billion, and received about \$20 billion, with only \$1.5 billion directly related to reconstructing the island (Morales, 2019, p. 286). Post-María, the Central Office of Recovery, Reconstruction and Resiliency (COR3) was created to manage FEMA's funding for the public sector –public-private partnerships– as part of the disaster recovery effort. Today this office still operates the liaisons of the public-need's sector only, overshadowing the individual assistance closed by FEMA years ago. Meanwhile, the bonds of disaster capitalism⁶⁴ were still a major factor towards how the relief funding will play on aiding or placing more pressure on Puerto Ricans.⁶⁵ PROMESA's "potential focus on bondholders, adversely impacts rebuilding and public services provisions" (Mora et al., 2021, p. 7). FOMB determines what is "essential" or not, of particular importance is the closing of 179 public schools by the Education Secretary – Julia Keleher⁶⁶, an American appointed to the post. Public schools apart from providing free education for low-income families, provide free meals, and in disasters they are employed as shelters. The closing of such a quantity around the island put a restraint in shelter and temporary housing for survivors, as well as a place for survivors to access food and drinking water.

Disaster capitalism – proven in María – in a structure of colonial power is a "finely tuned mechanism that returns profits back to the mainland" and PROMESA as a congressional legislation was "a tool for debt collection that would severely limit PR autonomy", as Morales continues:

⁶³ *Corporación del Fondo de Interés Apremiante* – in English, Sales Tax Financing Corporation. Bonds sold under the security for Wall Street bondholders that they were backed by sales tax. The debt burden is paid by the consumer for an increasing rate for an undetermined amount of time.

⁶⁴ Term coined by Naomi Klein.

⁶⁵ Another profitable bond sale post-María was towards the Puerto Rico Electric Power Authority (PREPA). The power grid collapsed entirely during the 2017 hurricanes which demonstrated the long-term profitable opportunities of investment. With hurricane Fiona in 2022 the electric grid was still a major issue to reestablish, reminding the need for the crucial service as well as the bondholder's opportunity for profits. Another market was the US business construction material company Home Depot. While doing an investigation in PR, the scholar Yarimar Bonilla was encouraged to buy stock in Home Depot by one of her interviewees – a wealth manager – "adding that 'the only thing we need now is a hurricane', referring to how such natural disaster bring in federal money for rebuilding and often become a boon to the construction industry" (Bonilla, 2017).

⁶⁶ She was convicted for corruption.

The storm and its aftermath revealed all of the flimsily concealed crises in PR and, through President Trump's unacceptable [humanitarian] response, the callous indifference the US government is capable of displaying towards the island because of its colonial power (2019, pp. 286-306).

After a visit to PR post-María, Klein explicated disaster capitalism is inherent in PR in addition to the island being meddled in a "mixture of discrimination, poverty, corruption, mistrust in governmental institutions, economic crisis, bankruptcy, among other thing that exacerbate disaster capitalism":

Where you have overwhelmingly black and brown communities, an economic crisis or natural disaster becomes the pretext to just do away with any pretense of self-government, of democracy, and impose austerity measures. So-called "structural adjustment programs" are often done in the aftermath of a shock, to take advantage of people's state of emergency; the fact is that it's really hard to engage in any kind of political participation when you have to wait in line three hours for food or water. To just stay alive is a full-time job. (Klein, 2018, as cited in Alonso-Ramos, 2021, pp. 857-858; Laughland, 2018).

As every PR law has to be approved by Congress, other tax laws (e.g., elimination of Section 936; creation of Acts 20 & 22) will reflect the continuous discrimination and morbid exploitation – by US and PR governments – to a population already in ruins. Still in effect today is a clause in the federal tax code permitting US mainlanders who move to PR to avoid paying federal income tax on any income earned in PR, in combination with a local law with tax breaks and total tax waivers. The latter being Act 22 – 13 L.P.R.A § 10851 – is the tax exemption law for US Americans from the mainland and foreigners only. The tax-free incentives attracted billionaires to relocate to the commonly known tax haven island since they don't have to pay taxes for their business profits.⁶⁷ Meanwhile,⁶⁸ Puerto Ricans were struggling without electricity, dependent on FEMA for food aid, and the mental health hotlines still overwhelmed with callers (Klein, 2018, pp. 16-18). While recovering from natural disasters and managing crises⁶⁹ the tax burden will be on Puerto Ricans only, regardless of if they own a business or not, or if they moved back to the island. "PR has undergone decades of colonial extraction and exploitation perpetrated by the US federal government in the form of tax, bankruptcy, and disaster relief policies that have economically debilitated and demoralized the island and its

⁶⁷ 100% tax exemption on all interest, dividends, long-term capital profits. Other incentives applied as well (e.g., the acquisition of a residence). Some taxation of less than 4% might apply, after a 10-year period.

⁶⁸ The tax exemptions along with all extra benefits were well explained in the propaganda for investors during lavish hotel conferences held in January 2018 (Klein, 2018, pp. 16-18).

⁶⁹ E.g., financial, unemployment, population exodus, health, education, housing, poverty.

inhabitants” (Harvard Law Review, 2023).⁷⁰ The disaster relief policies are seen in the discriminatory restrictions on federal aid, even though this federal aid fund reserve is paid with taxes. Under certain conditions not all Puerto Ricans have to pay a combination of federal and municipal taxes, yet payment of taxes can occur in different forms, and they are different from the other US states⁷¹. Puerto Ricans contribute to the federal treasury significantly by paying:

Customs taxes, federal commodity taxes, and all payroll taxes⁷² (...), which include Social Security, Medicare, and unemployment compensation. In fact, (...) PR contributed more than \$4 billion annually in federal taxes and impositions into the [US] national public treasury, more than at least six other States. Moreover, Puerto Ricans pay several indirect taxes, which tend to be significantly higher than indirect taxes in the 50 states. (Velez, 2022, pp. 134-135)

The imposition of an indirect tax is placed on a transaction which is added to the prices of goods and services in the sales tax, value-added tax or excise tax (i.e., petroleum). In María’s aftermath petroleum became one of the most precious materials to be able to generate power as an alternative to the electrical grid collapse⁷³. The cruciality of it resulted in avoiding food to perish and maintain the refrigeration of insulin and other medications vital for survivors’ special needs.⁷⁴ Another relevant example is the Sales and Use Tax (SUT)⁷⁵ which is the highest from the US national average: “11.5% tax on most goods” and “total tax rate of 64.4%” (Velez, 2022, p. 135)⁷⁶ This was the sales tax that exclusively funded the COFINA bonds sold in Wall Street, also the main beneficiaries of the federal relief aid (Morales, 2019, pp. 107, 285).

The billions paid by direct and indirect taxes in combination with import/export cabotage laws and the Oversight Board, raises the argument that PR has in fact paid for the humanitarian aid, as being part of the same legal US mechanisms created to exploit it. It also raises disputes on how humanitarian aid was managed by considerations of PR deserving it or needing it, inserted under the narrative of Puerto Ricans being undeserving.

⁷⁰ Analysis of lawsuits and court case 143 S. Ct. 1176 (2023).

⁷¹ US Internal Revenue Code 26 U.S.C. § 937.

⁷² Also known as "FICA" taxes, which stands for the Federal Insurance Contributions Act.

⁷³ Therefore, the Puerto Rican consumer while in a humanitarian crisis will still have to manage high prices from sales or high import cost by the Jones Act.

⁷⁴ See results of the disaster-related deaths Harvard Study in *Figure 3*.

⁷⁵ Commonly known as *Impuesto sobre Ventas y Uso* (IVU).

⁷⁶ In 2021, the highest combined state and local sales tax rate among major cities in the U.S. was 10.30%. (...) The [PR] SUT imposes an 11.5% tax on most goods and services and a 10.5% tax on goods and services not subject to municipal SUT. (...) The Paying Taxes report carried out by the World Bank places PR with a total tax rate of 64.4%. In other words, for every dollar generated by Puerto Rico's economy, 64.4 cents go towards paying taxes (Velez, 2022, p. 135).

2.3 On Humanitarian Aid

2.3.1 Stafford Act

The legal formation of FEMA is through the Robert T. Stafford Disaster Relief and Emergency Assistance Act⁷⁷, PL 100-707, signed into law in 1988. “This Act constitutes the statutory authority for most Federal disaster response activities especially as they pertain to FEMA and FEMA programs”⁷⁸ (FEMA, 2023). The purpose being “to authorize a program for pre-disaster mitigation, to streamline the administration of disaster relief, to control the Federal costs of disaster assistance, and for other purposes” (PL 106-390, 114 Stat. 1552). The Act of 2000 (for non-emergency disaster assistance) is what mainly is at work in PR post-María and on what the COR3 office operates, which is accessing the fundings for public projects involved in mitigation during the recovery period. Nonetheless, during the response period the Act in effect directed to emergency assistance was the Stafford Act which enables the federal government to use special powers to respond to disasters. These tools include, inter alia, allowing the DoD personnel to assist in recovery (42 U.S.C. § 5170b(c)(1)), permitting affected taxpayers to deduct the losses from destroyed personal property (I.R.C. § 165(i)), and providing community disaster loans to affected local governments (44 C.F.R. § 206.361(a)) (Baker, 2022, p. 2870). The Act also created in 1979 the agency comprising the personnel in charge of handling the emergency management procedures – FEMA – and which coexists within the DHS. Among the functions it exercises is the administration of funds that US Congress will designate to the emergency. Other duties are the initial response to disasters and management – short- or long-term – of catastrophes, under humanitarian relief.

As seen by the creation and amendments of the Act, the whole entire US humanitarian response is systematized by a legal framework. Therefore, legally FEMA has to respond to disasters within state, local, territories affected by a natural event. Under the Act’s definition of state, PR is included. However, in order to access humanitarian relief there are set procedures⁷⁹ to follow.⁸⁰ The

⁷⁷ 42 U.S.C. § 5170

⁷⁸ Under Title IV of the Act, it permits the implementation of the different disaster assistance programs (e.g., Essential Assistance on §403 covers medicine, food, and other consumables; Individual and Household on §408 authorizes financial or other assistance to the household) (Outzen, 2022, pp. 879-880). In addition, the Act was amended by The Disaster Mitigation Act 2000, for non-emergency disaster assistance engaged in pre-disaster hazard mitigation (42 U.S.C. § 5121).

⁷⁹ Refer to FEMA’s official website <https://www.fema.gov> for complete information presented in this section, unless noted.

⁸⁰ If the application in such an emergency is accepted by US, then the humanitarian relief program is released, although in a limited or conditional manner.

local government has to apply and conduct Preliminary Damage Assessments (PDA) determining the extent of the disaster, its impact on individuals and public facilities and the type of federal assistance needed.⁸¹ The basis for the three categories of assistance within the Agency are: Public Assistance (PA), Individual Assistance (IA) and Hazard Mitigation Grant Program (HMGP). Given the confirmation, estimation of damages, description of efforts done, needed economic assistance and a certification that the affected government will comply with cost sharing⁸² requirements, within the application – if all conditions are met – then the US President declares that it is a disaster zone. The President also holds the power to reject the proposal. In PR’s case, María was a Presidentially Declared Major Disaster Area (PDMDA)⁸³ (FEMA, 2023). Once the PDMDA is signed by the US President, FEMA assistance – economic and humanitarian – can be activated.⁸⁴ FEMA’s framework is created to share support and responsibility between both state and local governments. The system is intended to support local government efforts in two main periods: response and recovery.⁸⁵ The Agency’s authorities are further defined and expanded by a series of legislative actions with the dual function of civil defense and emergency management. FEMA’s mission is guided under core values of compassion, fairness, integrity, and respect (FEMA, 2023). Moreover, Title VI of Civil Rights Act of 1964 guarantees that individuals and communities affected by disasters do not experience – on the basis of race, color or national origin (including limited fluidity in English) – discrimination, exclusion, denied benefits under any program or activity receiving Federal financial assistance (42 U.S.C. 2000d; Caraballo, 2018, p. 738).

FEMA is very methodical about the process of accessing humanitarian assistance. Throughout María, the most conflictive FEMA’s disaster assistance programs were IA and PA. HMGP is assistance for state and Private-non-profit (PNP) in the form of grants for mitigation projects. It comes with

⁸¹ Additionally, all requirements must be submitted within 30 days of the natural event and the information must be accompanied with a damage estimate and the finding that the event exceeds the capabilities of the affected government.

⁸² Affected government is required to pay 25% of the total costs, FEMA pays 75%. In post-María PR for some projects FEMA had to make more flexible the copay, with FEMA paying 90%, but even 10% of shared costs – of millions or billions – for crises-stricken PR was a lot.

⁸³ María’s PR declaration number: DR-4339-PR

⁸⁴ The program has many layers of assistance to apply for and their requirements varied, although some are similar for all programs (e.g., insurance in the National Flood Insurance Program (NFIP), that can be acquired through FEMA).

⁸⁵ The National Response Framework (NRF) divides in fifteen main Emergency Support Functions (ESF).

ESF last update 2021:

<https://www.fema.gov/emergency-managers/national-preparedness/frameworks/response#esf>

Followed by the National Disaster Recovery Framework (NDRF) that divides in six division Recovery Support Functions (RSF).

RSF last update 2024:

<https://www.fema.gov/emergency-managers/national-preparedness/frameworks/recovery/recovery-support-functions>

project proposals, estimations, studies, NFIP insurance coverage in force, to name a few. The money in the form of grants also covers services or needs of the public served by the state or PNPs. In PR the majority of the PNPs were religious-based or churches. The community will trust their religious leaders and they served as a liaison to FEMA as well. Of importance is the amount of grants given in comparison to loans within IA. Grants or loans are another way of receiving funding. Something worth mentioning is that being eligible for assistance does not automatically mean the person or entity will receive it. Eligibility depends on extensive requirements to attest damages. For instance, for individuals the specificities will depend on many aspects like having insurance (NFIP), location, proof of house or land ownership. Not having assistance for house repairs had repercussions in survivors and played a crucial role on internal displacement, major exodus to US mainland, gentrification and the infamous blue tarps distributed as a temporary remedy for a roof – there are still today houses with them. PA is given to the state, to affected public property and to some PNPs that provide public services. In María, the most urgent were roads and bridges, water control facilities and utilities,⁸⁶ hospitals, schools (shelters), and public housing. Temporary constructions were still unreplaced, and when Cat. 1 hurricane Fiona hit in 2022, one of those temporary bridges was shredded to pieces⁸⁷, leaving communities isolated once more.

IA is aimed at individuals and households' needs and losses. During María, the most debated was this Individuals and Households Program. Some of what the program addresses is the distribution of aid, house repairs and other losses, also evaluates considerations on house damages and renders it uninhabitable or not. If the humanitarian funding for IA was denied to survivors, instead FEMA offered aid in the form of low-interest loans with the US Small Business Administration (SBA) managing the community disaster loans.⁸⁸ For an island that had 100% damage, all systems collapsed and was already going through an economic crisis reflected in a massive debt, taking a federal backed-up loan when most lost everything was a contradictory form of receiving humanitarian relief. Soon after María's landfall, a request for a federal humanitarian grant between \$15 to \$30 billion was addressed to Congress. By October the House passed a \$36.5 billion disaster-relief bill for hurricane damages in Texas, Florida, PR, US Virgin Islands, and wildfires in the US west coast:

⁸⁶ I.e., the electric grid powering the pumps of the water supply and electricity to the island.

⁸⁷ The most notorious example was a temporary bridge in Utuado.

⁸⁸ SBA loans are given to homeowners, renters, or small businesses owners. FEMA classifies SBA as 'other federal funding approved', since they are not part of FEMA but works in conjunction with FEMA.

The relief designated for PR would come in the form of roughly \$5 billion in loans, as opposed to the \$7.4 billion in community development grants made to Texas and Florida in September. It was a cruel joke for a territory already drowning in debt. (Maldonado, 2019, p. 208)

When comparing sums with FEMA's published ciphers some contradictions arise, yet the number of loans exceeds the number of "free" assistance. It can also be confusing since FEMA counts those loans as part of the total number of "aid" given (FEMA, 2018; FEMA, 2021). Another frowned upon FEMA decision was the rejection of applications in the housing assistance program due to what the Agency determined to be insufficient damages, shared households, and lack of accredited evidence of house and land ownership. As part of the Puerto Rican volunteer brigades of legal assistance in hurricane María, *Ayuda Legal Huracán María*, helped vulnerable communities with appeals against FEMA denying survivor's applications. As one of the founders and a volunteer lawyer, Ariadna Godreau explains that the few statistics on denied applications that FEMA publishes have contradictory numbers, nonetheless approximately 60%–62% of applications were rejected or weren't answered, and contrasting them with other FEMA statistics affirm that "in extremely impoverished places the eligibility could be 30%–50%, signifying that there's a 50%–60% that are not being eligible for assistance" or 70% in the case that they weren't answered, "this is the highest rate in denials or rejections of disaster relief aid in comparison with other US states affected during the same hurricane season" (Ocasio, 2018, pp. 1029, 1030, 1038-1039; Banuchi, 2018). She continues explaining that the rejections are understood as FEMA failures due to inflexible modes of thinking. For instance: insufficient damages were determined by a FEMA inspector;⁸⁹ FEMA's Shared Household Rule where more than one family living in the property tied by shared address to the land is seen in the Agency as a potential fraud, although culturally is how majority of Puerto Ricans live;⁹⁰ FEMA's understanding of failure to present accredited documentation in the form of house or land property titles adequately proving ownership under FEMA's standards, amidst social practices constructing Puerto Ricans' reality. This latter reason is PR's historically common practice of informal transmission of property – due to forced economic circumstances – which in turn end-up being customary-law in PR but not recognized in US. The associated costs of judicial formalities cannot be met by the titleholder, thus the known owner passes property to heirs by informal transmission of land or informal construction within the land – differing from continental US house/land ownership,

⁸⁹ FEMA inspector visiting a house that was no longer there due to María, but understanding that since there is no house therefore there are no damages.

⁹⁰ I.e., family oriented culture; cultural practices of inheriting land.

inheriting property and construction practices.⁹¹ Informal appropriation of land or constructions are a historical occurrence,⁹² better unveiled after María where still today low-income households cannot continue with legal formalities for different socioeconomic reasons (Ocasio, 2018, p. 1027; Morales, pp. 10, 45-46).

FEMA's bureaucratic process comprises a gamut of documentation of the survivor's circumstances prior to, as well as post María. A lot of survivors lost everything including legal documents, but in order to receive aid they needed to reproduce the documents. Many would be unable to afford them. Being in such extreme circumstances having a few dollars was vital for survival. As Godreau exemplifies, "after María, paying \$5 dollars was brutal" (Ocasio, 2018, p. 1039). Additional lack of flexibility was evident by: sending official notification by post, but survivors never receiving them because they no longer had a physical mailbox; notifying via calls; not consider difficulties of online applications when there was no communication services – phones or internet – or only 15% of towers were more-or-less working (Ocasio, 2018, p. 1025). The incompatibility of FEMA's system was seen in the lack of flexibility or understanding of PR's reality, and disregard of cultural and social practices. The Agency's decisions affected basic rights by denying relief due to following standardized procedures or a US model of operation. Causing "institutional oppression on the part of FEMA [by] an insensibility and unequal treatment of the Agency to the diverse communities that live [in PR] and the real rights that unveil in PR judicial reality" (Ocasio, 2018, p. 1022). Seen in Katrina⁹³ and in María, "the sluggish grind of FEMA's bureaucracy created challenges not only through hindering the swift delivery of housing relief assistance, but also by fostering an atmosphere of distrust among the public" (Outzen, 2022, p. 876).

Differential treatment was seen between disasters in the mainland in comparison to the territory. The amount of personnel deployed, food and water distribution, and blue tarps were more than double for hurricane Harvey in Texas than María in PR. The initial approved funding for IA in Harvey was \$141.8 million and in María \$6.2 million (Morales, 2019, p. 3). Only a portion of Texas

⁹¹ The informal proprietary ownership is recognized in PR's legal system in Articles 599 and 600 of the Civil Code – 31 LPRA § 2081, § 2082 (2015).

⁹² Originating in mountainous areas during Spanish rule, outlined during the industrialization actions by the creation of ELA and accompanied by Operation Bootstrap, both led by US rule. In Operation Bootstrap "US allowed corporations to set up tax-free on the island, employ workers for below minimum wage, and corner the market on selling to Puerto Rican consumers" (Maldonado, 2019, pp. 10, 45-46).

⁹³ Flawed administration and discrimination were also seen in 2005 hurricane Katrina in Louisiana (USA) where the population is diverse, and majority are black and low-income communities that relied on informal transmission of dwelling, who lived in poverty before Katrina and were left further in debt (Outzen, 2022, p. 876; Godreau, 2018, as cited in Ocasio, 2018, pp. 1038-1039).

received damages from Harvey, leaving a 30% of the population affected. PR was hit by Irma – Cat. 5 hurricane – with major damages almost to the entire island and severing the power grid, then two weeks later María made landfall and 100% of the population was affected.⁹⁴ The disproportionate help provided on the two hurricanes happening one month apart – showed the disparity in treatment, since the population affected, and damages were not comparable. An overview is seen in *Figure 2*.⁹⁵

US resources allocated in 2017 for hurricanes Harvey in Texas and María in Puerto Rico		
Resources	Texas (Tx)	Puerto Rico (PR)
Helicopters (crucial for rescues and delivering emergency supplies)	91 helicopters deployed in 6 days	+70 helicopters deployed in +3 weeks; a few dozens to be shared with US Virgin Islands (in the initial days)
Meals (first nine days after hurricane)	5.1 million (3x more than PR)	1.6 million
Water (first nine days after hurricane)	4.5 million liters (40% more than PR)	2.8 million liters
Blue tarps (first nine days after hurricane)	+20,000 (4x more than PR)	-5,000
Home damages	204,000 homes	335,000 homes (50% more than Tx)
Shelter	37,000 (2x more than PR)	15,000
Personnel- FEMA & Military (first nine days after hurricane)	30,000 (3x more deployed than PR)	10,000
Disaster approval of permanent disaster works	-10 days	43 days
Location of FEMA's Federal Coordinating Officer (FCO)- (Appointed head of disaster management and recovery operations)	FCO Mike Byrne remained in Houston during the crucial early period of María's aftermath, even after Texas was stabilized.	Newly appointed FCO
Political participation in Congress	36 representatives and 2 senators (all with voting rights)	One non-voting delegate

Figure 2: Numbers from the investigative report by *Politico* (March 27, 2018).

The different ways of approaching both disasters were a reflection of US views on PR, it translated into slowness of response and allocation of resources. In circumstances where every second counts,

⁹⁴ See *Figure 1* in Section: 1.1 *Introductory Context* for a detailed visual comparison.

⁹⁵ See Section: *Bibliography* for full report and detailed information about hurricane Harvey in Texas, and hurricanes Irma and María in Puerto Rico, US Virgin Islands and Florida.

this biased treatment resulted in a direct impact on lives lost. Federal and local governments tried to conceal the real number of deaths, to keep an image. “Perhaps the most disturbing of the many horrors that beset PR in the wake of hurricane María was the local and federal governments’ inability or willful refusal to acknowledge the number of people who died as a result of the storm” (Morales, 2019, p. 209). The controversies surrounding the death-toll number was due to lack of transparency and an effort from both governments to stage a scenario far from the calamities Puerto Ricans were suffering. The announcement by US President Trump and PR’s Governor Rosselló of only 16 storm-related deaths, was later changed by the governor to 64 – but Puerto Ricans knew the numbers were off. “Everyone knew that estimate was appallingly low, because everyone knew about the failing hospitals, the impossibility of transporting the many sick and elderly people to hospitals, the lack of electricity, and the reporting challenges of local morgues” (Morales, 2019, p. 210). Investigative journalist Omayra Sosa had accounts of lack of access to oxygen-providing units, dialysis treatments, medication and medical services. Island-wide the experience was similar, but the elderly and ill were the vulnerable groups more prone to experiencing these difficulties. During the investigation she found that hospital’s morgues and the Institute of Forensic Sciences were filled to capacity with cadavers, “25% of whom were presumed to be victims of the hurricane and its aftermath” (Morales, 2019, p. 211). Her findings are congruent with what was known at government level by October 6, 2017, when Governor Rosselló announced that as part of government readiness in relation to the management of large quantities of cadavers, that “four Mortuary Enhanced Remains Cooling (MERC) refrigerators were brought to assist the Institute of Forensic Sciences with the purpose to have capacity for 1,000 cadavers” (Caraballo, 2018, p. 712). In another investigative journalism survey, it was reported that “the loss of life was so severe that the director of one funeral home on the island died from a heart attack caused by the stress of dealing with so many bodies” (Baker, 2022, p. 2869). Nevertheless, the death-toll numbers were manipulated, as it was perceived as a direct result of the governments’ failure to prevent a humanitarian crisis.

In the effort to elucidate the numbers of deaths, the Harvard T.H. Chan School of Public Health – in collaboration with many experts – was the leading supporter funding a disaster-related mortality study. It was a thorough study that revealed an estimate of all-cause mortality after María. The findings from the aftermath revealed “a total of 4,645 excess deaths, equivalent of 62% increase in the mortality rate as compared with the same period in 2016” (Kishore et al., 2018, p. 162). The study permitted to effectively capture deaths indirectly attributed to disasters showing that one third of the deaths were attributed to delayed, prevented or interrupted health care, or resulting from

worsening chronic conditions, concluding that the number of excess deaths related to María in PR is more than 70 times the official estimate ⁹⁶ (Kishore et al., 2018, pp. 162-169).

The study's estimate also suggested that "interruption of medical care was the primary cause of sustained high mortality rates" thru the year in the aftermath, which were consistent with the health system's failures in María – "health care disruption is now a growing contributor to both morbidity and mortality in natural disasters (...) as observed in the aftermath of Hurricane Katrina" (Kishore et al., 2018, pp. 168-169). The importance of studies like this is linked directly with response and recovery, since "the timely estimation of the death toll after a natural disaster is critical to defining the scale and severity of the crisis and to targeting interventions to recovery" (Kishore et al., 2018, p. 169). As stated in the study's discussion, other benefits of acknowledging the numbers is emotional closure of families and give them the opportunity to qualify for other types of disaster-related aid, and – given the cruciality of the results – explain the importance of sharing disaster-related deaths' data since "the government of PR stopped sharing mortality data with the public [and] request for this data was also denied" (Kishore et al., 2018, p. 169). In terms of the US governments' response "these numbers underscore the inattention of the US government to the frail infrastructure of PR" (Kishore et al., 2018, p. 167). The Harvard Study also demonstrated additional significant findings attributed to María, such as: demographics before and after María, consistent to the outmigration to US mainland; loss of essential services; damages to infrastructure; disruption of medical services and the resulting common problems; and a well-informed causes of indirect deaths, crucial to take into consideration in addition to the known direct deaths easier to pinpoint to the hurricane. ⁹⁷ For a condensed view of the study's results see *Figure 3*:

⁹⁶ "Our results indicate that the official death count of 64 is a substantial underestimate of the true burden of mortality after Hurricane María. Our estimate of 4645 excess deaths from September 20 through December 31, 2017, is likely to be conservative since subsequent adjustments for survivor bias and household-size distribution increase this estimate to more than 5000" (Kishore et al., 2018, p. 167).

⁹⁷ "The study also invites to recognize the importance of having well-counted evidence for making informed decisions, as the US prepares for its next hurricane season, it will be critical to review how disaster-related deaths will be counted, in order to mobilize an appropriate response operation and account for the fate of those affected" (Kishore et al., 2018, p. 167).

Findings Attributed to Hurricane María (September 20 – December 31, 2017)	
Demographics	
Random sample	3,299 households (with 9,522 persons in it)
Shared household	521 persons (5.5% of the sampled population moved to surveyed household due to María)
Populations displacement	268 persons (2.8% of the sample population)
Age group	25 years-old (left and did not return, or where missing)
	50 years-old (stayed in PR, or dying in the household)
Loss of Services	
Electricity	84 days (average time without service)
Water	68 days (average time without service)
Cellular telephone coverage	41 days (average time without service)
Remote cases	83% no services (entire period of Sep. 20 – Dec. 31, 2017)
January – February 2018 (at the time of survey)	No electrical or water services
Disruption to Medical Services	
Household reporting and issue	31%
Common problems	Inability to access medications (14.4% of households). Need for respiratory equipment requiring electricity (9.5%). Closed medical facilities (8.6%). Absent doctors (6.1%).
Remote cases	Unable to reach urgent care services by telephone (8.8%).
Excess Deaths	
Sept. 20 – Dec. 31, 2017	62% increase in the mortality rate (for same time of year 2016). 14.3 deaths per 1,000 persons deaths of the annual mortality rate.
Majority of death:	Indirect deaths
Causes of indirect deaths	Worsening of chronic conditions. Delayed medical treatments. Prevented access to medical care.
Adjusted post-hurricane estimate excess deaths	5,740
Official post-hurricane total excess deaths	4,645 (official death-toll)

Figure 3: Data findings from the Harvard Study (2018).

More importantly, the death-toll embodies the people who couldn't survive political-economic-social abuse and humanitarian abandonment.

The sustained state of urgency over months – even a year – that survivors endured due to lack of: electricity, water, access to food, health services, security, economic stagnation and debt, communication services, and isolation, augmented the despairing situation in which some could not see a way out and opted to commit suicide.

The difficulty of merely maintaining one’s existence with the threat of continuing blackouts, crumbling roads and infrastructure, and an agricultural crisis that has hampered access to healthy food has engendered the kind of low-grade paranoia often associated with war zones. Suicide attempts increased dramatically in the months following María, as well as those admitting to contemplating it. (Morales, 2019, p. 219)

The majority of suicide victims were in their late 50’s, although many of those were children and under 18-years-old (Rivera et al., 2021, p. 84; Morales, 2019, p. 219). The reported cases demonstrated vulnerable groups were more prone to suicides. However, after María Puerto Ricans saw an increase in mental health issues – anxiety, depression, panic attacks, Post-traumatic Stress Disorder (PTSD). María’s aftermath spiked these symptoms, suicides, or attempted suicides “even among those who had not previously reported feeling anxious or depressed” (Rivera et al., 2021, p. 85). An overview is seen in *Figure 4*:⁹⁸

Suicide Related Numbers Post-María (2017)	
Two months after María	32 suicides reported
Aftermath- September – December (2017)	55% increase in suicide rate (for same time of year); 29% increase in the annual suicide rate
Population	Vulnerable population; over 50’s; elderly; children
Leading causes	Preexisting health issues; despair; poor disease management (type II diabetes and Alzheimer’s disease)
Línea PAS- PR main suicide hotline	Call increase more than double within 6 months after María
Ponce Health Sciences University- mental health center	Treated several thousand patients per month

Figure 4: Suicides increase during subsequent months of hurricane María. Data from Rivera et al., 2021, p. 84-85.

Three bodies – US government, FEMA, PR government – in charge of humanitarian aid, and with the power and responsibility of aiding and of preventing deaths, fell short in organization, promptness and execution. Thus, the management of humanitarian relief was highly criticized, given that even though every second was vital during María’s aftermath, the population was exposed to inhuman conditions and death for months. FEMA didn’t see its failures as discrimination, but did recognize its failures in their official reports. “According to FEMA’s own hurricane María post-response analysis, the Agency ‘lost track of much of the aid it delivered and who needed it’, causing a humanitarian crisis that the Mayor of San Juan described as ‘something close to a genocide’”

⁹⁸ Unreported suicides are not considered in the data.

(Outzen, 2022, p. 877). US humanitarian aid's obligations are incorporated within the domestic legal system, thus "it is the failure to adequately comply with these specific instructions which gives rise to the problems" since the Stafford Act creates the structures and forms of aid available. (Outzen, 2022, p. 880). However, the Stafford Act has a non-liability clause which protects FEMA's actions against accountability, lawsuits, lack of transparency and so forth. FEMA's main failure is the grounds on which they deemed a survivor eligible or not to humanitarian assistance, and thus depriving the survivors' human rights. In addition, failures come from embedded ideologies supported by views and neglect from the federal government itself. Moreover, the way in which US humanitarian aid is constructed doesn't provide real citizen participation mechanisms in the official response and the recovery's design, ignoring the importance of transparency and accountability in public policy decisions and in funding management and federal aid, fostering corruption and unequal treatment to most vulnerable sectors (Outzen, 2022, p. 896; Rodríguez-Rivera, 2018, p. 784). In sum:

The federal government's immediate and subsequent response following María, including the delay in the disbursement of approved federal aid in September 2019 and the slow housing inspection process and grant awards by FEMA, raised questions about the nature of PR's true relationship with the US. (Mora et al., 2021, p. 19)

In PR, the overall way the narrative was constructed is that humanitarian assistance (i.e., money, food, water) was given as a gift, and it was the entire approved quantity. When in reality it is divided nationwide between all disasters, PR has mandatory shared costs, it is filled with conditionalities, and it is not a gift since it is already paid with direct and indirect taxes Puerto Ricans – as US citizens – contribute to the US Treasury. Another part of the narrative was that these "gifts" were handed by a savior – condescending of the population's cultural or social practices.

From the history of European imperialism on, humanitarianism has drawn on an orientation toward saving, if not necessarily civilizing, the world. This combines often with the project of governing the ungovernable (...) Charity constitutes a relationship of dependency, not of equivalence. This is one reason both Enlightenment and Romantic thinkers often decried it, seeing it as damaging to human dignity (Calhoun, 2010, pp. 35, 53).

In María, the humanitarian aid narrative built under a colonial relationship took a powerful discourse both in US and PR.

In the context of an emergency situation, the necessity is determined by a set of bureaucratic procedures and not by the imminent threat to life. Hence, humanitarian aid in USA falls far from humanitarian aid principles, which in theory it is guided by, but in practice it is not the norm achieved.

“FEMA’s disaster relief responses deviate from internationally recognized principles” (Outzen, 2022, p. 881). *Figure 5* illustrates how FEMA’s core values align with fundamental humanitarian principles from other international mechanisms. Even though the resulting response to the emergency in PR was contrary to the Agency’s beliefs.

Humanitarian Agencies & Standards Directed to Humanitarian Action	
Instrument	Standards
Human rights-based approach in post-disaster and post-conflict situations	Universality Indivisibility Participation and consultation Non-discrimination Accountability Transparency Do no harm or do less harm
Humanitarian principles	Humanity Neutrality Impartiality Independence
Humanitarian Charter	Right to life with dignity Right to receive humanitarian assistance Right to protection and security Right to fully participate in decisions related to their own recovery
FEMA core values	Compassion Fairness Integrity Respect

Figure 5: Various instruments for the application of humanitarian action. Standards retrieved from Human Rights Council (2015, para. 40); OCHA (2021); Humanitarian Charter (2018, para. 4); FEMA (2022).

In complex states of emergencies – such as in PR – defending life is more than just preserving it. Humanitarianism goes beyond humanitarian aid and can be applied before, during and after María given the complex relationship PR holds with US. It implements values such as dignity or justice and carries meanings of life such as the good life or political life (Fassin, 2010, p. 286). Concretely implementing these values that have its principle on solidarity and empathy result in saving lives (Fassin, 2010, pp. 269, 286). During María’s aftermath the lack of these values and meanings of life within the US humanitarian system took concrete form resulting in deaths, and continue severely affecting life in post-Maria PR. Thus, the importance of understanding to save lives means to combine “humanitarian reason with its law that constitutes its formal expression, with its action that represents its translation in practice” (Fassin, 2010, p. 286).

Relevant treaties US signed and ratified into force are the UDHR – foundation of which international human rights instruments derive – the UN Charter and the ICCPR, the latter with the obligation to protect the right to life, health and an adequate standard of living, although it is curious to notice that US has only signed⁹⁹ but it's not a ratifying¹⁰⁰ party to the ICESCR which more explicitly speaks to the human rights of families displaced by natural disasters (Outzen, 2022, pp. 881-882; Díaz, 2021, pp. 120, 125). When US allowed PR to draft its Constitution unlike the US Constitution, it was written after the UDHR and thus included some of its provisions in Article II – e.g., ban on the death penalty; an explicit provision against discrimination on the basis of race, color, sex, birth, social origin or condition, or political or religious ideas; right to life, health, dignity, and privacy (Maldonado, 2019, p. 43; Alonso-Ramos, 2021, p. 842). In addition, it recognized a series of civil, social and economic rights in Section 20 – i.e., right to have an adequate standard of living that assure the person and the family health, well-being and specially food, clothing, a living place, medical services and necessary social services – nonetheless, US Congress did not approve Section 20 (Alonso-Ramos, 2021, p. 842). These international treaties, as well as the Humanitarian Charter¹⁰¹ are purely normative. Nonetheless, “this normative obligation, in conjunction with the binding mandates of American federal law, create the need to ensure that FEMA competently and conscientiously addresses the needs of disaster survivors” (Outzen, 2022, p. 882). Having a human rights-based approach that has its axis on international treaties' principles and obligations permits congruency among humanitarian agencies (i.e., FEMA) to deliver what they profess, alleviate human suffering, and avert a preventable death-toll and suicide increase, as seen in PR. Reflected in the provisions of international humanitarian law, human rights and refugee law are the right to protection and assistance, with the aim of safeguarding life. These provisions embrace the key standards of the Humanitarian Charter. This instrument guarantees the rights of all people affected by disaster or conflict by respecting, protecting and fulfilling those rights on the basis of the principle of humanity and humanitarian imperative (Humanitarian Charter, 2018, para. 4).

US “has not ratified any treaties since 2002”, but ratifying the ICCPR binds US to duties (Díaz, 2021, pp. 107, 120). PR has been subjected to denial of the rights to self-determination (Article 1) and political participation (Article 25) of the ICCPR “at the hands of Uncle Sam after one hundred years of living under the purported mantle of freedom and democracy” (Díaz, 2021, pp. 120-134,

⁹⁹ Signing States declare their intention to be bound by the covenant.

¹⁰⁰ Ratifying States agree to the rights and obligations stipulated – to respect, protect and fulfill human rights.

¹⁰¹ Some treaties serving as basis of the Humanitarian Charter are ICCPR, ICESCR, ICERD.

139), thus affecting humanitarian aid, basic rights and being endangered by discriminatory treatment due to its colonial relationship. “FEMA’s repeated failure to deliver necessary disaster relief aid to these survivors constitutes violations of these obligations” (Outzen, 2022, p.879) under both federal law and evolving interpretation of binding international law.

These data points are only a handful in a long trend line that led FEMA’s own National Advisory Council to conclude that FEMA is not in compliance with its requirement under the Stafford Act to “[process applications and distribute financial relief and assistance] in an equitable and impartial manner, without discrimination on the grounds of race [or economic status, inter alia]...” (Outzen, 2022, p. 878)

Along with other forms of discrimination and inequality, FEMA’s failures on delivering aid in a timely and just manner was recognized as leaving “deep socioeconomic scars” (Outzen, 2022, p. 878).

For María, most of the designated funding was directed to PA or HMGP, which is what is still running today. However not all funding in public works programs include survivor’s individually, but rather collectively.¹⁰² Another interrelated problem could be with receiving grants or managing available funding controlled either by FEMA or the Oversight Board. If the State receives a FEMA grant directed to reconstruction of schools that will serve as shelters in the near future, yet the closing of schools keeps a trend then in the eventuality of a future disaster there’s still be a problem with lack of sheltering. Moreover, if the Jones Act continues enforcing a blockage, international aid won’t reach survivors on time. Ultimately, if the US legal system continues to foster control, bureaucracy, non-liability, biases, second-tier and discriminatory treatment, exclusion and exploitation, it will fall far from their values as a democratic nation and participation in international treaties, plus it will interfere with the manner humanitarian aid is provided.

Between two to three years after María, not having houses repaired or having them partially repaired added to the problems. Disaster survivors being displaced since María or with partially reconstructed houses due to less funding received or denied, augmented the risk to lose it once more when facing another disaster – increasing their vulnerabilities. This happened with the earthquake swarm starting in December 2019 and progressing into 2020 with continuous seismic events for almost a year reaching magnitudes of 6.4 in the Richter scale severely damaging infrastructure, and impeding access to food and water. Survivors lived in informal camps for months while waiting for

¹⁰² For instance: Part of the funds can cover public housing buildings but will not cover a survivor’s privately owned residence; or a PNP in the form of a church can receive money to repair the facilities (e.g. common kitchen for delivering food) yet if the survivor is not part of the religious community or is not religious might not even know about the possibility of food access.

permanent residences to be rebuilt. After María Congress authorized \$20 billion to be administered by the US Department of Housing and Urban Development (HUD) but only \$1.5 billion had been released two years later, then when the earthquakes started “President Trump, prompted by the earthquakes, agreed to lift a hold on an additional \$8 billion from the \$20 billion, but not without first setting some conditions” (Díaz, 2021, p. 111). In March 2020, while living in tents, COVID-19 pandemic started when having a house was crucial and it was mandatory to remain indoors – amongst all other known problems related to the pandemic. COVID-19 was brutal in a still recovering island where lack of infrastructure (i.e., hospitals), health services, basic needs (i.e., food, water, shelter), income diminished or eliminated completely, still threaten the remaining population (i.e., elderly). It is necessary to keep in mind that schools not only provide shelter, but it is the main food source of children where low-income families cannot afford full-day meals. This was seen in María, during the earthquakes’ that damaged schools, with COVID-19 closed schools and no-contact teaching, and with Fiona. In 2022, Cat. 1 hurricane Fiona reminded once more what María exposed five years earlier and amplified in post-years’ disasters – environmental events, political, economical, social. All these crises further intensified instability, uncertainty and insecurity of rights. “The US response to these struggles has been tepid at best and has resulted in the further deterioration and denial of access to human rights” (Díaz, 2021, p. 106). As the Human Rights Council states – in both conflict and disaster contexts – “there seems to be a cyclical process between human rights violations, humanitarian crises and humanitarian response” (Human Rights Council, 2015, para. 42).

PR still faces the same problems before, during and after María. Although aid was received, it was impetuous, and the oppression combined with mounting issues does not permit survivors to recuperate. They rest constantly vigilant to the next catastrophe in which recovery will rest upon themselves.

The US response to hurricane María proved beyond the shadow of a doubt that residents of PR have never really been first-class citizens. The Trump administration’s sluggish and neglectful deployment of FEMA and military assistance, coupled with its brazen willingness to privatize any and all relief efforts, laid bare the racist colonialism with which the US has often administered PR (Morales, 2019, pp. 3-4)

In recent years there has been an increase in investigations of the topics presented, although there is still a gap in literature towards violations addressed as human rights, more than civil or political rights due to PR relationship with US. It was not until after María’s aftermath experiences

that such dialogues were more frequent. Furthermore, there is a minimal quantity of supported legal framework literature addressing the numerous human rights violations that PR was and is still exposed to. In relation to María's aftermath there was some literature regarding human rights violations, but there are so many more human rights abuses interrelated to self-determination or political participation – made visible with the humanitarian aid States' response. A focal delineation of the extent of rights abused is needed, as well as comparison of US humanitarian aid nationally and internationally. Thought-provoking is that even in well renowned literature concerning humanitarian aid policies, practices, violations, action, and protocols it is not addressed how US humanitarian aid works in contrast to how international humanitarian aid, treaties or shared understandings govern the international community. Therefore, another gap that needs further visibility is the literature on disasters in the context of colonialism (e.g., PR), where an external force/nation (e.g., US) controls the humanitarian aid – organized as the ideologies of that country dictates. Awareness that the narrative of FEMA helping in the form of billions of dollars should be analyzed in depth – if having access to unpublished official data – since most of those numbers do not aim to assist the survivor, but rather other interests or rebuild public property, although a small percentage includes also the individual. In the case of PR, survivors that were responders share a tight relationship to its own country as well as the colonial power administering humanitarian aid. The need for investigations of responders that were also survivors of a disaster in a colonial context aims at getting closer to filling gaps that the literature falls short of, or at least wake the reader's curiosity to continue further investigations.

3 Theoretical Framework

The theories selected for this work are constructed under a framework of power. The theorists chosen for this study are Aníbal Quijano, Iris Young, and Achille Mbembe. The reason for this selection was due to their particular views on power relations that pair with the thematic analysis of the data collected. The theorists' notions on power (Quijano), oppression (Young), and necro-power & necro-politics (Mbembe) also connects with what is presented in the literature chosen for context of this case study. It also gives lucidity to the problematics found in the data and the lenses with which to analyse this investigation. Their approach permitted to look for answers to the research questions. The examples of María's context are for support of the theories presented. They also demonstrate their applicability to this case study. They are found in the *Literature Review* as well as the *Data Findings and Analysis*.

The colonial relationship between US and PR is of historical conflict where coloniality of power, different forms of systematic oppression and necro-power & necro-politics fused together in a daily basis. What is more, hurricane María was a detonator for all three to converge in the form of humanitarian aid during María's aftermath – unveiling the pre-existing relation between the three and violations of human rights.

3.1 Power

For Quijano, there is a very close relationship between colonialism and coloniality. One exists through the other and both are the foundations to power. Foundations that affect power relations between groups and originated in the Americas¹⁰³ in relation to Europe with colonial expansionism. Once colonialism was established, the new domination pattern of coloniality was possible through capitalist power, carrying within it colonialism's old ideas. Thus, coloniality is a different concept, although it's bound to colonialism (Quijano, 2007a, p. 93). The reasons for its presence in current times is because "coloniality of power has proven to be longer lasting than colonialism. Without it, the history of capitalism in Latin America and other related places in the world can hardly be explained" (Quijano, 2007b, p. 171).

¹⁰³ Quijano makes the distinction that America refers to the entire American continent, and that unfairly USA has opted for the word appropriation of America to refer only to their country. Despite the fact that America (i.e., Latin America) was existent way before USA and prior Cristopher Columbus' conquest in 1492. Although Quijano uses the term America to refer to the entire covered area (including the Caribbean), for the purpose of clarity to the reader, in this section the Americas refers to all Latin America which is the context of PR. The reason is due to the existent literature and participants' accounts that mainly employs America to refer to USA.

Quijano defines power as the dynamics of articulated social relations of exploitation, dominance and conflict for the control of areas of social existence such as: labor, products, natural and production resources; reproduction of the species; the subjectivity and intersubjectivity, including knowledge; and authority with its coercion methods to assure the reproduction of the social patterns (Quijano, 2007a, p. 96, 98). He continues explaining that new forms of power through coloniality meant to construct a social identity as well as a reality. “Coloniality of power is achieved by transmuting colonialism old ideas of superiority of the dominant, and the inferiority of dominated into the capitalist colonial/modern world power” (Quijano, 2007b, p. 171). This imposed cognitive perspective has its effect within the educated (as a whole) under its hegemony fabricated by the one in power, and mainly dominated by capitalism, but naturalized due to its long-time exposure of this pattern of power (Quijano, 2007a, p. 94). The colonizer teaches “these patterns in a partial and selective way, in order to co-opt some of the dominated into their own power institutions” (Quijano, 2007b, p. 169). This particularity is seen by the learned US model and reproduction of power of the PR’s government in relation to Puerto Ricans. In which differential treatment through the legal system, exploitation of the population and social class marginalization took place before, during and after María. In addition, these components are present in the US bureaucratic despotism also through the – old and new – legal system and reflected as well during the conditional humanitarian aid managed in María.

Both colonial power and coloniality of power are applicable in PR in relation to US, as per Quijano’s definitions:

Colonialism refers strictly to a structure of domination and exploitation, where the control of the political authority, of the resources of production and work of a determine population its hold by another of a different identity, and whose headquarters are, in addition, in another territorial jurisdiction. But not always, nor necessarily, implicates racist power relations. (Quijano, 2007a, p. 93)

Quijano clarifies that coloniality of power, based on the previous conditions, adds elements (i.e., superiority, race, discrimination) which makes it more complex but at the same time, it makes it easier to root itself and perpetuate into modern times.

Colonialism is more ancient than coloniality that has proven to be, in the last 500 years, deeper and more lasting than colonialism. But without a doubt was begotten within it and, even further, without colonialism, coloniality wouldn’t have been imposed in the world’s intersubjectivity, in such deeply rooted and prolonged way. (Quijano, 2007a, p. 93)

What then constitutes coloniality of power is the combination of the previously mentioned factors of colonialism, with the natural and unquestionable ideological order of reality. It achieves this by its foundation through the imposition of a racial/ethnic classification, this constitutes the pattern of power and operates in every level of the daily existence and at a social scale (Quijano, 2007a, p. 93) of the societies and cultures conquered. The particularity with PR is that before entering into a colonial and coloniality with US, it was under the same ruling with Spain. Thus, PR is the perfect example for the fruition of Quijano's theory. PR's rapport with these power dynamics for over 500 years has been intensify in the relationship with "a global world power, constituting a new world order" (Quijano, 2007b, p. 168). This "relation of direct, political, social and cultural domination fused within a system" later took form with imperialism (Quijano, 2007b, p. 168). He then clarifies that "imperialism, is an association of social interests between the dominant groups ('social classes' and/or 'ethnics')", and "that specific structure of power produced the specific social discriminations which later were codified as 'racial', 'ethnic', 'anthropological' or 'national'. This power structure was, and still is, the framework within which operate the other social relations of classes or estates" (Quijano, 2007b, p. 168). This is in part the reason why in the modern world, power is also executed by ruling classes, and these structures of power are not solely of the European. "The 'Western' European dominators and their Euro-North American descendants are still the principal beneficiaries, together with mainly their ruling classes" around the world (Quijano, 2007b, p. 168). Social classification refers to long-term processes of the "place and role" of people, in which the dispute for control of basic areas of social existence results in a pattern of distribution of power (Quijano, 2007a, p. 114). Thus, race is then introduced as well for the purpose of maintaining an ideological control of "place and role": "Power – entire power – requires that subjective mechanism for its reproduction (...) the category of "race", from phenotype, is incorporated to the classification of people in power relations: beginning in the Americas and capitalist power" (Quijano, 2007a, p. 118). The concept of race gathers a connotation of racism as the basis for colonialism and coloniality, due to its incorporation into the relation of superiority and inferiority ideology, also characteristic for dominion. Race in colonialism was constructed upon superior in face of an inferior, but "coloniality of power was conceived with the social category of 'race' as the key element of the social classification of colonized and colonizers, but coloniality of power is not exhausted in the problem of 'racist' social relations" (Quijano, 2007b, p. 171).

Quijano's colonial matrix of power has four interrelated domains: control of economy (land appropriation, exploitation of labor, control of natural resources); control of authority (institution,

army); control of gender and sexuality (family, education); and control of subjectivity and knowledge (epistemology, education and formation of subjectivity)” (Mignolo, 2007, p. 156). The relationship US has regarding PR is reminiscent of Quijano’s articulation that the non-European – specifically Latin American – were “not only different but also inferior, [this] was imprinted on the intersubjective relations and social practices of power” (Maldonado-Torres, 2007, p. 244). During US humanitarian intervention in PR, it is also applicable the notion of racism, superiority, and humanity as per PR’s experience of the humanitarian response managed by the government. It was perceived within “racism and the attitude of the colonizers in regard to differences in degrees of humanity”, as per “superiority is premised on the degree of humanity attributed to the identities in question. The ‘lighter’ one’s skin is, the closer to full humanity one is, and vice-versa” (Maldonado-Torres, 2007, p. 244). This colonialism old idea was reproduced in a coloniality new idea on the context of who was worthy to receive humanitarian aid in María’s aftermath. PR’s specific context permits considerations on Maldonado-Torres coloniality of being which “raises de challenge of connecting the genetic, the existential, and the historical dimensions where Being shows most evidently its colonial side and its fractures” (Maldonado-Torres, 2007, p. 243). Of particular importance to the focus on humanitarian aid, colonialism is seen mainly in: exploitation of economy, natural and human resources, and disaster capitalism; dominance is within the legal system and imposition of bureaucratic processes; and conflict which arises through all of these forms and from cultural assimilation – all forms of subjugating to the imperium. With coloniality all these are present with the added elements of superiority, racism, and discrimination in the humanitarian aid received, lack of promptness of the response, sense of worth and the ideology of dependency towards the US.

Coloniality of power also has implications in cultural relations. As Quijano explains “in societies where colonization could not achieve the total social destruction, and intellectual and aesthetic-visual heritage could not be destroyed, but instead a hegemonic imposition of perspective of the intersubjective relations with the dominated was imposed – imposition of perception and knowledge production, affecting reality (Quijano, 2007a, p. 123). This is PR’s case that has a distinct identity and culture in regard to US, that historically strived to preserve it amidst multiple intents from US to dominate the language, culture, practices, values and what constituted the self of Puerto Ricans. Nonetheless, coloniality was pushed by US through form of knowledge production. “Coloniality is maintained alive in books, in the criteria of academic performance, in cultural patterns, in common sense, in the self-image of peoples, in aspirations of self, and so many other aspects of our modern experience” (Maldonado-Torres, 2007, p. 243). This in turn affected Puerto Ricans’ view

of their world. “The cultural domination consists of a colonization of the imagination of the dominated; that is, it acts in the interior of that imagination, in a sense, it is part of it” (Quijano, 2007b, p. 169). The repression of the culture and distortion of reality fell, above all:

Over the modes of knowing, of producing knowledge, of producing perspectives [and] modes of signification [which] followed by the imposition of the use of the ruler’s own patterns of expression, beliefs and images (...) as a very efficient means of social and cultural control. (Quijano, 2007b, 169).

This resulted in the message transmission that the culture and social practices of “the other” are different and thus are unequal, inferior by nature, and accordingly “they only can be ‘objects’ of knowledge or/and of domination practices” (Quijano, 2007b, p. 174).

“Implanting Quijano’s colonial matrix of power (ancient or recent) implies to dismantle, simultaneously, existing forms of social organization and ways of life” (Mignolo, 2007, p. 156-157). Quijano’s theory holds pertinency to the political, economic and social situation in PR. Furthermore, constructing power relations in regard to humanitarian relief is a contextualized example of colonialism and colonality. Power relations that are consolidated through the dependency model and humanitarian relief dynamics in PR today.

3.2 Oppression

Young’s theory on oppression is based on her understanding of what constitutes forms of it. “Oppression also traditionally carries a strong connotation of conquest and colonial domination” (Young, 2011, pp.40-41). Being her understanding that oppression carries colonial elements and racism amongst the relationship of groups, she structures this dominion into five categories: exploitation, marginalization, powerlessness, cultural imperialism and violence. All experienced in PR before, during and after María, but with a particular intensification during the aftermath.

Young uses the term oppression to describe social injustices, being that it refers principally to disabling constraints: oppression and domination (Young, 2011, pp. 39-40). The selection of Young’s theory to this investigation is also due to the contextualization given to her five faces of oppression – i.e., US in regard to Latinos, more specifically Puerto Ricans. Being Puerto Ricans a social group of a collective differentiated from another group by cultural forms, practices, or way of life, and in which this other group – USA – oppresses the other one – Puerto Ricans (Young, 2011, pp. 40-43). Consequently, the oppressed group “suffers inhibition of their ability to develop and exercise their capacities and express their needs, thoughts, and feelings” (Young, 2011, p. 40). Therefore, for her

oppression means “the exercise of tyranny by a ruling group” and the colonialist implications (Young, 2011, pp. 40-41). Given the colonial relationship PR has in relation to US, and the “connotations of conquest and colonial domination” permeating the relationship between the two (Young, 2011, pp. 40-41). She clarifies that oppression can also refer to systemic constraints of groups, therefore it is structural and “its causes are embedded in unquestioned norms, habits, and symbols, in the assumptions underlying institutional rules and the collective consequences of following those rules”, that is, “structural features of bureaucratic hierarchies” (Young, 2011, p. 41). This particularity was the axis in which FEMA mostly operated. Their inability to adapt to the society and culture, enforced in them to follow their rules in order for humanitarian aid to reach survivors. This was seen with house inspections, economic relief applications for damages, and attestation of property titles by FEMA standards. The structures and barriers in place make the humanitarian aid bureaucratic. Barriers were seen in different form of the process to access humanitarian aid and economic assistance. Mainly the obstacles were based on racism, discrimination, and social class. Young believes racism is a “distinct form of oppression with its own dynamics apart from the dynamics of class, even though it may interact with class oppression” (Young, 2011, p. 42).

The basis to exploitation is race and thus “is a structure of oppression at least as basic as class or gender. There is no doubt that racialized groups in US, especially Blacks and Latinos, are oppressed through capitalist super-exploitation” (Young, 2011, p. 51). Before María exploitation existed in PR through the legacy of colonial practices. After María, humanitarian relief funding was exploited in the form of contracts for reconstruction, lack of transparency, humanitarian funding was misused by governmental offices and suspicious creation of NGOs – at the survivor’s expense. In addition, a new form of super-exploitation occurred with disaster capitalism. It allowed the capitalists to profit from a humanitarian crisis while it strangles Puerto Ricans even more every day. Consequently, this exploitation is strongly connected with marginalization. “In US a shamefully large proportion of the population is marginal” – in María’s aftermath this increased (Young, 2011, p. 53). Young’s concern is that “marginalization is perhaps the most dangerous form of oppression. A whole category of people is expelled from useful participation in social life and thus potentially subjected to severe material deprivation and even extermination” (Young, 2011, p. 53). In the context of María, people were left mainly without electricity, water or communications for months, and the most vulnerable were left without these services for a longer period exceeding the aftermath. For the ones that humanitarian aid reached them, it created in many cases dependency from FEMA to sustain life. In

itself produced new injustice by depriving those dependent on it of rights and freedoms that others have:

Being a dependent in our society implies being legitimately subject to the often arbitrary and invasive authority of social/[humanitarian] service providers and other public and private administrators, who enforce rules with which the marginal must comply, and otherwise exercise power over the conditions of their lives. (Young, 2022, p. 54).

In the context of PR, Young also points out how peoples can be marginalized in relation to the citizenship they have. This point out that Puerto Ricans having second-class citizenship will also cause them to be marginalized.

Today the exclusion of dependent persons from equal citizenship rights is only barely hidden beneath the surface. Because they depend on bureaucratic institutions for support or services, are subject to patronizing, punitive, demeaning, and arbitrary treatment by the policies and people associated with welfare bureaucracies (Young, 2011, p. 54).

To be able to receive humanitarian aid, Puerto Ricans had to comply with polies and regulations stated by FEMA, money approved by US Congress and a declaration issued by the US President. This combination resulted in a tolerance of abuse coming from federal institutions and, primarily by President Trump paper towel incident. Interesting to note is that Young emphasizes that marginalization affects freedom and dignity and clarifies that “marginalization does not cease to be oppressive when one has shelter and food. Injustices of marginality would remain in the form of uselessness, boredom, and lack of self-respect” (Young, 2011, p. 55).

Lack of freedom and dignity made the survivors feel powerless. Young explains that not having power to make decisions or participate in decisions that will affect the conditions of their lives and actions will result in people to lack significant power (2011, p. 56). She continues explaining that the powerless status has negative connotations since the powerless lack authority, status, and sense of self (Young, 2011, pp. 56-57).

The powerless are those who lack authority or power even in this mediated sense, those over whom power is exercised without their exercising it; the powerless are situated so that they must take orders and rarely have the right to give them. (Young, 2011, p. 56).

Young’s definition of powerlessness is related to domination and power – a familiar experience in PR that have no political participation nor voting rights to decide on who exercises power. It’s “inhibition in the development on one’s capacities, lack of decision-making power in one’s life, and exposure to disrespectful treatment because of the status one occupies” (Young, 2011, p. 58). This latter was the

key element that affected humanitarian aid received, concretized in Trump throwing paper towel at survivors that needed food, water, medicine, among other basic needs.

“Exploitation, marginalization, and powerlessness all refer to relations of power and oppression. These kinds of oppression are a matter of concrete power in relation to others – of who benefits from whom, and who is dispensable” (Young, 2011, p. 58). In the other hand cultural imperialism intersect with violence as forms of oppression. Cultural imperialism means “to experience how the dominant meanings of a society render the particular perspective of one’s own group invisible at the same time as they stereotype one’s group and mark it out as the Other” (Young, 2011, pp. 58-59). FEMA’s lack of understanding towards social and cultural practices demonstrates Young’s notion. For instance, they disregarded the way the population is used to build and owning land or homes – hereditary practice. They not only denied housing assistance, but they questioned how practices are done and how legitimate are the documents attesting ownership. Denying housing assistance applications, meant the survivor would not have a house and resulting in “excluding those the dominant group understood as different” (Young, 2011, p. 60). The way FEMA excluded these groups was mainly through property titles, bureaucratic determinations on cultural building practices, acquisition of land, and hereditary practices. This renders a group invisible to their needs and to their ways of life. A lack of recognition and adaptability towards the culture of survivors reinforces the imperium’s influence and dominion.

The dominant group reinforces its position by bringing the other groups under the measure of its dominant norms. Consequently, the difference becomes reconstructed largely as deviance and inferiority. (...) Their cultural expressions become the normal. (...) Given the normality of its own cultural expressions and identity, the dominant group constructs the differences which some groups exhibit as lack and negation. (Young, 2011, p. 59)

During humanitarian aid the inferiority internalization played a crucial role, as survivors found themselves not being worthy of receiving humanitarian aid. As Young explains, the ones living under cultural imperialism are defined by an outsider with dominant motives and whom they do not identify and who do not identify with them (2011, p. 59). PR’s biculturalism experience with US is one of cultural imperialism full of the persistent intent of perpetuating their culture. Resulting in PR to have “double consciousness, occurring because one finds one’s being defined by two cultures: a dominant and a subordinate culture” (Young, 2011, p. 60).

The last categorization of oppression is under the belief that groups suffer attacks on their person “which have no motive but to damage, humiliate, or destroy the person. In American society

they live under such threats of violence, Puerto Ricans feel such violence as well [which] is shockingly frequent” (Young, 2011, p. 61). María’s aftermath was carried with full violence, especially verbal abuse. For instance, Trump’s tweets and comments degraded, mistreated, demeaned and insulted a demoralized country. Although more importantly he disseminated a negative narrative of Puerto Ricans. In addition, with the paper towel incident, Trump publicly “ridiculed simply for the purpose of degrading, humiliating, or stigmatizing group members” – Puerto Ricans (Young, 2011, p. 61). Young explains that since they know these attacks occur and because they’re used to transgressions, oppression is then considered as systematic violence (Young, 2011, p. 61). Her definition of violence has to do with what constitutes it: “What makes violence a face of oppression is less the particular acts themselves, though these are often utterly horrible, than the social context surrounding them, which makes them possible and even acceptable” (Young, 2011, p. 61). Young makes the differentiation that violence is systemic because it’s targeted to that specific group – Puerto Ricans – simply because they’re members of that group:

The oppression of violence consists not only in direct victimization, but in the daily knowledge shared by all members of oppressed groups that they are *liable* to violation, solely on account of their group identity. Just living under such a threat of attack on oneself or family or friends deprives the oppressed of freedom and dignity. (Young, 2011, p. 62)

3.3 Necro-power & Necro-politics

Mbembe’s theory on necro-power & necro-politics explores the extreme side of what constitutes power in relation to politics, and vice-versa. Both intertwining together, as one affects the other. And both reaching limits of extreme in a context where elements of total dominion (e.g., colonialism, race) dictate, putting people at risk or in life-threatening situations.

The ultimate expression of sovereignty resides, to a large degree, in the power and the capacity to dictate who may live and who must die. Hence, to kill or to allow to live constitute the limits of sovereignty, its fundamental attributes. To exercise sovereignty is to exercise control over mortality and to define life as the deployment and manifestation of power. (Mbembe, 2013, p. 161).

The responsibility of the sovereign to protect life is not a consideration, but rather power as manifestation is more important. The power over life of people is under the authority of a sovereign, possessing the judgment of killing or to allow to live, but also controls “the right to expose to death” (Mbembe, 2013, p. 161). The latter was in particular the experience of PR during María’s aftermath.

The slow humanitarian response of the federal government with its conditionalities of the bureaucratic systems in place (i.e. US President, US Congress, FEMA) maintained a prolonged a state of emergency, where people were living in dire conditions trying to survive. These urgent conditions for some survivors exceeded the year and for others are still their current realities (i.e., people without a roof nor electricity).

Included in his theory of necro-politics is his understanding of necro-power. The reason is that his definition on these terminologies' usage is founded upon:

The notion of necropolitics and necropower to account for the various ways in which, in our contemporary world, (...) interest of maximum destruction of persons and the creation of *death-worlds*, new and unique forms of social existence in which vast populations are subjected to conditions of life conferring upon them the status of *living dead*" (Mbembe, 2013, p. 186).

In addition, he defines it further as: "Contemporary forms of subjugation of life to the power of death (necropolitics) profoundly reconfigure the relations among resistance, sacrifice, and terror". (Mbembe, 2013, p. 186).

Mbembe's theory responds to Foucault's theory of biopolitics and biopower. Foucault's biopolitics is the relation of power and politics that goes beyond "that domain of life over which power has taken control" which Mbembe questions "what place is given to life, death, and the human body (in particular the wounded or slain body)?" (Mbembe, 2013, p. 161). For Foucault, biopower "functions through dividing people into those who must live and those who must die, of a split between the living and the dead" (Foucault, as cited in Mbembe, 2013, p. 166). The contextualization of Mbembe's theory will be placed in this study in the context of humanitarian aid and how power and both governments exposing people to death (e.g., the vulnerable, sick, marginalized, powerless, demoralized) or to inhumane conditions causing them to die, choose to kill themselves to end their suffering, or by the sovereign dictating the quality-of-life survivors will have. The sovereign (i.e., US and PR governments) by actions or inactions towards responding to the humanitarian emergency, disposed the life of people by placing them in a continuous state of emergency.

The sovereign relationship with the people is seen in PR mainly with its relationship with US, applying in power "its relation to notion of sovereignty (*imperium*) and the state of exception" (Mbembe, 2013, p. 162). This relationship with a sovereign, with the empire, during María's aftermath took a more intense level of control, resulting in control over life. Mbembe's explanation of the concentration camps where the "the absolute power of the negative" took place full with

horrors, is applicable to PR's experience in the aftermath "because its inhabitants are divested of political status and reduced to bare life" (2013, p. 162). Full despotism and content from both governments caused a spatial time and place in PR history where prolonged suffering was endured by PR population, "the place in which the most absolute *conditio inhumana* ever to appear on Earth was realized" (Agamben, as cited in Mbembe, 2013, p. 162). In this context, the political juridical structure of this place the state of exception – the emergency state due to a natural disaster – "ceases to be a temporal suspension" and "it acquires a permanent spatial arrangement" (Agamben, as cited in Mbembe, 2013, p. 162). Mbembe explains that the power the sovereign holds is based on politics, as per politics holds the power to autonomy, communication and recognition of a group (2013, p. 162) – things that are absent in PR's colonial relationship with US. Therefore, sovereignty for Mbembe's theory is centered on "the generalized instrumentalization of human existence and the material destruction of human bodies and populations", that is, control over "life and death" by the sovereign (2013, p. 163) – in PR's case, the State/Government. The effects of the State's disposal of human life and continuous morbid decision making caused a humanitarian crisis. When not seeing humanitarian relief on site the exposure to death and lack of urgency had a direct impact on deaths and suicides. "Politics can only be traced as a spiral transgression, as that difference that disorients the very idea of the limit (...) politics as the work of death, sovereignty, expressed predominately, as the right to kill" (Mbembe, 2013, p. 165), or during a state of emergency in María's aftermath "the right to expose to death" (Mbembe, 2013, p. 161). These reasons are what constitutes necro-power & necro-politics.

Definitions in necro-power has its origins in colonialism where race was used for the categorization of people.

Sovereignty means the capacity to define who matters and who does not, who is *disposable* and who is not. (...) Race has been the ever-present shadow in Western political thought and practice, especially when it comes to imagining the inhumanity of, or rule over, foreign peoples. (Mbembe, 2013, p. 166, 174)

In PR, conditional humanitarian aid control by US made evident that a differentiation of an ethnic group and of race was the reason behind the manner in which the federal humanitarian intervention took place – a manifestation of power, control over mortality and on defining what kind of life Puerto Ricans will be exposed to. The Trump paper towel incident encompassed these elements. His expressions and actions not only targeted abuse of Puerto Ricans but also affected the urgency on humanitarian aid allocated. "The theme of race does not disappear, it does become part of something

very different, namely State racism” (Foucault, 2013b, p. 61). This was under a discourse of necro-power in a colonial context.

Colonial occupation itself was a matter of seizing, delimiting, and asserting control – of writing on the ground a new set of social and spatial relations. The writing of new spatial relations (territorialization) was, (...) the classification of people according to different categories (Mbembe, 2013, p. 173)

The category of race and “spatialization of colonial occupation is the very way in which necropower operates” (Foucault, as cited in Mbembe, 2013, p. 174). As Mbembe observes, “late-modern colonial occupation differs in many ways from early-modern occupation, particularly (...) in the necropolitical” (Mbembe, 2013, p. 174). Necro-power takes its form in PR with Trump’s behavior, FEMA incompatibility with social and cultural practices and the contempt displayed by both governments.

The present no longer felt ephemeral, quickly dissolving into something new. Instead, the present lingered longer than it should. This created a frenzied state of repetition in which each day felt eerily like the last. (...) If anything, each day felt worse. What characterized life after María thus was not progress but delay, deterioration, degradation, and the forced act of waiting” (...) “For those who lost their homes, there was no line, just the labyrinth of bureaucracy. (Bonilla, 2020, p. 3)

“One might say that the ancient right to *take* life or *let* live was replaced by a power to *foster* life or *disallow* it to the point of death” (Foucault, 2013a, p. 43). In PR, the most accomplished form of necro-power was the creation of a humanitarian crisis caused by the humanitarian intervention via abandonment of the population in a prolonged state of emergency.

Some of the repressed topographies of cruelty (the plantation and the colony in particular) suggested that under conditions of necropower, the lines between resistance and suicide, sacrifice and redemption, martyrdom and freedom are blurred” (Mbembe, 2013, p. 186).

4 Methodology

This section intends to explain some of the methodology employed at aiming to answer the research questions. The research questions guided the selection of tools needed to shed some light on the problematics of this case study. The research questions are:

How did colonial power struggles shape the aid available in Puerto Rico in the aftermath of hurricane María, revealing the implications of everyday coloniality and necro-politics imposed in Puerto Rico until today?

How did affected people perceive the effect of such struggles on aid?

In order to answer the research questions, I used qualitative research method for data collection by conducting semi-structured interviews since it was the best way to research the topic in combination with thematic analysis.

The overview of the methodological approach is epistemological foundation, selection of participants, positionality, ethical considerations, data collection, and data analysis.

4.1 Epistemological Foundation

As the epistemological foundation to gather knowledge I'll use interpretivism as it is appropriate for semi-structured interviews, permitting me to analyse and have a critical approach rather than using positivism, or realism. The reason for my choice is because I wanted to go deeper into the nuances and complexities of the case study, and to provide more accurate information of the phenomena.

Taking an interpretative stance can mean that the researcher may come up with surprising findings, or at least findings that appear surprising if a largely external stance is taken—that is, a position from outside the particular social context being studied. (Bryman, 2012, p. 31)

It proved effective into answering the research questions as well as gathering a comprehensive knowledge of the case study, as “it is predicated upon the view that a strategy is required that respects the differences between people and the objects of the natural sciences and therefore requires the social scientist to grasp the subjective meaning of social action” (Bryman, 2012, p. 30).

4.2 Selection of Participants

The sample was selected with specific qualities in mind. Therefore, the use of purposive sampling as per my intention was not to sample participants randomly. They were part of a strategy relevant to the research questions which the careful selection intended to have variations amongst

the participants. “The goal of purposive sampling is to sample cases/participants in a strategic way, so that those sampled are relevant to the research questions that are being posed” (Bryman, 2012, p. 418).

My interest on interviewing specific individuals was due to their knowledge of the topic. The sample selected was based on their direct experience with one or more of the following: were in Puerto Rico for hurricane María’s landfall, its aftermath, during the recovery efforts and reconstruction period. The participants chosen are educated professionals of 30 years or more of age, but no more than 75 years old. They’re all survivors or have worked with agencies managing the disaster. Mainly the focus is towards being a responder in FEMA while at the same time being a survivor. Less than 10 people was asked to participate, to successfully secure 8 participants for the project. Some participants withdrew from participation due to not wanting to be exposed to trauma revival while discussion topics and some responders were more careful to participate on record. The ones that participated were participants that met the criteria of selection, and all were survivors, three were FEMA responders, one a private contractor for both governments, another worked for PR government, and he works in representation of the population, and the rest were only survivors. For the recruitment of the interviewees, I conducted an informal meeting with the purpose of scanning them. I was also looking for professionals in specific fields in culture, psychology, environmental disaster, energy specialist, architecture, data analyst, agriculture, and geographer.

In addition, part of the criteria was that they were comfortable to talk about a traumatic event, and speak about topics regarding their employer (i.e., FEMA). Even though they all speak more than one language, they all choose to do the interview in Spanish, which alluded to their identity. The careful selection of participants, specially being from FEMA is their thoughts or conflictive notions as per having to talk about the Agency in which they still work. Some of the shortcomings is that the responders working with FEMA that I could secure were mainly working within the Public or Grant & Mitigation Programs and not necessarily directly with the Individual Assistance.

4.3 Positionality

My positionality is of insider and outsider status, as I was both survivor and a FEMA responder. My own experience being a Puerto Rican that was living in PR for the period in question – before, during and after María – allowed me to ask the rights questions in reference to the research questions. I try avoiding to leading questions, but sometimes it was necessary since it was evident that some participants were avoiding verbalizing the answer. This was the case within responders’

answers to some questions. I also tried to avoid misrepresenting participants and to portray the findings in a clear way as per the reader can have a comprehensive understanding of both sides of the narrative – survivor and responder.

4.4 Ethical Considerations

Being my positionality both survivor and responder I was attentive of sensible issues that could awaken the traumatic experience of the participants. “Sensitivity not just to the context of the social setting in which the research is conducted but also to potentially relevant theoretical positions and ethical issues” (Bryman, 2012, p. 393). Participants were well informed of what constituted the interviews and intentions of the study – they were always overt – so the participant felt at ease, respected and acknowledged. In addition, the assurance that the interviews will be conducted with privacy and confidentiality was present at all moments. This was especially important for responders that were more discrete and needed this assurance in order not to have repercussions at work.

4.5 Data Collection

This is a qualitative study, where semi-structured interviews were employed for data collection. The interviews were conducted in Spanish – as per participants choice – permitted interviewees to express themselves with more fluidity of thought and the actual wording they felt expressing. This was very effective for articulating the message they wanted to transmit. Some topics were sensitive in relation to trauma – as per all participants admitted that since María they haven’t spoken about certain things –, or personal accounts, emitting private opinions of contested subjects, due to confidentiality to their FEMA employer or fear of losing their jobs. In addition, I could ask related questions depending on the participants’ comments.

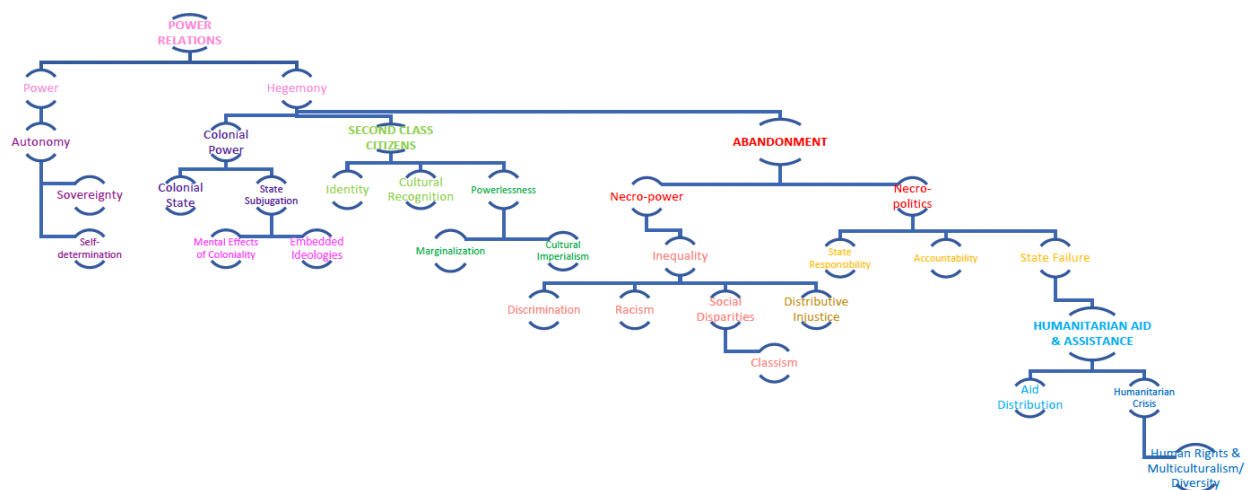
Semi-structured interviews were a good tool as they were several topics covered within the interview and I wanted to give them the opportunity to express themselves as they wished, as per this allowed for a richer data collection, help concretize themes and permitted me to give a title to the themes.

4.6 Data Analysis

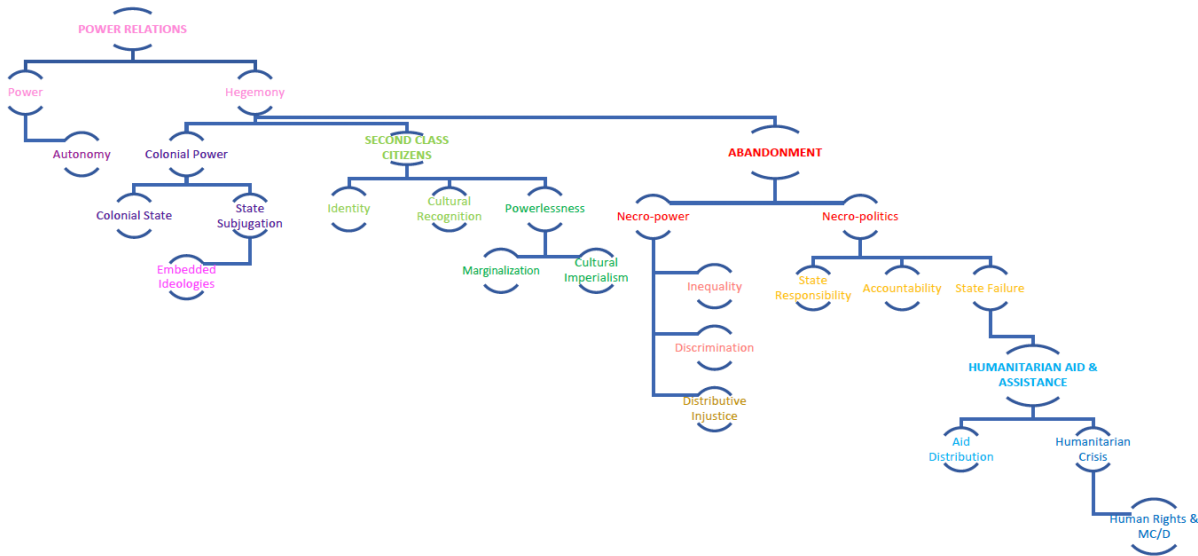
The data analysed was through thematic analysis. Just as there was flexibility in the semi-structured interviews, so there is a flexibility in thematic analysis. “Thematic analysis provides a flexible and useful research tool, which can potentially provide a rich and detailed, yet complex,

account of data” (Braun & Clarke, 2006, p. 78). This type of analysis also permitted to see links between ideas and showed recurrent patterns present across the dataset. These recurrent patterns are what later I developed as themes. “Thematic analysis is a method for identifying, analyzing and reporting patterns (themes) within data. It organizes and describes your data in rich detail” (Braun & Clarke, 2006, p. 79). Before developing these patterns into the final theme, within the data there were codes. This helped me start the process and evaluate which potential theme showed a better pattern or was worth highlighting. As per “a theme captures something important about the data in relation to the research question and represents some level of patterned response or meaning within the data set” (Braun & Clarke, 2006, p. 82). In addition, it helped me capture something important about the research questions or to reconsider how I formulated them. The predominant themes where an accurate reflection of the content of the entire data set (Braun & Clarke, 2006, p. 83). I followed the six phases of thematic analysis suggested by Braun & Clarke which are: familiarizing yourself with your data; generating initial codes; searching for themes; reviewing themes; defining and naming themes; and producing the report (2006, p. 87). I was able to create concept maps that helped me create coding tables as the initial process to developing themes and sub-themes before choosing the final themes discussed in *Data Findings and Analysis*.

Concept Map: General overview of data findings



Concept Map: Thematic – overview



Concept Map: Thematic – framework

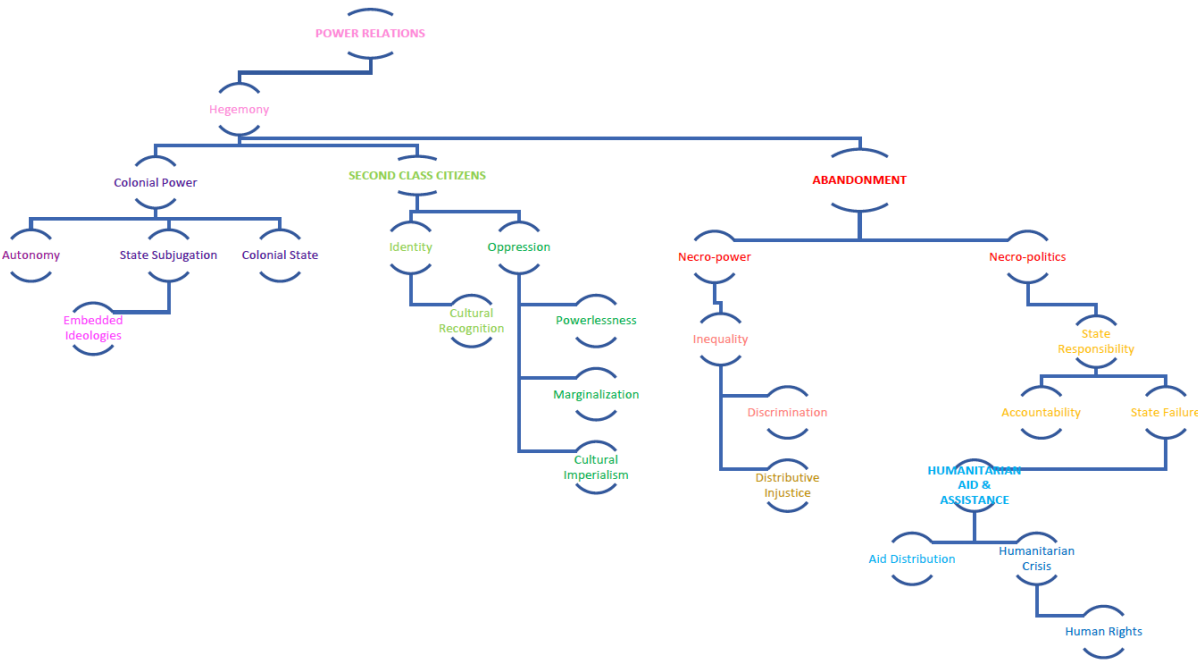


Table 1. Conversion of codes into themes/sub-themes of all data before final Theme 1.

Code	Theme/Sub-themes
Power dynamics	Power relations
Unbalanced codependency	
Lack of sovereignty	Autonomy
Lack of self-determination	
Decision making incapability	
Explicit division of power	Hegemony
Abusive state relationship	
Toxic relation	
PR relationship to USA	Colonial power
Belittling treatment	
Need for change (political/ideologies)	Colonial state
Government subjugation (“The Board”)	State subjugation
Consciousness of self (political reality/position)	
PR government submissive	
Mistreatment (both governments)	
Mental effects of coloniality	Embedded ideologies
Colonial mentality	
Cognitive dissonance	
Identity crisis	
Colonial thinking	
Resignation	
Feeling less (unworthiness)	
Denial	
Inhibition of expression (emotions/ideas)	

Table 2. Conversion of codes into themes/sub-themes of all data before final Theme 2.

Code	Theme/Sub-themes
Second-class treatment	Second-class Citizens
Cultural difference	Identity
Unique identity	
Dual identity	
Nationality VS. Citizenship (idea/passport)	
Song (reference on identity)	
Language	
PR authenticity	
Nationalism	
Need of human connection (help neighbors/others)	
PR cultural values	
Acceptance of differences	Cultural Recognition
Frustration with government	Powerlessness (oppression*)
Total devastation	
Feelings of impotency	
Feelings of hopelessness	
Uncertainty	
Feelings of being pushed away	Marginalization*
Lack of USA adaptability (on common and/or cultural practices)	Cultural Imperialism*
PR reality (customs/situations/construction/environment)	
Language disdain	
Language disapproval	
Disregard for the culture	

Table 3. Conversion of codes into themes/sub-themes of all data before final Theme 3.

Code	Theme/Sub-themes
Absence of government	Abandonment
Governments' negligence	
Feelings of being left behind	
Isolation (uncommunicated/cut off)	
Fear of being forgotten	
Awareness of being alone	
Survival on your own (be on your own)	
Be abandoned	
Humanitarian aid found abandoned (trailers/airport strip)	
Severe authoritarian decision making	Necro-power
Government selectiveness	
Morbid element of power display	
Minimization (of catastrophe/people's needs)	
Devaluation of people	
Lack of empathy	
Lack of urgency	
Death toll	
Inequality	Inequality
Social Disparities	Discrimination
Discrimination	
Racism	
Classism	
Absence of equity	Distributive Injustice
Bureaucratic political procedures	Necro-politics
Government corruption	
Display of USA powerful political position	
Political advertisement and manipulation of humanitarian aid	
Playing politics with people's needs	State Responsibility
Response (slow/ineffective/inefficient)	
Absence of transparency	Accountability
Duties of all parties	
Uncertain of which state should be accountable for (PR or USA)	
Uncertain of which state helped	State Failure
Government incapacity of responding	
Disappointment on government	
Government failure (PR/USA)	
Lack of credibility for the government	
Distrust in government	
Waiting period (for help/solve issues)	
PR– local government failure (on assisting the individual)	
USA– FEMA failure (on assisting the individual)	

5 Data Findings and Analysis

This section will discuss the findings of the dataset. These results were grounded on thematic analysis and supported by the theoretical framework, while keeping in mind the research questions. In return, the themes and sub-themes categorized in the data, helped answered those research interrogations, as “a theme captures something important about the data in relation to the research question, and represents some level of patterned response or meaning within the dataset” (Braun & Clarke, 2006, p. 82). Being the the aim of this investigation to understand the role that power relations occupies in a colonial context and how this affects several areas of social issues that were unveiled by a natural disaster, I developed my primary research questions which were:

How did colonial power struggles shape the aid available in Puerto Rico in the aftermath of hurricane María, revealing the implications of everyday coloniality and necro-politics imposed in Puerto Rico until today?

How did affected people perceive the effect of such struggles on aid?

The recurring patterns identified in the data and labeled as themes highlight tiers of power relations affecting aid. Ultimately, three themes were classified. Theme one is *Power Relations* discussing colonial power and coloniality of power. Theme two is *Second-class Citizens* with discussions on identity and oppression. Theme three is *Abandonment* presenting elements of necro-power & necro-politics through humanitarian crisis. The themes consist mainly of the consequences on humanitarian aid and human rights due to ripple effects of power relations, second-class citizenship, and abandonment; all being forms of oppression. Across all themes elements of biculturalism are present, but they are better viewed in the second theme when identity and forms of oppression are discussed, as well as in the third theme when examining inequality.

These sections with their respective sub-divisions are a connecting set of themes and sub-themes that illustrate areas affected by power structures. What was identified in the data by the participants’ accounts went deeper on answering the interrogatives proposed for the research as well as beyond, by identifying other problematics worth giving it attention in following investigations given this project’s criteria constraints. The process of codes explained in the previous chapter illustrates the additional issues brought to light by the interviewees. Nonetheless, these concerns were organized as codes since they are part of a bigger umbrella, under a central concept – depicted in themes¹⁰⁴. The analysis will maintain the focus on these predominant topics.

¹⁰⁴ See *Tables 1–4* for conversion of codes into themes & sub-themes in sections 4 *Methodology* and in *Annexes*.

5.1 Theme One: Power Relations “Stockholm Syndrome”

5.1.1 Colonial Power

Power relations charted the course for the navigation of this study. It gave a clear direction on where the codes were heading. The end result was a map out of themes that emerged from a root of structures of power, and practices maintaining hegemony¹⁰⁵. To uphold the importance of the patterns across the dataset, *power relations* became the first theme.

As previously discussed, power is the dynamics between exploitation, dominance and conflict (Quijano, 2007a, p. 98). In the context of Latin America, the ambitious colonial initiative held capitalism as an economic relation tied with forms of domination and subordination crucial to maintaining and justifying colonial control over colonized subjects starting firstly with the Americas (Maldonado-Torres, 2007, p. 243). Supplementing this notion, power relations in USA is more a hegemonic idea which is compatible with imperialistic and capitalistic views. There is an “economic dynamic that takes place in capitalist countries especially poor countries like PR” (Participant #5). In turn, its world view on territories turns the relationship – in this case with PR – into a colonial state of power, in which capitalistic systems maintain exploitation in many areas perpetuating the possession of land and most importantly, of subjects. Fanon considers the inconsistencies of US ideology on colonial power:

Americans take their role as the barons of international capitalism very seriously. At first, they advise the European countries to decolonize on gentleman’s terms. In a second phase they have no hesitation first proclaiming their respect then their support for the principle: *Africa for the Africans* [the nation for its people]. Today the U.S. has no qualms officially declaring they are the defenders of the right of peoples to self-determination. (1963, p. 38)

Ironically, a colonial state “illustrates all too well the American consciousness that the Third World must not be sacrificed” (Fanon, 1963, p. 38). Supported by a great majority of participants “PR is a third-world country disguised pretty well but a third-world country, we just don’t accept that” (P#5). These contradictions on the denial and on US belief blurs the lines on capitalism and exploitation to ideas of them as a savior. However, either view is a new take on old colonial mentality, a modern form of colonial ideology in the sense that in the context of the Americas religion was substituted by “rights of people to self-determination”, but a colonial ideology nonetheless. In whichever narrative

¹⁰⁵ To see clearly the hierarchical map, see 4 *Methodology*.

there still the notion of superiority in face of an inferior, of a savior, of a capitalistic exploitation in the name of the empire, and of control. The condensed nuances of exploitation, dominance, conflict, capitalism and colonialism are present in the following statement:

I have to say that it's been part of our history that a lot of Americans treat the same as the government treats us. They see us as undeserving. They even accuse us of not paying taxes (...) without getting into other things commonly said. Sure, we get a lot of assistance, but they reap twice or thrice the benefits, but it's done so subtly hardly anyone notices. Sure, you can get Federal student aid, but we're big consumers, and going by merchant maritime laws alone, how much of that aid do we give back? These are things people don't think about. Extremely colonized subjects will throw things at you like 'well, how do we pay? In American dollars. How can you be a *fupista* (member of the pro-independence student organization of the University of Puerto Rico) and receive Federal Aid (Pell Grants)?'. What other way is there if you're imposing this on us anyhow? The Pell Grants are basically the sausage handed by the thieves to the dog so the thief can do his job while the dogs don't notice. There is no other option. (P#1)

Under this assertion the many layers on the relationship reveals complexities and incongruities. It also demonstrates an unbalanced codependency mainly to maintain the status of control and use over subjects, by not giving them "an option" or by the imposition on selections. "Artillery shelling and scorched earth policy have been replaced by an economic dependency (...) Matters have become more subtle" (Fanon, 1963, p. 27). The transition of power relations into a colonial state hegemony is mainly distinctive by the lack of autonomy. A relation of exploitation without not much to choose from or decide upon. Additionally, it taps into the mistreatment and inferiority views characteristic of colonial perceptions, exemplified as merchant maritime laws as another method of control and exploitation by maintaining heavy tolls and economic restraint. Money in the form of grants or aid is shown as one instrument of pacification in a situation of scarcity to choose from, besides it's a form of maintaining influence by creating a need. The US power structures in place are latent in the form of other governmental agencies, in this case directly affecting aid while maintaining control:

In this relationship, the American government comes with its rules. FEMA¹⁰⁶ was made to reconstruct what was lost as it was. The laws don't allow us to do it better. There was a battle to make FEMA open to the idea of not only reconstructing but doing it better in a different

¹⁰⁶ The Federal Emergency Management Agency that oversaw humanitarian aid.

way and they have made some changes. (...) The agencies and aids from the federal government are designed to preserve the status quo, to maintain the country in need. I was not expecting more than that. I just don't want to diminish the fact that a lot of people used those aids to survive. The reality is that the country is so dependent that if it does not have those aids a lot of people would not survive. (P#5)

The decisive authority on matters regarding PR is US. There is an explicit division of power in which US Congress and the US President are sovereigns with full power on the Island's affairs, which are condition by century's old legal system, political status and colonial notions in face of another nation – PR:

Because we are a colony. It has been said [in the Insular Cases] that we belong to, [and] we are a possession of USA, but we are not part of it. In all the discussions had in US Congress that was the loud message 'We (the American Congress) govern PR with plenipotentiary powers'. (P#5)

Both US legal establishments can overrule laws, decisions, and matters regarding the Island. That "in which USA has not that much interest in fiscalize or controlling, PR can make determinations" (P#2). Thus, making US the predominant power. The annulment applies to PR depending on the matter, and if it affects or not US interests.

There are certain affairs that may change at a federal [US] level but are still protected at a local [PR] level. However, I think we're always under the US Constitution even when we have our own. They (the US) have the highest authority. That is the harsh, and difficult to talk about, reality. As you can see, I struggle to verbalize it (...) and that stirs up a lot of emotions. The lack of autonomy and decision power makes things a lot more complicated. And that goes for [humanitarian] responding as well as other things. (P#1)

The supreme power US holds on PR affairs is fused by the political status, affecting many aspects of PR including humanitarian aid. In order to receive help you need a disaster declaration which is declared by the US President and the money approved by the US Congress. In US, this link between power and humanitarian aid traces back to a colonial model in which the underlying notion of 'I'll give you if you are deserving or you follow my rules' is palpable. "They [US] have the following rule: If you want me to go help you, you have to ask for my help" (P#1). An explicit division of power is present and applicable. To clarify, in terms of humanitarian aid in addition to requesting the help, in order to receive help you need to follow their [US] rules. If US determine that you did not follow those rules, you don't receive the help:

Correct. You can request the disaster declaration, but that does not warrant that it will be declared as such. What happened in María was obviously declarable, but you know what the president in power during that time [Trump] thought, and he was sufficiently out of his mind to say something like 'no, you guys deal with it'. I could totally expect that from someone like him, based on his actions (...) However, you know what I'm trying to say, right? (P#1).

Another interesting example on the extent of power affecting humanitarian response by favoring rules over the humanitarian aspect, having direct impact over life is address when communities took some level of self-determination by solving things themselves:

I can say the same thing we said the day we were in PR Senate working on energetic public policies. We were invited and brought with us two people from Jayuya¹⁰⁷, and their message was this: 'When María came the state disappeared no municipalities, no police, no firefighters, no health department, no electric energy or water service. The state disappeared and we had to deal with everything ourselves and then someone comes and says that what we are doing, installing small solar systems, is illegal. We are not asking permission to do this. Why? Because there was no one when we needed help then no one will come now to tell us our efforts to survive are illegal. We will not ask permission or say we're sorry, we will do what we must, and you should do the same. Change the law so people have the right to have their small system without the state's intervention with the only requirement of security certified by a licensed electrician, so it is safe. Without taxes, and other requirements and restrictions'. (P#5)

The uneasiness of the extent of US power vetoing even decisions of the PR judicial system is pondered upon life and death:

I always think about death penalty when thinking about this relationship. There is no death penalty in PR but in the USA there is. When we have a big case, the question is brought back to the table, what could happen? This is due to our relationship with USA there could be a case where they apply death penalty here; they can overrule PR death penalty ban. Sometimes I think we have more advance things in place than in USA, but it is subjected to what USA dictates. We have a lot of things like that that get overshadowed or in threat by the USA laws. (P#4)

¹⁰⁷ In the mountainous area, Jayuya and Utuado were some of the most affected municipalities after María. They were isolated for months and they were known for surviving on their own due to community support amongst themselves.

It is a reminder of Foucault's discussion on the state exerting control and power over the subject's body as it belongs to the ruler. Despite participants' common preoccupations, US laws derogating PR laws have not happened since 1909¹⁰⁸, only annulments if PR law presents some contradictions with US federal law¹⁰⁹. Withal, US laws and amendments that do not apply to PR create loopholes not favorable for Puerto Ricans. It is not simply a matter of overrule a decision, is also the fact of lack of self-determination in the form of absence of the right of voting for those same US legal establishments (US Congress and US President) which are imperious. "US controls us and everything that happens here. This is USA whether we like it or not. It has always been this way, before and after María" (P#3). The following anecdote clarifies on the US restraint on PR on not having a vote in US Congress and its significance on ramification of dominion:

Our congressperson does not have any vote. I went to the US on a student trip to [Washington] D.C. and we were taken to Capitol Hill. (...) We met our congressperson, well, technically, the Resident Commissioner of Puerto Rico, not actually a congressperson, so let's begin by saying that. (...) I asked him [Aníbal Acevedo Vilá] what it felt like to just have a voice and no vote. He went to a spiel talking about how important having a voice was, because, regardless of not having an actual vote, we still had the power of persuasion. Needless to say, I was not convinced, because that is the colonial mentality at work, of those used to bondage and mistreatment. It's no big deal if I'm being punched because at least once a week I'll get a hug and a kiss. That is the mindset. We are supposed to be grateful because, even though we have no vote, at least we're allowed to be there and have a voice. My 17-year-old self was dumbfounded then; and my 38-year-old self still, to this day, continues to not comprehend why we conform to the way things are. (...) Fine, it's great having a voice, to talk, to be heard, but projects come down for voting and you can't vote. You may have talked at length about the issue, but when the time comes to cast your, potentially decisive, vote, you can't. So the vote does matter. Both things are equally important. (P#1)

The same notion of powerlessness is express by Young in face of an oppressor. The frustration is seen amongst participants. All agreeing that Puerto Ricans cannot vote for the US president or the US Congress on US elections, except by some technicalities applied only to the mainland. Then, which of the two governments has the decisive authority on matters regarding PR, "[Participant shrugs in

¹⁰⁸ US President William Taft intervened in a conflict between the American Governor of PR and the local legislature, overriding an action of the latter (Rivera-Ramos, 1996, p. 48).

¹⁰⁹ See Section: 2 *Literature Review* for an overview on court cases exemplifying US federal laws annulling PR local/state laws.

obvious undeniably remark. Fast answering...] United States” (P#7). This awareness of no real autonomy, colonial mentality and bondage carries concerns:

It’s alarming to me because as adults, I’m not saying we have our stuff together, yet our ideas are already shaped in a certain way. Maybe we’ve convinced ourselves that this isn’t going anywhere, that our situation won’t change, and have thus failed younger generations and children by not injecting them with enough intellectual curiosity to get them wondering about what it would be like if we were an autonomous or an independent country. What would an independent PR look like? Or one with a different, better structure? (P#7)

This shapes eventually what Quijano means by coloniality. It is not enough a colonial appropriation, but an ideology is needed to fossilize to assure that control germinates in favor of the colonizer. US imperialistic modus operandi is that “they feed off all other cultures” (P#1) and a colony model fits this appropriately. “We know that the USA invaded us, and they invaded us because of their own interests” (P#6).

Emphasizing on the grip on power, US authority and political status intertwines with a constrained political participation. Giving a sense of occupation, rather than an association:

Oh, it’s always been like that (...) Ever since they came in during the night, through Guánica¹¹⁰ in 1898. I think it probably improved a bit when the Constitution of the *Estado Libre Asociado* (“Commonwealth”) of Puerto Rico was established, which they call “Commonwealth” but the term doesn’t really translate to *Estado Libre Asociado* [State of Free Association]. It gave a false sense, an illusion of power and autonomy, and we’re still tripping on the idea that we have actual autonomy. So the answer is, yes, this was always like this, before and after María. (P#1)

The *Estado Libre Asociado* (ELA) whether it was created as a deal out of need, a political ingenuity or to give PR a Constitution that gives the appearance of self-determination, it ended up holding paradoxes of what it seems to be an autonomous society versus what really is in practice. It seems like you govern yourself, but in reality you do not; an illusory state. US allowed a Constitution, but that does not mean that PR have rights nor absolute power over their own affairs. Once again if voting rights are limited, consequently PR holds null power.

I think the political status, the relationship [ELA = Commonwealth] we’ve had, was necessary, it served a function in our political history. People were famished. My dad couldn’t go beyond

¹¹⁰ Spanish fortifications are in the north not in the south; thus, an occupation will be easier to achieve by entering through an unfortified town.

sixth grade, he didn't even own shoes. He started working very young at 12 years of age so his family could get a meal. That was the reality, people were hunger-stricken. So it was a necessity. That was the escape. But we've stayed there and it no longer works (...) it should be a transition, not permanent. (P#1)

"It becomes clear that the ELA system is no longer a system, or a platform designed to run a successful government in the 21st century. That is obvious" (P#7). Apart from a historical bind, another point on colonial power is the control on the political status (ELA) being ultimately a decision relying in US to move from that transitional political status quo. "It will end quite simply, when the latter [the colonizer] has come to realize, for a number of reasons, that it is in his interest to terminate the struggle and acknowledge the sovereignty of the colonized people" (Fanon, 1963, p. 91).

How can we reiterate what we know as 'Estado Libre Asociado' ("Commonwealth") without having to ask Congress whether we will be a State or be independent when, naturally, that is not in their list of priorities right now, and probably never will be. (P#7)

Following the pattern that leads to acknowledge that indeed PR is still a colony, it is necessary to address hegemony applied also to language through education. In PR the educational institution in place is the US educational system. This system has an identifiable characteristic, which manifests with language and this brings forth not only language imposition through English or attempts on eradicating Spanish, but also a belittling treatment accompanied by unworthiness for not assimilating to US ways. Apart from language being part of a cultural identity, unworthiness can indeed affect the identity of Puerto Ricans, feeding off the colonial idea of a superior colonizer in face of an inferior colonized certainly affecting the collective mentality. This imposition occurs from the time Puerto Ricans are young and the pressure builds up into adulthood:

We've been in contact with it [English] since we were little in the education system, since we were in kindergarten, for 12 years we studied it at school then you go to the university and English is one of the first basic mandatory classes that you take, and you know English but the same prejudice; that you cannot speak it like North Americans do. (P#1)

This discrimination through language given the way Puerto Ricans speak versus how US Americans talk carries racism in its discourse. Racism address by Quijano's theory as the basis for colonialism and coloniality. It is not enough to know English, but you need to know it their (US) way and Puerto Ricans know this since they are very young. With approximately 15 years of mandatory English depending on the school, the US persistent conditioning through education is in the Puerto Rican psyche since childhood. US has imposed English since their arrival, still to this day, confrontations

regarding the use of English instead of Spanish is well known. The hegemony in language in part through the educational system seeks not only to impose since early age the language of the colonizer as the main, but it instructs the colonized mindset of unworthiness and an attempt to construct a feeling of belittlement. Thus, occupation is not only taking control of many aspects of a society but also on the beliefs. The insistence on having control of subjects through institutions is also indicative of colonial rule in which the promotion or recognition of another's culture, practices or identity is not supported and in its place assimilation is imposed, instead of a harmonious cohabitation of two cultures. An unconstructive form of biculturalism can be noticed in cultural imperialism as a form of oppression, as seen by Young.

There are many historical and political US laws, clauses, amendments, or exclusions regarding what applies or not to US territories, but for this discussion we'll maintain the focus on the participants' accounts in relation to the themes interconnecting together. For instance, legal mechanisms identifying the way US coerces PR is found under mercantile maritime laws. The cabotage laws are an example of control and exploitation through policies by enforcing an economic restraint while tightening up USA relationship with PR. US policies that are attached to economic outcomes demonstrate that deliberations are made for the imperium regardless how non-beneficial it is to the territory, which did not decide upon these types of rules. Participants explain how these privations eventually created a chain reaction affecting humanitarian aid:

Of course it does. The merchant marine topic, for example. Say we need a specific product to either restore or fix something, and this product could be transported from any other country in a cheaper and hastier manner, we simply can't do it. Whatever we buy in 'Cochinchina' can't come directly here, first it has to travel from 'Cochinchina' to the US, disembark on a US Port, then be loaded on a US merchant mariner¹¹¹, which is the most expensive one, so by the time the product gets here not only are cost driven up, but the time for the product to arrive is greatly extended. So indeed humanitarian aid is affected. (P#1)

Not only US is the highest authority on legal, political and social affairs, but the economic pressure as well keeping the course of the island's exploitation and hegemony. Additionally, these policies like Jones, also known as Foraker since one is an extension of the other, in particular affected humanitarian aid directly by not allowing aid not managed by US through PR ports which are under US legislation.

¹¹¹ Boats allowed in PR ports must wave the US flag, meaning they must be US ships.

A colonial relationship. No autonomy. For me commerce is a critical affair, to be able to buy and sell without it being a transaction mediated and controlled by USA or that they determine if it's allowed or prohibited. USA mediates, determines, and controls everything; every transaction of buying and selling and who we can do commerce with... including the aid! Even in times of crisis there were countries sending boats to deliver aid (for María) and could not enter the docks to provide aid because it is all determined by the USA. They determine by their laws who can enter (PR) and who cannot. (P#4)

These types of policies made for economic gain and control, did affect humanitarian aid. During María PR pleaded for the removal of the Jones Act in order for international aid to reach survivors. It was not until some international pressure that US temporarily lifted the ports restrictions, though it was then placed back in force.

Emphasizing the grip on power from an economical perspective the establishment of some governmental bodies provokes PR being conscious of its position and political reality, resulting in another form of being submissive in face of external powers. Although it is worth mentioning that the cohabitation of powerlessness as well as exertion of power is seen in PR government. Being oppressed by an overseas government, but also being oppressor of PR population – a replica of hegemony. This is better viewed on following themes. “USA power and their politics of exerting pressure” (P#7) go beyond economic affairs. There are four main offices that do affect the outcomes on PR current reality and hold a direct link to aid and recovery.

US methods to legally implement supervision on PR is the creation and approval by the US President Obama of the Financial Oversight and Management Board of Puerto Rico, commonly known as “The Board” in Spanish *La Junta*, when signing the Puerto Rico Oversight Management Economic Stability Act – known as *Ley PROMESA*. This serves as a means of managing all financial affairs of PR. The board is appointed by US and only one of its members has to have residence or own business in PR but this does not mean it's Puerto Rican – a visible lack of representation.

All matters concerning what PR is going to decide in terms of finance or important decisions for the island must be submitted to “The Board”. They are the ones who evaluates it and the one who has that last word or that final decision regarding if that plan proceeds or not, the way it's going to be done or if it's going to be completed but with an amendment. That means that ultimately it is the board that USA imposes who has that final decision. (P#2)

This absolute control on economic decisions without Puerto Ricans' consent places all power of finances in US hands. “That makes me feel like a disobedient child that is on probation and it does

not have total freedom over her own decisions anymore” (P#2). Regardless of US declarations on reasons for its creation in terms of restructuring the debt and exiting the financial crisis.

The Board’s main mission is to get PR out of bankruptcy. That is reason number one. We got there due to government bonds that were issued in the market but were never paid back. Furthermore, it is a bond issue that has never been audited because people did not vote in favor of auditing the debt in a referendum that took place. This goes back to the collective mentality. If you’re put on a bankruptcy that is not of your own doing, how are you not going to demand explanations. It just doesn’t make sense to me. But it speaks to the collective mentality. It doesn’t make sense. I want to know who had the brilliant idea of issuing these bonds if they knew they were going to default on the repayment. They certainly knew that by the time those bonds would expire they would no longer be in power and would not have to answer to the public. They’ve been protected by the political class in control right now. (...) All of this is obviously connected to existing political campaigns and the way they are run, as well as to the power the political party currently in government has to mobilize disadvantaged communities. (P#7)

Having the power to control and manipulate politics for an agenda other than the benefit of the population, is a step towards necro-politics – Mbembe’s theory. This in turn maintains hegemony as well. “When the time to vote comes around, and there’s a clause in the referendum to decide whether the audit should be done or not, it’s managed just like a political campaign, so they definitely get the votes they want” (P#7). One way of manipulation through voting is another form of imperceptibly exert power over a susceptible populace, especially if a significant amount of the population is affected by the absence of voting¹¹² or by a limited world view product of colonial thinking. “This country will keep on voting the same way because we were influenced to think that is the only way” (P#5). In the case of an Island with many forms of crisis, the majority of the population govern by the ruling class in politics, are in a vulnerable position. “The debt audit is an important step to know the source of our insolvency, of our bankruptcy. The fact that The Board itself didn’t run the investigation in the first place raises the first red flag” (P#7). The situation continues to unravel when The Board appointed by US government is in charge of all financial affairs but turns a blind eye on an important matter. An additional discontent towards The Board is the enormous amount of money pay by the Puerto Ricans for a board they did not create nor appointed personnel to:

¹¹² Due to political status, change on demographics with new foreigners, foreign investors, and María’s great Exodus of Puerto Ricans.

On top of paying the damn Board with our own taxes, we don't audit it. We don't have records of their meetings discussions or their work plans. We let them operate with complete impunity, and without any success. Close to the end of 2021 if I'm not mistaken is when we [PR], technically, exited bankruptcy. That doesn't mean that we've see economic growth. All it means is that we are not legally bankrupt. (P#7)

"PR can have plans, present proposals, reports but at the end "The Board", that represents USA is the one that has the last word to decide whether something is going to be approved or not" (P#2). By being the decisive authority on matters regarding how the money is spent in PR – among other financial affairs – it also comes cutting expenses, closing public institutions like schools or hospitals, and other essentials that The Board deems to be unnecessary for the island's operations. A fragment of the problem is that part of its initial mission has not yet been fulfilled and cutting expenses yet demanding high payment for their services is indeed a dubious way of solving issues. "There are multiple red flags scattered all over the place" (P#7). Some of these red flags or patterns can be detected by the politically appointed personnel in power:

I would say the situation is even worse, because the [PR] governor currently in power [Pedro Pierluisi] is a lawyer. (...) Before becoming governor, this person was a lawyer for The Board, who was paid an astronomical salary to basically do paperwork; because The Board's decisions are made by a board composed of other people, the lawyer is there solely to fulfill other duties. In sum, what we get is a lawyer who is closely connected to The Board, a fiscal entity that is both corrupt and repressive, in other words, a tool of repression coming from the USA government. I was really disappointed that the president at the time, Barack Obama, agreed to that. (P#7)

Another personnel red flag pointed out was The Board's president (chief executive) when it was created at the time. Mrs. Jaresko was also the former Finance Minister of Ukraine:

What is her experience specifically with us? Ukraine is mainly an exporting country, while we are largely an importer territory. Ukraine is sovereign, we are not. Ukraine has its own central bank, we do not, we depend on the central bank of USA. What tools would she have to handle our issues? None. You probably need a person closer to our situation to lead that Board. In addition, the local industry leaders included in The Board are all monopolists. You can start seeing a pattern. (P#7)

Natalie Jaresko resigned from her position in 2022, five years after she was hired in 2017. PR is still financially in crisis. Participants are exasperated for not having control over their matters or by the

transparency on The Board's affairs – which among other duties comprised raising taxes, inflation and austerity measures from the financial crisis – with little regard of an economic growth plan for the Island nor from where The Board was cutting expenses:

As president of The Board I could say, 'We're surely cutting expenses, however, I'm not lifting a finger until we find a way of expanding the economy at the same time'. Actually, bankruptcy allows some flexibility to move around financially and seek ways to create new sources of revenue. Also, having a direct connection with the President of the US and the Senate should give you the capacity to lobby for an adjustment in the Commonwealth's structure, one that would foster new economic growth. The chosen path is not this one, however, but to do as little as possible. (P#7)

It is noticeable that it dealt specifically with paying back what PR owed from “the governments that have looted and impoverished the island, to make sure that the creditors are paid, those who lent us the money, at the expense of the retirement [plan] of policemen, teachers... impoverishing the great majority of the population” (P#8). Furthermore, acknowledging that politicians are in control, not necessarily the public. In the form of a puppet government or by an abroad one, functionaries are appointed by a foreign government, indicating also that indeed economic control comes in the form of colonial subjugation:

All those situations going on right now, that happen under the radar, are unacceptable to me. These things would probably not happen in any other modern society. I can see this happening in developing countries without solid political structures or constitutions, of course. (P#7)

Quijano's triadic theory's pertinency to the political, economic and social situation in PR is represented:

We're a territory of the US and we belong to them. We don't have the last word (...) it proved it once and for all that they established “The Board”, which is even above an elected governor, and that “Board” wasn't chosen by any Puerto Ricans. And we're paying them a tremendous salary, all their meals, their trips. All this just to ensure that the debt is repaid to those that lent us money through vulture funds, that is, with extremely high interests. (...) Impoverishing and affecting us even more (...) and get the country in even more debt. (P#8)

Puerto Ricans are being wring out by two governments, although the root cause comes from the tools of repression of the USA that operates a colonial model in which looking after economic activities is only natural. However, the benefits for Puerto Ricans are not necessarily the priority.

When asked if after *María La Junta* has helped the island or has it made the situation worse, participants' melancholy can be distinguished when responses are "I think it's definitely made it worse" (P#7). Also, it drills in the colonial mentality even more:

Because they are the owners of this territory and they're the owners of our future and our lives and our money and everything that we could... they're the owners, they are in charge. So, they let us do things if we can, but if we give them too much trouble, they send in someone to fix it. There you have "The Board". They're the ones basically running the country. (P#6)

The Board affects financial affairs and decisions regarding how money will be utilized in PR, thus affecting the recovery period as well which PR faces presently. This entity holding financial and decision-making powers, in combination with other key offices – all been governmentally managed – sustains PR in a subjugation panorama. Colonial mentality mixed with conniving politics makes it possible for subjugation:

That's what I'm referring to, I don't see any change. The outlook on collective mental health is grim because none of what I described makes sense. After all the work spent removing a group of people, taking out the actual governor [Ricardo Rosselló¹¹³], how is it possible that 16 to 17 months later the same group of people return back to their seats of power? (P#7).

Once a collective colonial mindset is achieved it plays a pronounced role and is key component to coloniality. The complex relationship between PR and USA is sometimes hard to convey to people not familiar with that reality, as expressed:

When you ask why USA has to help in the recovery of another country, therein lies the problem: we're not another country. That is the real issue. It's hard to grasp that reality from the perspective of a sovereign nation, with a whole different system. If American capitalism seems remote for them, our particular situation is from another planet. We're completely outside of their universe. (P#7)

In reality, these four offices come down to being three and, in some cases, consider even as two bureaus. The reason being that they either respond to US affairs, are a ramification of another, or they virtually do the same duties. The attention is placed then on agencies and offices in charge of humanitarian aid, whether is directed to response, recovery, preparedness, projects or directly with money managing. Following The Board, the second of these US offices is the Federal Emergency Management Agency (FEMA). This agency is managed by US government and is in charge of aid once

¹¹³ Currently he is Congressional Delegate in Washington, D.C. This title is commonly known as the Resident Commissioner of Puerto Rico.

the US presidential declaration of a disaster is affirmed. It is also important to mention that the way FEMA arrives has some resemblances with how the US army enters a scene and establishes operations. The same goes with how majority of the personnel is activated from the FEMA reserve to go respond on site. It is worth noting that before FEMA entered the scene the Puerto Rico Army National Guard [PRARNG] – a ramification of the US Army – was activated:

Utado looked like it was besieged. It looked like a war because it was desolated, and you could see the impacts of the hurricane on the streets, on nature. It looked like a different landscape because it seemed like a desert with all the sand from rivers all over the street and no trees, just sand and military everywhere. The National Guard was dealing with everything; queues at the gas stations, queues to buy ice, traffic, and other things. That was very impressive. (...) It was not that there was chaos or danger, but still the National Guard came. It all looked so military because of the uniforms and the curfew, during that time in which at a certain time of the afternoon everyone needed to be at their houses. (...) For me was negative to see them around because I associate the military with war not because they did anything wrong. Maybe also because I couldn't really interact with them or get to know them. Uniforms inevitably we associate them with war. (P#4)

This observation is important to show another angle on how the State approach an emergency, which seemed more military tactics than humanitarian action. Resuming on how the US government's presence materializes in PR relief, once the situation is acknowledged – by the US president – as a disaster, FEMA can provide help to state, territories or tribal communities victims of a disaster. However, this humanitarian aid is regulated by the agency's requirements making the access to aid restrictive. FEMA aid funding is approved by US Congress and this money comes also from taxes paid by US citizens. US gives the permission for the Agency to act and is the US who decides where the humanitarian aid funding goes and how much will be employed. Working alongside local governments FEMA can provide recommendations and reports, but the ultimate decision making relies on US side.

Power is then seen on the reproduction of US models, congruently in the FEMA structures in which the way things are organized ultimately are decided by the US agency that manages aid. Regardless if there has been discussions with PR government and local agencies to work in collaboration, "the agency FEMA has a structure that must be followed"(P#2). FEMA manages all

operations – directly or indirectly – even how NGOs or PNP will operate to an extent¹¹⁴. An example of decisive authority even in matters how things are done is the way the Agency reorganized operations in María when things were not working or going forward:

The structures they had didn't work for us (...) They had to revise the way they usually responded. Inspectors came down [from US] divided sections and distributed the divisions by sector, routing each item by necessities (...) water, schools, hospitals, and so forth. So I would say there was an attempt to fit into our needs, but there was still a lot of prejudice. (P#1)

Examining hegemony, FEMA also has structures in place that are acclimated to US mainland's reality and pressures any other way of doing things to adapt to their US regulations if citizens want to receive help. This can be perceived as discriminatory and conditional way of providing help to vulnerable groups that could come from a different cultural group – territories overseas, Native Americans, other ethnic minorities – and thus will do things culturally different other than what is considered to be US American mainland. Consequently, creating a conflictive system since aid is received under US rules, in a 'my way or no way' approach (P#1). This might not seem too evident since the nature of the Agency is to respond in a crucial moment of humanitarian necessity, but once more it brings forth parallelism with control. The following example has to do with how culturally you inherit a piece of land or house in PR passed along by generations. During the aftermath, aid in the form of housing or money was a struggle to be approved by FEMA in part to the cultural differences:

The fact that in order to qualify people needed to meet certain requirements that a lot of people could not meet. A lot of people were denied the assistance. There was a generalized feeling of discontent, of anger. It became so widespread that there were [PR] lawyers providing (free) services for people without property titles to appeal the decisions. It was then that the (US) Federal Government had to give in a bit. (P#1)

FEMA's anti-discrimination policy, transparency and inclusion of all territories and tribal communities aligns with some humanitarian principles – impartiality, neutrality. Decision making mainly govern by them and tied by conditionalities annuls what they in theory profess as an agency to provide relief and help. Possibly compromising other humanitarian principles – independence, humanity. Having conditionalities among vulnerable survivors annuls one of the key humanitarian principles, i.e., impartiality. Theorists can also be applicable under these circumstances. Quijano's wielding hegemony by FEMA approving or not help. The lack of US yielding adaptability to PR cultural reality

¹¹⁴ See section: *Abbreviations*.

can be seen in Young or even in Quijano with racist superiority, connecting it to Mbembe's having power over someone's life by not providing survivors with that necessary aid. Constructing power relations vis-à-vis relief is firstly a reflection of colonialism and then, humanitarian aid derives.

Rejections of applications for help places humanitarian aid in a second tier of importance. The priority seems to be more directed as off respecting the systems in place, the rules, the process in order to get aid, rather than placing humanitarian urgency as the top priority in an emergency situation. This gives FEMA – hence the federal government – a lot of power on survivors and the local government. “It's an already established structure, there is no room for improvising. This agency has protocols, guidelines, politics to follow to manage response to disasters. Steps must be followed so it can be approved and grant the money at the end” (P#2). It keeps the door open for colonial power in terms of the US State.

The recovery for PR from a disaster to this scale and with the existent structures in place, made the impression of recovery without FEMA an idea difficult to imagine. Some will think “we needed help and we're not going to be able to deal with all this alone. That overall initial response definitely USA, meaning FEMA, had to help us. The government of PR could not do it by itself” (P#2). Not been able to receive help from abroad due to the same US structures – “we have laws [USA] that prohibit [PR] the exchange with other countries or receive on ships things and such” (P#2) – made PR dependent on US assistance. At the same time, this necessity on the federal government to be able to survive placed the US initially as saviors:

People perceived that the federal government and the American companies that came to work with the electric grid were saviors. And it is not true, the bulk of it was done by local labor. (...) A lot of times when American companies worked on something, the locals will have to come to fix it because the American companies don't understand the system. The electric grid is also different in PR because it is built in blocks. (P#5)

Though that image changed eventually mostly due to humanitarian aid rejections or power abuses:

In Lares, we were in a big traffic jam because the brigades decided to close the road. When we went to see why the traffic was stopped, we found these workers, American workers, drinking beer and hanging out while the road was blocked, and no one could pass. (...) I clearly saw it just as a way of showing their power. ‘I am American, I work for FEMA, or maybe working with the engineers¹¹⁵, I can do what I want’. This was common during this time. (P#5)

¹¹⁵ When interviewees talk about engineers they are referring – in its majority – to United States Army Corps of Engineers [USACE], activated to support local and federal response.

Puerto Ricans living under colonial rule understand their reality, let alone the cognitive dissonance which they endure and are aware of:

No. Perhaps if things were different, we would have been able to receive aid from other places. But as I said, we don't know any other circumstances. Neither have we developed that capacity in order to recover without FEMA. Looking at it from the point of view of the employer that took me out of my misery, I wouldn't have been able to recover without FEMA. That's the level we're talking about. My country does not even have the capacity to give me a job that is fair, dignified, and just. It hurts, but it's the truth. And we don't have the capacity to do it without them, because all these years we have come to believe that we ourselves don't have the capacity, therefore we can't develop it. (P#1)

Aiding, but directed on helping to build autonomy and not creating a need on the federal government is key for entering a transitional period heading towards decolonization. However, not cutting all possibilities of an unbalanced codependency is evident that the intention is not this one, hence why coloniality is successful – making believe that PR needs USA. When assessing if PR would have been able to recover without FEMA, the concern was “no, not under the current system we have” (P#7). Although the majority of participants were discontent on FEMA's response for various reasons that will be address on following themes, it is of most significance to bring forth:

We recognize the work they do, and we recognize that the country, because of the colonial situation, will need assistance. This country has not had the chance to develop in a way that it can be self-sufficient. FEMA is one of the organizations that we believe that despite the good intentions it reproduces a colonial model of intervention that perpetuates that. That is the reason we don't get along (...) our relationship with them is not great. (P#5)

It is important not to devalue the help the agency provided, but the intention on this section is to reveal the roots on colonialism and the extent of power relations that indeed affected aid, and at the same time enforced colonial mentality and coloniality of power.

Let us now briefly examine the following office with power, which in reality is a previously established permanent FEMA division in the Caribbean. “Preparedness is supposed to be handled exclusively by the Caribbean Office” (P#1), although as FEMA workforce is also in charge of other duties concerning humanitarian aid in disasters. In between FEMA offices it exists some differences between responsibilities on preparedness, response, and recovery from a disaster. Nonetheless, their loyalty on structures in place perpetuates hegemony. It is evident that bureaucratic procedures keep power under one end – federal.

The local government does not have certain capacities (...) and someone will say then, 'well, that's the local government's responsibility', to which I counter, 'but they don't have the capacity (training)'. Then someone will say, 'but that is actually preparedness, handled by the Caribbean office'. Well, the Caribbean office isn't doing it either (...) We can't continue saying that something is the local government's responsibility, ignoring the fact that I [US Agency/FEMA] should be providing you [PR government] with the tools so you can do it yourself. The way this is designed further complicates the ability for the (local) government to develop their capacity. (P#1)

"Because of the relationship with the USA, their government has shared responsibility. It is known that our government does not have the resources to respond. It is another way of showing us that our leaders don't have any power" (P#5). If the offices that oversee humanitarian aid are more committed to the structure than towards humanitarian relief, it does create conflict. Internal disputes within the agency, external clashes with survivors and in between PR and US governments.

I don't get it, why don't you use the hundreds of people that are currently deployed here, who have the capacity, instead of restoring to a sectarian mentality of separating people into opposing sides, recovery vs. preparedness and so on (...) The Agency [FEMA] definitely has to look within and assess itself, because something is not working. You can't expect the local government to have certain qualifications if you're not giving them the tools to have them. (P#1)

It goes farther than permitting some level of self-determination by having tools of knowledge, it is staying encapsulated in the notion rooted back in US being the authority and "if the government of PR follows that discourse, then is worse because it does not even dare to try anything else" (P#4). The problem with creating a dependency is that the reproduction of a colonial model is sustained, and the outcome propagates a mentality of need and of 'PR cannot do it themselves'. The manner humanitarian aid took place in PR is one example of systems in place that reproduce power relations with a narrative of incapacitating 'the other'. Some form of self-determination "is about organizing and working together, making people part of the solution not dependent on a solution. The way the funds are assigned here is done in a way it perpetuates dependency" (P#5).

The last office to reference is COR3. They are in charge mainly of allocating humanitarian funding approved by US. One key detail of this office is that it does not handle individual assistance, meaning helping the survivor. This emergency and response stage was closed by FEMA years ago, although still to this day there is a clear necessity amongst vulnerable groups that could never

recover. Under the reconstruction stage, COR3 is created to manage funding for public and governmental affairs related to recovery projects. Although the local government will apply for funding directly to FEMA normally, this office was created. Most of the survivors were unaware of this office and responders were uncertain the reason why this office was created, but the overall comments deem its existence to be unnecessary and deceitful, as it might duplicate efforts already done by FEMA or is another form of surveillance by the governments. It reproduces models of power, it lacks transparency, it's susceptible to and by conditionalities, crafting subjugation under US regulations. COR3 should "cooperate and they must keep constant on-going communication between FEMA and PR state. That section of the PR state applying to FEMA must follow the steps to be able to obtain approval and disbursement for the funds needed" (P#2). According to some responders, the office was created as a liaison between governments and have succeeded in some negotiations. Except it operates under US requirements and maintains the colonial thinking that PR cannot properly manage the tasks of application and allocation of relief funds, therefore PR needs this office. Whichever is the nature of the office, the premise of its foundation is pejorative:

I'm not sure why this was created, if it was some sort of (US) requirement. They needed an office that would administer the receipt and submission of these funds as a way to oversee that there wouldn't be any corruption in the process. (...) It's called COR3 because it's the Central Office for Recovery, Reconstruction and Resiliency, and whenever you see projects where FEMA is involved, you will see that office as well. It reads as follows 'We ensure that the government of PR successfully undertakes reconstruction efforts with efficiency, effectiveness, and transparency, while capitalizing on opportunities to build back in a way that makes Puerto Rico better, stronger, and more resilient'. Put in other words, in nice words, what they are saying is that they *ensure* that the Puerto Rican government is successfully undertaking the reconstruction efforts. Literally, it's an oversight office, they administer the reception and application of the funds received. (P#1)

Feeding off the premise that PR is corrupt is belittling treatment. Subtly planting this idea of corruption, plus that PR is not able to administer themselves adds to the mistreatment. With or without veracity, planting an idea goes a long way and it is powerful. Interesting enough, in COR3 the intention of 'capitalizing opportunities' is present as an aim. The conception of this office was after María, but echoes a notion endured during as well as before María. It resonates with the strong message of self-determination incapability which appear to be soften with the creation of the ELA:

In terms of the social experiment that PR has been for the last 100 years, under this colonial constitution, or more precisely, under this second colonization – because we had another rule before [Spain] –, the way the ELA is designed has some good things. (...) Basing this observation on what it originally purported, that is, during the first half of the previous century, when Congress began to yield more powers to the local government (...) because since the beginning of the 20th century it wasn't until the 50s that Puerto Ricans were allowed to govern themselves. (...) This reveals that their politics [USA] with regards to us is one of distrust. And they, and by they I mean Congress, are, in general, very greedy in the management of resources. That struggle for control that we had during the first half of the 20th century also carries an unwieldy and strong, racist message, in so many words they're saying, 'You Puerto Ricans cannot govern yourselves'. It was only after World War II and some international pressure that I can see how, 10 years after World War II, they said, okay, let's create a system for Puerto Ricans. Judging within that frame, the ELA, the consensus back then, probably made all the sense in the world. The model was predicated on values and goals that were sound, which were, arguably, reached. (...) At that time you could have concocted any system for PR, and just by that fact alone [of USA becoming a global power], it was going to work. (P#7)

A superior has to allow and determined Puerto Ricans capability. Hammering this idea of 'not capable enough' has soldered the problematic leading to coloniality of power. US created the system but was still in control of its asset. The remaining atmosphere ruminates in the aforementioned offices. Apart from the already existing financial oversight body in place by US mandate – The Board – both FEMA and COR3 specifically manages humanitarian aid and supervises relief funding. Controlling aid and thus, the recovery of the population because to be able to receive aid, PR must comply. It is evident that all these offices are conflictive, exploitative and dominative. As per the above discussion, in many of its matters PR is excluded from genuine participation – an artificial partaking in its affairs. Inciting inferiority, dynamics of subordination and dependency on an external, even in humanitarian relief. This clearly goes against humanitarian aid principles, i.e., independence.

Keeping in mind Quijano's exploitation, dominance and conflict, participants do express their frustration in face of US power. By feeling "Impotent, frustrated, angry, very angry. No nation should be under anyone's yoke. No modern nation should be in the political status we are in" (P#1). The

image of a yoke¹¹⁶ is extremely powerful since it alludes not only to oppression but also exploitation, its significance culturally roots from servitude and obedience in labor. The existing relationship is described as toxic, abusive and fueled by power:

Very toxic. First of all, it's a type of unbalanced codependency. It's toxic because it's a relationship based on power, a power relation which certainly lends itself to abuse. The stereotypes pervade the relationship on both sides. I've seen it here [PR] and I've seen it there [USA]. I know because I have lived and worked in USA during the years. (P#7)

The description pairs with PR is used to being a colony. "The situation is comparable to domestic violence, you will never heal because you don't notice the situation you're in, because it's the only thing you are used to" (P#1). An embedded ideology – planted by power – is possible once internalized that your reality is to be a colony, making it difficult to escape from it. The antiquated way current structures in place are, are outdated and this also bring struggles complicating further how PR is now. María's aftermath enhanced the panorama, but longstanding struggles connected to power do affect basic human rights, e.g., social security, health, education, work, economic autonomy, well-being, security, freedom:

How can you iterate, or rather, how could you negotiate with your elder sibling in order to obtain a political model that offers the right infrastructure; that spurs better education for the younger generations; that creates jobs and industries; that in so doing will help lower the poverty index, which is terribly high for a nation, or more precisely, an industrialized territory or an industrialized municipality as those we occupy. How do you lower the poverty index and bring down crime rates, considering crime is nothing more than the by-product of poverty? How can you mold future generations in order to, hopefully, have a Puerto Rican that does fit the 22nd century, because at that point will be closer to that epoch? (P#7)

The data shows PR having problems of a political, economic and social nature, plus ideologies that have been conditioned and persist beyond María. "It's actually accelerated by that [María], because after such traumatic events collective depression soars. You see and hear about it in the general, pessimistic demeanor" (P#7). It's a situation that present difficulties to solve and after María the colonial relationship binding PR to US when transferred into humanitarian aid corroded the association farther.

¹¹⁶ A yoke is culturally and historically used to keep the oxen in place while plowing the land.

The treatment – predominantly at a Congressional level – “it’s still the same. I don’t see any changes” (P#7). It’s perceived as PR being unwanted by US. “Without generalizing, when I have witnessed unfair treatment, it’s rather an attitude of resignation, sort of like, well we already have an agreement so I might as well deal with you” (P#1). This rejection was concretized and made public when during the emergency in María, Trump the US president in power at the time, visited the Island as part of the humanitarian aid presidential response. Trump’s action consisted of throwing paper towel at survivors instead of providing most needed resources – e.g., water, food. “The behavior shown by Trump when he threw paper towel rolls is a reflection of something deeper, of how Americans perceived Puerto Ricans” (P#1). Trump’s condescension in combination with power had noticeable effects on survivors. Severely affecting feelings of unworthiness and in terms of humanitarian aid access to vital provisions – alluding to Mbembe’s necro-power & necro-politics. However, Trump was not the only persistent problem, and the root cause can be attributed in part to centuries’ old colonial mentality – and everything that encompasses this mindset, e.g., inequality, discrimination, racism, servitude.

No, I don’t think the treatment has changed, just the administration. The current president [Biden], being a “Democrat”, promoted himself to be more pro-Puerto Rico, but at the end of it all these are just campaign promises. As with any politician, things pretty much feel the same. (P#1)

“Other presidents even though they don’t belong to this extreme rightwing line of thought such as Trump represents, they have or are treating the island unequally” (P#8). The attitude is also present by both, Republican and Democrat US political parties – Obama, Trump, Biden – just to name a few discussed in the interviews.

The democratic party is less offensive, and they are nicer, but the politics are the same as the Republicans. Colonial politics with a different approach. I will participate today with congressmen that are discussing the status of PR and I’m thinking of how to approach this. We have 90 seconds to speak, there is not much time for democracy in a colony. But we are going to highlight the way they assign federal funds in PR. While they are presenting a project of auto-determination and probably spend 8 million to promote it. Meanwhile, more than 10 billion has been spent maintaining us trapped in a colonial setting with federal funds and how they are used. Congress won’t say a thing. You could say it in a bad manner or with pretty words, but the message is the same: ‘You are a colony’. (P#5)

Keeping in mind how a declaration of disaster works, it is evident that presidents in power, and politics affects humanitarian aid's outcome. The repercussion of Trump's incident mainly reminded Puerto Ricans of the powerless position they hold within a colonial structure, and the marginalization through apathy which goes against humanitarian principles – i.e., humanity. For Puerto Ricans the injurious act keeps being particularly resented. Its significance towards this investigation is that it's a good example that connects each theme on this thesis – power relations, second-class citizens, abandonment, humanitarian aid –, encapsulating pertinent aspects in the theories of Quijano (coloniality of power), Young (oppression) and Mbembe (necro-power/politics).

To maintain the point on colonialism metamorphosing into mental effects of coloniality, Trump's paper towel clash references on power and submission. Power is key to comprehend submission and the reason behind the coexistence of powerlessness, resignation, and the inhibition of expression:

I just can't. How did we allow that? How wasn't he ousted by the crowd? (...) I mean, you're not even from here [PR]. How can you be so disrespectful? (...) Well, we're being mistreated but what can I do, he's the president, and as much as I'd want to, I can't pull off his wig. (P#1)

Further discussion on the picture of the incident shows concerns on the future extent of a powerful narrative:

That is a picture of the distinguished United States president disrespecting us. Is not him that makes me feel bad. The reason he disrespected us is because we allow it, the reason they disrespect us continuously is because we allow it. They would not do it otherwise. Trump was the less dangerous (president) in an ideological sense because he was easy to read but they all do the same. Sometimes is just harder to see it because it's done with more finesse. I'm a lot more worried about what is brewing in people's heads, the narratives are so powerful that is hard for people to really see what is happening. (P#5)

Having the US empire with a grip on autonomy and profiting from exploitation, whilst taking advantage from pre-existing colonial models instilled in the minds of the population, results in a variation of continual colonist pattern. Hereafter, coloniality of power is unequivocally conceivable:

In the end, I think it's the result of the 500 years of brainwashing¹¹⁷ that we've gone through here. To put it simply, this is like keeping a boxer¹¹⁸ that is already lying on the floor from ever

¹¹⁷ The colonial occupation started with Spain in 1493. After being for 405 years a Spanish colony, in 1898 US invaded PR to this day on (126 years), summing 531 years of colonial rule between the two empires.

¹¹⁸ Reference is noted as part of cultural identity. Boxing is considered in PR a national sport.

getting back up to continue fighting. He'll just stay on the floor. They're constantly sounding the bell every day. Basically, they're hitting him over the head with the bell while still on the floor. It is completely unnecessary, because it does not have to be like that. To an extent, it is our doing, we let that happen. (P#7)

5.1.2 Coloniality of Power

Coloniality of power is possible in PR due to its long-nuanced history with two distinct superpowers – Spain and then USA. “It is the colonist who *fabricated* and *continues to fabricate* the colonized subject” (Fanon, 1963, p. 2). The political, economic and social structures are based on what the empires have imparted. Although there has been resistance among Puerto Ricans, it is nevertheless the system they know and that has rooted within since 1493. The change on administration from Spain to USA, or from a US political party to another, still maintains their presence on the structure. “Colonialism and imperialism have not settled their debt to us once they have withdrawn their flag and their police force from our territories” (Fanon, 1963, p. 57). The escalating process on US control can be seen how participants describe power dynamics and having an unbalanced codependency in combination with lack of autonomy and mistreatment, soldered by over five centuries of colonial state subjugation:

It's like Stockholm syndrome. We are not a colony, but we are. We have been an abused country for more than 500 years and we passed from being a possession of Spain to an American colony. That is all we know, and they [USA] are saving us while they abuse us. (P#3)

Giving sufficient time for fusing the idea that this is how things are, once the ideology is forged into the belief system “we may not even have the capacity to see it, because the chip here in PR is so culturally ingrained” (P#1), and like this, coloniality asserting its power.

Coloniality is more than exploitation and domination alone, it goes farther, it pushes down the colonized by rationalizing a set of norms placed originally by established structures – colonial – with the aim of maintaining hegemony, indeed, but also has ramifications on the subjects' mindset:

Perhaps it has not been sufficiently demonstrated that colonialism is not content merely to impose its law on the colonized country's present and future. Colonialism is not satisfied with snaring the people in its net or of draining the colonized brain of any form of substance. With a kind of perverted logic, it turns its attention to the past of the colonized people and distorts it, disfigures it, and destroys it. This effort to demean history prior to colonization today takes on a dialectical significance. (Fanon, 1963, pp. 148–149)

It goes deep into the social structure by means of its influence on political and economic domain. It takes over values transmitted through generations, it is seen in the production of knowledge, ways of thinking, beliefs, attitudes, behaviors - forging a society, influencing its thinking and affecting its identity individually and collectively. In the case of PR, who you are, where do you come from, your capabilities, what is your part within biculturalism, who do you owe your progress to, who takes care of you – all seen best reflected in humanitarian response. Coloniality of power is achieved by transmuting the old ideas into the capitalist colonial/modern world power (Quijano, 2007b, p. 171). For instance, the relationship US occupies with PR. US transmuting capitalistic views which encircles its world vision and the way they relate to their territories. Taking advantage of PR previous colonial history with Spain, US plays a part on embedding ideologies wanted by the hegemonic state, profiting from a population that has not experienced any other structure other than a colonial one:

How things are because of the way they have been falling into place throughout our history (...) you are allowing them to treat you like that, not setting any boundaries (...) the PR government continues to be a victim of the US because it allows it. The problem is that, not knowing any other scenario, we've been let to believe that we are incapable of doing things another way, and we've ended up believing that ourselves. (P#1)

There is the recognition of being a colony, but it becomes more powerful when it transfigures to an ideology. This is strategic to maintain dominion. Hegemony prevails, making it more difficult for subjects to escape the circle or believe other forms of structures are possible. The inferiority complex – discussed in Quijano – strengthens these hegemonic ideologies:

Yes, it's the colonial mentality. We don't know anything else; we are used to being a colony and thinking that anything that comes from outside is better. It does not matter what it is, if it comes from outside, it must be good. And it does not have to be only from the USA, from any other place it's better than here. (P#3)

Over a century of US American rule “the whites in America had not behaved any differently to them [colonized subjects] than the white colonizers [Europeans] had to the Africans” (Fanon, 1963, p. 153), and steadily have created an unbalance codependency with its PR territory that a sense of need was engrained and thus solidifying a colonial thinking so strong that the mentality left in turn is a vivid example of mental effects of coloniality, imperceptible by some in denial but very solid nonetheless. The current system in place keeps subordination, creating an ideology on need and dependency as seen significantly with humanitarian aid:

The fact that the last agency response is Federal, and that we are obliged to submit to that because there is no other way but to use the Federal response. That's a whole other ball game. The problem here is that we've been taught that the US is responsible for helping us with everything. (P#1)

Capitalizing on the need and creating the mentality of US as saviors when in misery, gives another level of power more attuned to the modern reality of PR in the century of climate change, as well as fortifying the pre-existing colonial model. "Those who control the circumstances control the people" (Žižek, 2013, p. 399). Being dependent on federal government's aid through FEMA secures coloniality of power. The state does possess responsibility over the nation-state as part of the social contract, but the resulting designed mindset applied in humanitarian aid is without doubt Quijano's coloniality of power: "I believe that without FEMA and a better government, we could have recovered even better than we did and faster. The damage would have been less if we did not tend to reproduce the North American models" (P#5).

It is important to mention US treatment towards PR, because it carries colonial values and behaviors that affects power, politics, identity and humanitarian aid and assists on the encoding method that the colonized will inevitably suffer throughout their interaction and conflictive relationship with US. Whoever holds power – as seen with both PR¹¹⁹ & USA governments in María – replicates the known model of power. Thus, Mbembe's necro-power & necro-politics became realizable as a result to this coloniality of power.

It's a relationship based on submission and low self-esteem. And there's still a lot of people that doesn't see that. It's something you're so accustomed to that you can't start to heal from the process. Someone [Trump] throws rolls of paper towel, it hits you in the head and you still say, 'thank you!' (...) Sure, a lot of people were offended. It works almost as a metaphor. We still allow others to tell us what to do and how to do it because that's the only thing we know. (P#1)

Being a colony, the mistreatment as of second-class citizens affects the moral as well as the ways of thinking, and your place in that nation-state individually and collectively. Produces a specific behavior and the compliance to the system becomes normalized although the dissonance is vivid.

We can say that there is one element that will circulate between the disciplinary and the regulatory, which will also be applied to body and population alike, which will make it possible

¹¹⁹ Power relations from the local government perspective will be address in Theme 3 in Section: 5 *Data Findings and Analysis*.

to control both the disciplinary order of the body and the aleatory events that occur in the biological multiplicity. The element that circulates between the two is the norm. The norm is something that can be applied to both a body one wishes to discipline and a population one wishes to regularize. (Foucault, 2013b, p. 72)

PR has grown accustomed to the lack of power, the colonialism, the colonality, the replicas of power into their own local organisms, the resignation that becomes habitual, however normalization is more than all previously discussed elements. It is normalized due to both the disciplinary and the regulatory aiming for control. As Foucault further defines it:

The normalizing society is a society in which the norm of discipline and the norm of regulation intersect along an orthogonal articulation. (...) It [power] has, thanks to the play of technologies of discipline on the one hand and technologies of regulation on the other, succeeded in covering the whole surface that lies between the organic and the biological, between body and population. (Foucault, 2013b, p. 72).

Leaders in power (i.e., politicians, directors, supervisors) have contributed to the indoctrination. Comments on lack of autonomy complementing lack of leadership was expressed as:

I think autonomy already exists. It's more a matter of us, as a collective, not knowing how to use it. Mainly, because we don't understand it. The politician understands that. So, the occupation of a politician becomes a career like any other, but for a specific elite group, who use their platforms to find ways of eliminating opportunities rather than creating them. (P#7)

For PR, normalization is what binds it to colonality of power difficult to overcome, in which the psychological impact can be less perceptible but powerful enough to keep a population in place by distorting the collective identity by implementing a model rooted decades ago:

This country had a culture of labor. The people despite being a Spanish colony for 400 years. Well after the Spanish invasion because it was not a discovery it was an occupation; people, our indigenous people the *Táinos* were living here for a long time. But even during this original colonization this country of peasants was a country where everyone got up early to work, everyone had something to eat because they worked, and they knew that the source of things is work. But with the North American colonization, a conception of government aid was brought, and the way the aid system was built was for labor market interests and social control. I don't have to say it because it has been said. A North American governor [Rexford Tugwell] said that the government of the United States with its colonial model had taken

decent hard-working people and made them beggars. Not because they wanted to but because the government wanted it. (P#5)

The culture of need was fully fruitful with humanitarian aid in María, proving effective on ossifying coloniality. Another less perceptible, but powerful piece that puts everything in place for coloniality is the notion of idealization. “Although admittedly there are messy things within their organization [FEMA], I think we have just idealized them” (P#1). Historically, it is not the first time the colonizer is seen as a God¹²⁰. After María, the perception took a new form, one of God-like powers that will aid, give or allow life since the decision rests upon them:

In Lares, we were in a big traffic jam because the brigades decided to close the road. When we went to see why the traffic was stopped, we found these workers, American workers, drinking beer and hanging out while the road was blocked, and no one could pass. (...) I clearly saw it just as a way of showing their power. ‘I am American, I work for FEMA, or maybe working with the engineers¹²¹, I can do what I want’. This was common during this time. (...) I saw this racism a lot. This racism that exists in this country between our people is awful because we fight it among ourselves, but we permit it to foreigners. Among ourselves, we fight it because we feel equal, the foreigners are God like they are the ones in charge. (P#5)

When discussing perceptions on having been born into a colonial society and ideology, another – yet profounder – success on coloniality is conformism. Conformism is different from resignation in the sense that in resignation there is an acceptance, an acknowledgment of your colonized position but not necessarily carries submissive passive postures – as seen in the examples of many of the participants. In the other hand, conformism can distort the narrative and the reality of the subject, by internalizing the position of submission where the subject should belong to and completing the normalization process:

In my case I don’t know anything else. I can give you the example of my sister’s dog. He doesn’t like it when we take off the collar with little bells, which is annoying and unnatural for his body because he wasn’t born with that. When I take it off, he doesn’t like it, when I pick it up, he runs over so that I will put it on. He is so used to that, that if he doesn’t have it, he’s not ok and maybe he doesn’t feel complete. Look it’s not only myself, we’re talking about 500 years

¹²⁰ It is reminiscent of when indigenous *Taino* saw the Spanish as Gods, until 1511 when tired from abuse and oppression some *Tainos* decided to drown one Spanish conquistador – Diego Salcedo – to see if the Spanish were indeed gods or not. Once proven they could die, they were not longer seen as gods and rebellions followed.

¹²¹ When interviewees talk about engineers they are referring – predominantly – to United States Army Corps of Engineers [USACE], activated to support local and federal response.

of Puerto Rican generations that have lived under colonialism and we've died of natural causes. We haven't died because of colonialism; well, I mean some have died because they fought and died against the colonizers. But it is doable. I don't know perhaps it sounds kind of absurd, but I think that there are more important things that we as a society could pay more attention to solving more important things than if we are a colony or not. (P#6)

The manner humanitarian aid in US works is based on a colonial structure moved by coloniality of power, which in its nature presents difficulties to altered. That will mean to shift an entire stratagem and a change is not seen as realistic. "The work of the colonist is to make even dreams of liberty impossible for the colonized" (Fanon, 1963, p. 50).

Changing the chip that may shift and inspire change in the way things are done in PR (...) I once commented to my [FEMA] crew lead (...) and his response was a very colonized response. He said, 'You have to get your head out of the clouds'. (...) I cannot accept that I should get my head out of the clouds, because I'm working to change that. I may not see the changes, but the hope that another PR is possible gives me peace and the strength to continue working here. The colonial mentality we fight against is complex. It's a broader issue that trickles down to reality and gets us to the point that we feel like we can't solve the situation without FEMA or the USA. This creates and perpetuates our reality. That's our chip and we know no other way of doing it. (P#1)

5.2 Theme Two: Second-class Citizens "*Children of the Sugarcane Fields*"

5.2.1 Identity and Oppression

Puerto Rico's experience with colonial powers shaped a mentality, a reality, and a distinctive identity. PR identity construction was affected through both resistance towards the colonizer and as a success of the colonial project. Colonial power forged an identity in the Puerto Ricans since the Spanish rule, which continued increasing and transforming itself with US dominance. Oppression – lived through both empires – was a key element to achieving identity, as per "structural oppression involves relations among groups" (Young, 2011, p. 41). Almost a century before US invasion, and with a population of mixed races¹²², PR had a defined sense of identity and sense of belonging:

¹²² Races at the time were: white European, black African, *mulato* (offspring of white & black), and *criollo* (creole/native born, later recognized as Puerto Ricans). By this time indigenous population of *Taino* were exterminated by the Spaniards.

By 1802, a strong sense of identity had risen among Puerto Ricans – an identity that would grow stronger as the 19th century wore on. This strong sense of identity has been a distinctive trait of Puerto Ricans ever since, one that has outlasted political loyalties and contingencies. (Collado-Schwarz, 2012, p. 4)

Additionally, PR identity fused with US coloniality, by US embedding in the colonized a colonial mentality in the form of internalized oppression – with the aim of assuring power – “in which the colonized culture and society are considered inferior to the culture and society of the colonizer” (David and Okazaki, 2006, as cited in Capielo et al., 2019, p. 396). It is then that US coloniality of power continues with special focus through “culture and psychological domination, being indispensable to substitute values, aspirations and allegiance” (Riestra, 2016, as cited in Vázquez-González, 2023, pp. 19-21) for those of US mainland. Fanon denounced the colonist distortion of reality with the aim of reconstructing a new one (1963, p. 149) given that “national culture is the collective thought process of a people to describe, justify, and extol the actions whereby they have joined forces and remained strong” (Fanon, 1963, p. 168). In addition to targeting the culture, pursuing domination at the psychological level means making the other believe what constitutes the self. Damaging the individual self-concept as well as the collective self-esteem result in “cognitive distortions, produced by socialization that is characterized by a lengthy history of faulty information processing in relation to themselves, others, events, and life situations” (Martínez-Avilés, 2011, p. 75). The formation of an identity is thus commenced by the ideology implanted by the colonist of them being solely “the beauty, the good, the real, whilst describing the oppressed as ugly, bad, or false, internalizing a prejudice perception of the self” (Vázquez-González, 2023, p. 20). The embodiment of the colonizer’s all greatness signifies the devaluation of the colonized.

Every effort is made to make the colonized confess the inferiority of their culture, now reduced to a set of instinctive responses, to acknowledge the unreality of their nation and, in the last extreme, to admit the disorganized, half-finished nature of their own biological makeup. (Fanon, 1963, p. 171)

“Colonialism is a determinant factor in the construction of self-identity and self-concept of any human being who lives that reality” (Martínez-Avilés, 2011, p. 75). Both colonial powers – Spain and USA – created PR’s historical, economic, political and social structures through exploitation and violence – physical and psychological. PR colonial relationship with US was predetermined when US imposed for Puerto Ricans a second-class citizenship that accompanied different forms of political repression, resistance and inevitably influenced Puerto Ricans’ identity. US tried to uphold dominion

by going deep into the core composition of individual (identity) and collective reality (national identity) by all means necessary, i.e., structural oppression. “Oppression is set under a family of concepts and conditions which divides into categories: exploitation, marginalization, powerlessness, cultural imperialism and violence” (Young, 2011, p. 40).

Set under conditions of oppression, infiltrate cultural and psychological domains starts with internalization of both objective and subjective realities¹²³. “The internalization of colonial mentality occurs early in life through a process of intergenerational transmission of culture” (Schönpflug, 2008, & David & Okazaki, 2006, as cited in Capielo et al., 2019, p. 396). This was the tactic employed by US in its attempt to assimilate Puerto Ricans to their culture, accept submission and seal dominion. Part of the US colonial project intended at redefining history and reality through control of institutions such as education and family – hegemony through knowledge production. Thus, the mission in 1899 aimed to substitute education, language, values, culture, symbols, festivities, national anthem, and patriotism, through the educational system by controlling what was taught in schools and reinforced in practice through the family circle (Martínez-Avilés, 2011, pp. 65-79; Vázquez-González, 2023, pp. 8-10, 21). Additionally, US “controlled the media, radio and television so as to obtain Puerto Rican’s affinity towards “the American way of life”” (Vázquez-González, 2023, pp. 8, 21), and thus finally imitating it.

In capitalist societies, education, whether secular or religious, the teaching of moral reflexes handed down from father to son, the exemplary integrity of workers decorated after fifty years of loyal and faithful service, the fostering of love for harmony and wisdom, those aesthetic forms of respect for the status quo, instill in the exploited a mood of submission and inhibition which considerably eases the task of the agents of law and order. (Fanon, 1963, pp. 3-4).

When the plan failed – as per Puerto Ricans resistance for decades – US adjudicated it to the aptitude of Puerto Ricans, further pushing the discourse of inferiority. Despite leaving scars, the plan was not a total failure as it did influence negatively the Puerto Rican identity, although simultaneously a unique nationalistic view of themselves also emerged – contrary to US plans. “In spite of over 100 years of colonialism and US hegemony, there is a very strong Puerto Rican identity and sense of Puerto Rican pride” (Martínez-Avilés, 2011, p. 66).

¹²³ Objective realities are composed of historical background, ethnicity, and economic, political, geographic and cultural conditions – including language, religion, traditions and lifestyles. Subjective realities are individual perceptions, cognitions, attitudes, affects, and internalized consciousness and assumptions of belonging shared by members of a group or nation (Martínez-Avilés, 2011, pp. 66-67).

María event can be argued as the third major historical trauma (HT) lived in PR – being the colonial experience the first two (i.e., Spanish and US invasions). “HT is a collective trauma inflicted to a group of people that share an identity or affiliation (ethnic, national, religious or other traits), which is characterized by transgenerational legacy of the traumatic events experienced and is expressed through diverse psychological and social responses” (Borda et al., 2015, as cited in Vázquez-González, 2023, p. 2). HT is originated in response to the colonial experience, where cultural and race are at play. “In PR, consequences of colonialism (e.g., depression, anxiety, low self-esteem, loss, mourning) have been masked to the point of turning into normative sociocultural matters” (Vázquez-González, 2023, p. 2). María’s aftermath was the setting to relive elements of colonial experience and consequences, and to forge new dynamics. For instance, the manner in which humanitarian assistance was – and continues to be – handled, which produced in the population consequences like depression, anxiety, loss, mourning, and low self-esteem (devaluation through choosing if the survivor is “worth aiding”). Several participants explained that the federal humanitarian response was “like we did not deserve the help, that we’re worthless” (P#3). María is collective trauma rooted in colonialism, so impactful that influences behaviors, beliefs, character for generations to come. All participants expressed “we’re not the same, and we won’t be the same”, “we’re no longer be the same”. María’s experience affected Puerto Ricans’ composition in years to come.

María was also a contributor to strengthening this national identity and cultural differences. Participants replied that after María the main national culture’s values or Puerto Ricans’ characteristics enhanced were solidarity, the union, “big families getting together (nuclear and extended family even if it wasn’t a close relative)” (P#4), resilience, endurance, the fighting spirit, “keep moving ahead in face of adversity” (P#2), caring for others, helping each other out, compassion and humanity. In response to María’s aftermath the main enhancement was nationalism, but directed to the land and its people, excluding all forms of government like figures, affiliations, or trust. A “patriotic sense of protecting what is left, resources, people and what belongs to us” (P#2). Also, the constant US displays as a reminder of difference plus the conflictive humanitarian aid received, enforced preexisting sentiments. Thus, the experiences and cultural values have a close knit with colonial involvement.

Our ability to lift ourselves up was enhanced. The immediate response was given by the community. It was a testament to what us Puerto Ricans are made of. No matter the circumstances, whether it’s not getting support from the local or federal government, you

know Puerto Ricans will do what they have to do. Lacking immediate assistance drove communities to quickly organize. (...) We are a very fierce community. We had to learn that the hard way. [And] I guess racism. This brings me back to Trump and the paper towel incident. (P#1)

Another negative note was “the colonial indoctrination that dictates, ‘don’t worry about the issue, let’s drink a couple of beers and party’, is an increasingly popular attitude, a tendency to ignore fundamental issues” (P#7).

Furthermore, María reminded the population their ties to the land where family lived for decades – a sense of home. This also was the participants’ experience, independently if they have lived all their lives in PR or have lived in PR the great majority of their lives, or amidst living in Spain or US. In addition, the devastation left people helping and relying in those ancient traditions where family, friends, neighbors are your backbone. A strong sense of community emerged where contribution and support for each other was enhanced. “We will meet with friends (...) if somebody brought some meat, we would have a barbecue, or if someone else brought another thing, we would all just contribute something, and every night we would meet up at X’s house” (P#1), “to drink and talk, or share perishable food” (P#1, P#6). Another common scenario was sharing and “all living together” (P#2, P#4, P#6). For example, “[My sister] lives on a road going down where family members live next to each other, all from the same family and they own a huge electric generator” (P#1). María also strengthen ties with loved ones and enhanced solidarity in a family-oriented culture, where friends are adopted as family members as well. One participant talked about a letter delivered by a stranger:

The letter began something like, ‘Hey, today is X of October. Today is the day we finally were able to leave the house, because all the roads collapsed’ – something like that – ‘and we were held incommunicado (cut off). I came to a dealer to get service for my vehicle and the guy who attended me said something about Barranquitas, and I told him to please look for X’s supermarket and to leave this note for you’. When I read that I broke down, because I had no idea how my friend was doing. I didn’t know anything about any of my friends living outside of Barranquitas. (P#1)

The centuries old inferiority discourse and lack of aptitude of Puerto Ricans, was retaken in María by President Trump. Trump’s aggressive narrative was symbolically displayed in:

The paper towel incident. Making us feel like we’re not capable of fending for ourselves, making it seem like we needed his help. I think that the attitude of belittling us is starkly

different from what really took place, which is that people here took matters into their own hands. People united regardless of their affiliations, that did happen here. The world saw that, people made sure the world saw that, beyond whatever Trump and people like him wanted to project. That song by René [Residente, from Calle 13] *Hijos del Cañaveral*, well that's what I think about when I say that people saw what we have done, do, and will continue doing in situations like that.

The construction of the self within a collective reality and at the same time the enormous effort to keep a sense of truth could help explain why participants found it very difficult to discern and answer questions directed to the individual rather than the collective, and vice versa. Participants will answer as a collective even if the question aim at the individual level. Many of the participant's collective perceptions on emotions, feelings and experiences in the aftermath were uncertainty, despair, sense of community and helping each other out, fear, disorientation, frustration, desolation, lost, anxiety, sleeplessness, trauma (HT and PTSD), disruption of life, feeling not valuable enough, "marginalized and powerless" (P#1, P#2, P#4, P#7), disappointed on government, and stayed waiting for help or to receive aid. Found in Puerto Rican character and people in colonial context, is the attitude of "it wasn't as bad for me as in comparison to..." (P#1, P#2, P#4, P#6, P#8), "being blessed" or "our cultural motto 'don't complain, everything's fine'" (P#7). This attitude is seen amidst losing everything. For instance, great deal of participants experiencing different forms of loss, losing all forms of income, being unemployed, food, having health issues, experiencing household tensions and displacement.

Even within the disastrous circumstances, my situation was not as bad, because I had access to certain 'privileges' (we had a power generator) thanks to my location and the equipment other people around me had, not that I actually had it myself. (P#1)

Of particular importance is when the partial sample made the transition from survivor to responder and felt the sudden changes as a disruption of life, as of many other participants abrupt change of circumstances in María.

For such a short period of time, it all felt very bumpy. I'm just now noticing that I have yet to process everything I went through during those months. The shock of no longer being in the farm, of being away from my life in the farm, working with a headscarf on; of being here instead, communicating in English with my boss, and seeing the real destruction. (P#1)

These are some of the enhanced sentiments and experiences carried prior to María and enhanced post-María while continuing living under colonialism.

After US establishing colonial power, coloniality continued the project by targeting society. “Education in a colony might be one of the most effective ways to enforce hegemony, which in PR had the objectives towards inferiority of the Puerto Rican culture in order to assimilate to the American culture and language” (Martínez-Avilés, 2011, p. 72). The US Americanization project for complete domination of all aspects of society started by implementing the US model for education: to be free, mandatory and universal. This way US could control what was taught in schools’ curriculums, and hence rewrite history. “The school system in PR under US rule emphasizes the “smallness”, the “limitations”, the “defenselessness”, internalizing the limited and inadequate Puerto Rican culture and everything that is PR – including the alleged lack of natural resources – all in comparison to the “big” and “powerful” US” (Martínez-Avilés, 2011, p. 73). Examples of statements of the US educational project found in Social Studies books in PR are “a dot in the map” incapable of independent sustainability or that PR could not survive without the federal financial assistances (Martínez-Avilés, 2011, p. 73). The key element for domination in schools was via the language, which had the goal to substitute everything comprising Puerto Rican society, starting by its national symbols. “In PR children are introduced to these symbols, especially the Puerto Rican flag and traditional songs, very early in their lives” (Martínez-Avilés, 2011, p. 69). The current PR education system it’s still under the US project. One participant explains how the model in education limits knowledge and world views:

The colonial situation limits communication with Latin America, and the rest of the world. You can see it in the discipline of psychology where most of the literature used in the study of psychology is American (USA). As if you are studying American psychology. The American psychology is not the only one and it’s not our context in its whole. (...) There’re are so many intellectual writings from all over the world that we should have access to. One of the things we are told at the university is that you must be fluent in English if not you might not make it. The imposition of a language. To learn more than one language is an advantage but to depend on that to be able to get a degree is a different thing. (P#4)

The US Americanization project was hand-in-hand with the elimination of Spanish – eliminating also ties with Spain – through language imposition of English in schools. “In 1909 speaking Spanish in schools was prohibit”, (Vázquez-González, 2023, p. 9) substituting it for teaching imparted in English “for over 40 years” (Martínez-Avilés, 2011, p. 72).

When my grandmother and great-grandmother were young, PR was invaded by the Americans, so they were forced to speak English. In schools, kids were hit if they didn’t speak

English and still nobody wanted to speak English. The teachers were really strict, it was another time when hitting school children was common. My family lived through that. They try to make people speak English but there was resistance. My grandmother she did learn English when young because she knew what her mother endured, and she knew English but would not speak it all the time. (P#3)

The attempt of English imposition to teachers to teach in English and children to learn in English was enforced several times in the public education system, but US project failed as per resistance of Puerto Ricans. Cayetano Coil – the president of the House of Representatives of Puerto Rico – “acknowledged ‘we perfectly knew that the soul of a people is embodied in their language. We would have preferred to be left without a country than to stay without our language’” (Vázquez-González, 2023, p. 10). Nevertheless, “by 1915 English was the official language imparted in high-schools, although elementary school was once again taught in Spanish” (Vázquez-González, 2023, p. 10). As per a direct consequence to the US linguistic project, the mixture between Spanish and English was common, creating what it is known as Spanglish. When asked about the main language spoken, the sample automatically replied Spanish. English was considered as a second or “other language”, as with French, Italian, Galician, Catalan, and Sign Language. A portion of the sample responded Spanglish: “In PR, we speak three languages: Spanish, Puerto Rican, and English” (P#5). “Spanglish changed the relation between both languages and cultures” (Vázquez-González, 2023, p. 10). The creation of a new expression in language identified only to Puerto Ricans, enhanced Puerto Rican identity therefore annulling the colonial project. After seven different language policies impositions, US desist, and by 1949 Spanish was determined to be the language of instruction, although English is a mandatory subject in all schools in PR – public and private (Library of Congress, n.d). “They teach you English already from 1st grade. They have tried to Americanize us as much as possible, but they haven’t been able to remove ‘*la mancha de plátano*’¹²⁴” (P#6). Still today a combination of the influence of many languages are in the Puerto Rican Spanish as of original indigenous *Taíno* words were incorporated as well as Africans words (Library of Congress, n.d). As per a survey by the *Ateneo Puertorriqueño* – a highly respected cultural and educational institution in PR – “Language, regardless of many attempts for its annihilation, is a key element for Puerto Rican identity”, as per 93.3% of surveyed Puerto Ricans would not relinquish Spanish as the language if PR becomes a US state

¹²⁴ “*Mancha de Plátano*”: “The stain from the plantain” or “Plantain stain”; Puerto Rican expression to describe a distinctive birthmark that is believed to be common to many Puerto Ricans born on the island. Also signifies Puerto Rican’s origins or being marked as born in the island. Is used to accentuate authenticity and connection to PR.

(Hispania Research Corporation, 1993, as cited in Martínez-Avilés, 2011, p. 68). “Here we speak Spanish, I don’t think it would change. It might be one of the reasons that PR doesn’t become a state” (P#3). Puerto Ricans recognize Spanish as their mother tongue, English is secondary, so was the case with the participants. Bilingualism is the norm in PR. “In the language it is assumed the culture and the weight of a civilization” (Fanon, 2008, as cited in Vázquez-González, 2023, p. 9).

In order to work for FEMA it was mandatory to speak English. A requisite that affected the hiring process in PR and enhanced the contractors hired from US, slowing the process of assistance even further:

The response was not as effective because we are part of a federal program that does not directly know the reality of our country, starting with the language. (...) They require English but you will only use it with superiors coming in or on emails and documents. Otherwise, you are working here in your country, where the native tongue is Spanish. So why not use that language and avoid biased situations like not hiring someone just because they don’t speak English fluently but could otherwise make a great contribution to the project” (P#1).

Additionally having only English speakers prove difficult to directly aid survivors that did not speak English or didn’t feel comfortable with US responders. “Locals understand English but don’t like to speak it. Others will just don’t say a thing because is not their language, especially old people” (P#5). The uncomfortableness of using English as the primary language of communication instead of Spanish is a long-known historic issue. Yet FEMA impose it:

If you want to come work here, in PR, to assist disaster response you have to speak English. Ask yourself, if I’m coming to your agency to provide service to the Spanish-speaking population, who live here in PR, and I’m working here in PR to respond to survivors who are my fellow countrymen, why am I obligated to do it all in English, or else I fail? (P#1)

Eventually FEMA allowed the usage of Spanish in the workplace in certain cases. As per ease employees’ claims, FEMA had no choice but to accept Spanish. Apart of the aforementioned claims, some other reasons for the pressure on only using English was towards feelings of depreciation due to bad pronunciation or having an accent. “We know that most of us know or understand English, we’re just not as comfortable talking the language, specifically speaking the way North Americans speak it” (P#1). For instance, someone at the Agency applied for an outreach position performing in PR that entailed convincing Spanish-speaking people that they needed flood insurance and so encourage them to buy NFIP insurance. During the interview, the employee felt uncomfortable and discriminated due to the pronunciation. “I don’t think that her poor pronunciation justifies making

someone feel bad or that she doesn't deserve the job. (...) I felt outside of my comfort zone, also having to communicate in English" (P#1). During María language imposition in part due to deficiencies of the US personnel meant, survivors adapting to US which in some cases stir already previous historical tensions, as well as it caused more stress to the survivor, and feelings of exclusion. In addition, it did slow even more the process, as of lack of personnel that was bilingual or personnel that spoke English but not to FEMA's expected standards.

I know I stress the language factor a lot, but it's because, especially considering this is a different nation, they don't understand that the so-called inclusivity they [FEMA] preach goes beyond just publishing articles in both Spanish and English. (...) I think the language barrier, and not ours, mind you, but theirs, because we understand them just fine, it's them who don't understand us; but I believe the language barrier represents a huge gap at the time of response. (P#1).

As explained by several of the FEMA responders, inside FEMA the colonist attitude is still ingrained in some of the American personnel.

One of the bosses in FEMA told me one day that 'the road signs in PR should all be in English or is it that Spain gives us money to put signs on our roads?' They're very aware that we live on their land. That we're American citizens because they grant us that, and that everything we have is bought with American dollars. That's one of the problems we have, the communication between PR and USA is difficult because here we speak Spanish and they wanted to colonize in English people that speak Spanish. (P#6)

"In PR, the nationalism represented through culture has been the constructed element of difference between PR and the US. It has become the element of resistance to the threat of cultural assimilation under a colonial domination" (Juhász-Mininberg, 2004, as cited in Martínez-Avilés, 2011, p. 66). The cultural difference between US and PR was evident, thus US needed a strong recognition of their history through imposition of traditions taught at school as well as replacing in the calendar – in some cases eliminating or allowing a hybrid – the national ones with US festivities, foreign to the culture's reality (e.g., snow; Christmas trees; Santa Claus displacing the Three Kings) (Martínez-Avilés, 2011, p. 68-69). US history was imposed at schools by celebrating – hence recognizing – US festivities within the calendar. The nature of events was varied: patriotic, as of celebrating US independence with the 4th of July; celebrating the colonist mixed with religious beliefs such as Thanksgiving; seasonal festivities like Easter, Halloween or Santa Clause in Christmas with an array of religious connotation as well. The only thing missing was the insertion of Krampus, which given Puerto Rican

culture and catholic infused with Afro-Caribbean beliefs might have adapted it as a patron saint for teachers, since Krampus punishes misbehaving children. “Paradoxically, in PR a strong national identity is bind to an imposed model of “the American way of life”, which essentially means giving up the particular and natural Puerto Rican being, to perform a superficial way conformed by an unfamiliar reality” (Martínez-Avilés, 2011, p. 68). Puerto Rican culture has been influenced by mixed races and created a hybrid form which product was unique – similar and yet different. Being multicultural in an earlier time, mainly today the composition rests in a biculturalism context due to the exclusive relationship US imposes. When asked about cultural difference between US & PR all participants agreed that differences were existent: language; music; danse; traditions; festivities; food; religion; ways of dressing, moving and talking; behavior (e.g. human connection, treatment to others); being family oriented; having a different sense of humor; being open and welcoming.

Yes, there is all the difference in the world. We have admittedly been quite Americanized because we were occupied. That bit of history was taken out. Sure we are that mix of indigenous [*Taíno*], African, Spanish, or more accurately, the European, but we are excluding the people from the US that also came here and left a mark. There’s a lot of things we carry. Even though I’m not super fluent in English and it’s not my first language, there’s not a day that goes by that I don’t employ English words, either because I don’t know the Spanish translation or because the Spanish translation doesn’t do justice to the word. But, yes, we’re totally different. We’re warmer, more intense, colorful, and loud. We care, we really care. We’re passionate. We can be biting each other's heads off among ourselves, but if someone else insults a *Boricua*¹²⁵, we all stand together. There’s this pride we feel, which we wear like a badge of honor probably because we have had to work very hard to preserve it. That’s what we feel when we wear the flag. (P#1)

Some answers were more explicit: “They are from Mars and we’re from Venus. It’s a different culture, in our country, we do things differently” (P#5); “We have nothing in common with those “*cabrones*”¹²⁶, but we live under their yoke” (P#6).

In María the cultural differences were felt with lack of understanding “the other” as well as the necessities. “All of us [Puerto Ricans] working there [FEMA] were survivors, we all had a story to tell, and could therefore empathize and understand the people [other survivors] we were working

¹²⁵ To use the word *Boricua* to refer to a Puerto Rican constitutes pride, as per is the native that comes from *Borinquen* or *Borikén* – as was the indigenous *Taíno* name of the island.

¹²⁶ “*Cabrones*”: ‘assholes’ or ‘son of a bitch’.

with” (P#1). This placed the Puerto Rican responders in a different place of consciousness that permitted to see deficiencies in the humanitarian response. Lack of USA adaptability on common or cultural practices was seen with FEMA intransigence to approved – through IA program – housing assistance due to informal constructions or property titles’ attestation. FEMA did not comprehend “our reality, which is utterly different” (P#1). Additionally, the connection to the land is different than of US, as per a lot of people live near bodies of water in houses going back to forefathers and people are raised near them. “Those are their houses and pieces of land that they inherited from their families, is all they have, their homes. Having no official scriptures of their houses is a very customary practice in PR” (P#4).

There were lawyers that also looked for other ways to help many people. It’s not that they didn’t have the property title because the property was stolen. Most cases were actually just properties that had been owned by forefathers but had never been segregated. So people ended up building their homes on land they had but didn’t have any papers to account for. (P#1)

As per responders and survivors explained, “FEMA has a model that’s not adjusted to our needs, our cultural needs” (P#4). People had to rely on helping each other out, or through PNPs – mostly religious-based – or in NGOs. “My neighbor, whose roof was torn off, was denied (US) federal assistance due to an issue with the property title. The people that repaired her roof were part of a non-profit organization (NGO)” (P#1). Another example of lack of adaptability to PR reality was the tools used for the house assessments. For instance, the computer program – Substantial Damage Estimator (SDE) – calculated the damages of the house according to the inspector’s input and the choices within the program which didn’t apply to how houses are in PR. “Structures descriptions had no relation whatsoever to how constructions work here” (P#1). The housing construction materials used in US are not common in PR (e.g., shingles), or the types of houses in US (i.e., prefabricated houses) which you can relocate by towing it somewhere else contrary to fix houses in PR which mostly are in cement, or US houses had sections (e.g., crawlspaces) that counted in the damages but since it is not how PR houses are built, that means that the program won’t count it as damage, thus calculating that the house didn’t suffer a substantial damage – directly affecting housing assistance.

The program does not attune to difference; it just has blanket categories for everything, [and] specific components of your program do not reflect the actual situation of the place in question. Construction is very different to what they’re accustomed to in the US. (...) How can you include some communities in your [NFIP] program but provide tools that are actually not

inclusive of that particular community's needs. How can your software match other realities? It's there where you can see we are different from them, but they can't see that. (...) If you're going to accept a community that is totally different from your own, then you have to be inclusive and apply the core values of fairness, etc., you so advocate, which means also being mindful of a reality different from your own. (P#1).

The differences unaccounted for in the tools lead to a very exclusive dynamic – differentiation, and unyielding towards people's needs – and to a humanitarian aid that shifts into assistance that is conditional, selective and discriminatory. “Even if that is not the intention, it's what ends up happening, because there isn't a process of actual recognition taking place. They still haven't processed the differences and still don't get them” (P#1). Lack of understanding for the circumstances of urgency, for PR reality, or its culture, gave grounds for believing prejudices were against Puerto Ricans and their way of life.

A lot of the inequalities are founded on biases. And I'm able to see the less perceptible biases because I'm working in FEMA, I can see them from the inside. Otherwise, I don't think I would be able to see that the actual inclusivity isn't there. (P#1)

When considering FEMA's failures, lack of recognizing differences and the other's reality was one of the main contributors that impeded helping survivors in need. “The lack of recognizing differences, that we're a different nation, with a different culture; construction is different, climate is different. Everything is different. I think that is still something that FEMA hasn't processed” (P#1). Towards failures, FEMA responded by bringing private contractors, but it was a major setback as well. For instance, “they had to bring line-workers from the States [US] who were not familiar with the system here” (P#1). Some private contractors were unqualified, they won't speak Spanish or were paid more than a “local will get paid for the same work or riskier jobs”:

We have people risking their lives working with the electric lines and they will get paid \$23 and hour (/h) – \$78/h for a warden – for the people with higher death rates on the job. People who came from USA will get paid \$480/h and their job is to hire workers who then do the risky job. Puerto Ricans will risk their lives in ways they would not. There's this job that wardens in PR call “the electric chair” because they have high voltage on top of their heads and under their feet while they work some cables. Those risks would not be allowed in USA.

There's this feeling that we're less worthy so they allow those things. (P#5)

This only serve to instigate feeling of inferiority to the well-educated workforce that was willing to work and help in the humanitarian response. Other FEMA failures regarding the culture was seen on

how the application process started which did not take into consideration lack of electricity or communications. “The process to apply and receive assistance was very different at the beginning. They [FEMA] were obligated to modify them because the recovery was not advancing” (P#1). Inside the Agency survivors working as responders also faced cultural difficulties. One participant explained because how culturally Puerto Ricans are, Americans will experience cultural shocks and thus some tensions will arise, and they will be asked to tone down cultural behavior:

They reminded us as part of the training at all times, ‘remember that due to cultural changes the same way that something might bother you something might be irritating for someone else, so let’s try to avoid’... well, these kind of behavior policies within the Agency they try to ingrain them. Same way Americans have done the entire time with Puerto Ricans. You know that cultural brainwash, but it goes in ‘one ear and comes out the other’¹²⁷ and we never stop being *boricuas*. (P#6)

“In spite of his appropriation, the colonist always remains a foreigner” (Fanon, 1963, p. 5)

National symbols (e.g., anthem, flag, songs, music, sports) “bring identity, unity and solidarity to the members of a country and serve as emotional and psychological links to their people” (Martínez-Avilés, 2011, p. 69). In PR some national symbolisms are the anthem, the flag and the sports teams the island is allowed to send to the Olympic Games every four years (Morales, 2019, p. 34). The latter has to do with international exposition and recognition in the international community as well as being separate from US.

PR has its own international Olympic team representation, which is another element of strong identity and emotions for Puerto Ricans. Although Puerto Rican athletes can participate in US teams, it is seen as a betrayal to the Puerto Rican community if their athletes choose to represent US in international competence (Martínez- Avilés, 2011, p. 71)

Some of the national symbol’s US was determined to make Puerto Ricans accept were allegiance to US flag and sing their national anthem. In 1948 the Gag Law – Law 53, *Ley de la Mordaza* – was approved which “criminalized any type of mention of independence, sing or whistle the PR unofficial national anthem *La Borinqueña*¹²⁸, as well as allegiance to any other flag that was not US flag, and having PR flag visible was considered a terrorist act” – even having the flag at home was a crime (Vázquez-González, 2023, p. 9; Martínez-Avilés, 2011, pp. 57, 62-63). “My grandpa used to tell us

¹²⁷ “One ear and comes out the other”: Puerto Rican expression meaning “you’re not listening” or “you don’t care”.

¹²⁸ Written by Puerto Rican poet Lola Rodríguez de Tió. *Borinqueña* will be the song to *Borinquen* – or *Borikén* as was the indigenous name of the island, given by the *Tainos* prior to the Spanish changing it to Puerto Rico.

about the Gag Law making illegal to raise the PR flag. The inequality in the relationship has been there from the moment that the Spanish gave us as bastion of war to the Americans” (P#8). As national anthems reflect the political history, they are composed with lyrics of the nationalism, struggles, uprisings and such (Martínez-Avilés, 2011, p. 70). Puerto Rican anthem is another symbol that has been affected by US hegemony. The original PR anthem had lyrics claiming for armed unity for liberation. The lyrics were changed in 1903 “praising the Spanish colonization and the beauty of the island”, be it acceptable to make it the official anthem in a law passed in 1952 – Law 2 – as well as having the exigency “under the US rule to be interpreted followed by the US anthem – the Star Spangled Banner” (Martínez-Avilés, 2011, p. 70). Puerto Ricans still live under Law 2 exigencies, although many Puerto Ricans remove their right hand from their hearts once the US anthem starts. They only do “the hand in the heart” gesture for the Puerto Rican anthem. PR history of violence perpetrated by US also help strengthen the nationalist identity. US modes of political repression were harsh and incited more differences.

Allegiance to US national symbols is still mandatory, especially in governmental offices. If the person is employed by the federal government, i.e., FEMA, is compulsory to hold special allegiance to the anthem, flag, and Constitution, as well as recognize political celebrations (e.g., President’s Day) or remembrance of military events (e.g. Veterans’ Day), amongst other important celebrations for US:

I had to swear allegiance to that Constitution. I mean, what was I to do? Be unemployed? So I’m a Federal employee now. I joked later on that this pro-independence, separatist, *jíbara*¹²⁹ from Barranquitas, pledged allegiance to the Constitution of the US. Everything I have studied, invested. The fact that I can’t get a job here (PR) with fair income, that is up to par with my studies and experiences, ties back to our colonial situation, it's a chain reaction from that. That is the truth. (P#1)

The Puerto Ricans flag – designed in 1895 – was a threat to US which they deemed it to be “a dirty rag”¹³⁰, an “enemy’s flag”¹³¹ as it was the case for students that waved PR unofficial flag as part of their graduation ceremony in 1920 and needed to remove it, incident that happened frequently and people suffered retribution. (Martínez-Avilés, 2011, pp. 62, 69). The symbolism of the flag also has connotations of resistance to US rule. After the creation of the ELA in an attempt to ease

¹²⁹ National symbol, the peasant, in Puerto Rico called *jíbaro*.

¹³⁰ Expression used by an American Governor of PR, Montgomery Reily.

¹³¹ Expression used by an American Commissioner of Education in PR, Paul Miller.

nationalist sentiments, US allowed Puerto Ricans “to resume flying their national flag without any threat to the US economy as long as the idea of an autonomous Puerto Rican nation remained buried” (Morales, 2019, p. 50). After María, people painted in street buildings and in their houses the Puerto Rican flag as a symbol of solidarity and rebirth of nationalism. During María’s aftermath the flag adopted a new image – black in place of the usual colors – symbolizing a state of mourning. (Morales, 2019, p. 35). The same black flag was later transformed as a symbol of solidarity and resistance in the 2019 Political Manifestations that resulted in the impeachment of the Governor Ricardo Rosselló – which enhanced a national identity, a patriotic symbol, and resistance to power. After all the events and common struggles, the flag meant remembrance of what happen in María (that governments wanted to forget) and it embraced a collective understanding of what everyone lost then. Today you can see the unofficial black and white flag wore with pride and painted in buildings.

National culture is also examined with songs as per Fanon’s suggestion to “close attention should be paid to the emergence of the imagination and the inventiveness of songs and folk tales in a colonized country” (1963, p. 174). In Puerto Rican culture music and dance, are an important form of expression, as they are considered to be a language. For instance, in PR, African slaves used danse, music and lyrics to send hidden messages on uprisings against the colonist¹³². Likewise, in modern times, sentiments of resistance and call for liberation are still present in PR music. Songs compose a significant role in PR traditions, as per language, music and dance fuse together to form the artistic expression and reflection of the culture. “Besides the flag, a wide variety of music and songs are the element mostly used to show nationalism, cultural identity, even tell about national history, major events, Puerto Rican pride, and are learned by children very early in their developmental stage” (Martínez-Avilés, 2011, p. 70). Music is a form of educating and is an intrinsic part of Puerto Rican culture’s reality. Such is the case of *Hijos del Cañaveral*¹³³ – in English, Children of the Sugarcane Fields – by Residente, a song mentioned by several participants to describe Puerto Rican identity, colonial history, oppression, character and attitude when facing hurricanes or difficulties. Participants ranging from different age groups made reference to this song as to capture how they feel about individual and national identity. The song also presents the topics discussed insofar, enclosed by folk music and instrumentation, alluding to Puerto Rican music heritage. Residente is a social justice

¹³² This African practice was through *bomba*. Which is a danse in constant communication with specific rhythmic patterns found in folk music. The beat, the movement and lyrics gives specific instructions to the ethnic group guiding them to liberation from the Spaniards. The heritage of *bomba* is part of PR current cultural music.

¹³³ See Section: *Annexes* for complete analysis and translation of the song. *Hijos del Cañaveral* was created in 2017 and performed during María’s aftermath (November 16, 2017) at the 2017 Latin Grammys Awards in Las Vegas, with musicians survivors of María.

singer that with *Hijos del Cañaveral* depicted the reality of PR, what Puerto Ricans are and are made of – a hymn to identity. In María's aftermath the song took a new force and meaning for the national and international community:

Residente was going to play at the Latin Grammys, and he could have hired any musician of any part of the world, but he decided to hire 42 Puerto Ricans. To help us get out, for a week, from the situation we were living in. We did not have water and some of the musicians had lost everything, they had nothing. He got a private plane to come and get us. We played one of his songs "*Hijos del Cañaveral*". I don't know if it is a protest song, but it talks about situations that Puerto Ricans go through. He was basically making a statement about helping. And exposing the situation Puerto Ricans were living in so more people could help. Latino people did see it and saw him wear his protest flag, the black and white (grief) one. To protest what was happening on the island with both governments the USA and the PR local. All that could seem simple, hiring musicians from the island, but I think it had a big impact on how other countries wanted to help. (P#3)

"By imparting new meaning and dynamism to music, oral epic, (...) the colonized subject restructures his own perception. (...) We have seen that this energy in the cultural sphere is linked to the maturing of the national consciousness" (Fanon, 1963, p. 176).

The second-class citizenship granted by the US citizenship bares also definitions on what is a nation. Legally, PR is not considered a Nation State, nonetheless Puerto Ricans consider themselves a nation different from US. The distinctions are:

National identity has to do with the nation of origin. (...) Nation State refers to a political condition; a nation is not a Nation State until it achieves self-determination and sovereignty. (...) Nation, is a socio-cultural construct in which members of a human group are tied by ethnic, historic, linguistic and cultural bonds. Its members share common customs, traditions, and sense of belonging to the group and territory as well. (Martínez-Avilés, 2011, p. 65)

The aforementioned asseveration in the context of PR is seen concretely with the US passport. Having US citizenship does not mean Puerto Ricans are equal, hence Puerto Ricans are not the same. The differentiation is translated into the meaning of holding a US passport – nationality versus citizenship. "Puerto Rican national identity presents the paradox of a stateless nation that has not assimilated into the America mainstream" (Duany, 2002, as cited in Martínez-Avilés, 2011, p. 65). For Puerto Ricans the national identity is complex since they are "a heterogenous group, which has no particular and clear geographical space" (i.e., migration) "or common language" (i.e., official language Spanish

and English; unofficial language Spanglish), “nor are they a sovereign Nation State” (Duany, 2002, as cited in Martínez-Avilés, 2011, p. 65). This does bring some difficulties for the participants when talking about identity and answering the question “what is your nationality”. Seems like a simple question but participants will either answer automatically “Puerto Rican”, or initially stop and think before they answer to reflect on the problematization and technicalities of the question. Some asked or made the distinction about nationality versus citizenship before answering. When asked about nationality participants hesitated, but when asked if they felt Puerto Rican or US American, they all easily responded and identified themselves as being Puerto Rican but recognize that they are US American due to the political relationship and holding of a US passport. However, none of the participants identified themselves as being US American. The most nuanced answer towards the question “what is your nationality” was: “I am of United States, Puerto Rico” (P#2). Independently from the passport, they will self-identify as Puerto Ricans or Caribbeans, but not as US Americans. Some commented on the remoteness of the possibility by feeling first Spanish than US American (P#6). Others commented on the complexities of being from both sides. Others clarified on the definition and word appropriation:

I am American, because I am from America. I think it is the US who has the concept mixed up, who call themselves American. They’re not even North America, even though they incorporated Alaska, Canada is still there and Canada is not the US. I do feel American, and I think the best definition is the one given by us Latinos, which incorporates most of the territory, all the way from South to Central America and the Caribbean. If you ask me, no matter what, I’ll always say I’m Puerto Rican. I don’t have any issue saying I am American because I have a different vision of what America is. If they [US] are on a different trip, that’s their business. (P#1)

Reasons for the participants’ answers pointed towards what they considered “we’re a different nation” or because “they [US] see you as a foreigner”. “When you go there you feel it. When people see me, they don’t think I’m American. It’s not only how I feel or how I look, is also how people perceive me” (P#3). One participant explained that while studying in US, a US American employee of the university processing the paperwork commented:

“It’s good that at least with you I don’t have to do all the paperwork that I have to do with X’ referring to a fellow Chinese student. She was trying to tell me that even though I’m a foreigner, it doesn’t require paperwork. It demonstrates how they perceive us in the US”. (P#8)

The feelings of difference are felt also in US mainland where validation of identity is also linked with power, where ultimately is US who decides free movement, how the individual is going to be identified, and when:

I won a peace internship in Jamaica in 2015. I requested my passport, but I ended up having to cancel the trip. I received a letter saying they [US] could not process my passport because the forms of ID I sent were insufficient to validate my identity and that they needed two additional forms of ID. I was very furious, because I thought, how dare they forbid me to move freely on my own planet thanks to a passport I did not ask for. It's not like we have a Puerto Rican passport. I had already sent my voter registration card, my driver's license, and my social security number, and I was like: What else can I send? The cruise ship card?! They can take the passport and shove it. The Yankees¹³⁴ don't have any say in what I can or can't do! That was in June. Out of the blue, in January, my passport comes through the mail. I didn't do anything else. I never called, complained, or anything. So that sums it up, it sums up the power they have over us. It's a reality we didn't ask for, it's something we have to come to terms with. I wasn't there when that was decided. And I've tried to be part of the opposition. But of course, things don't change. (P#1)

Regardless of political sentiments all participants agreed of their identity and how distinct from US Puerto Ricans are. Even when sharing strong family ties with US by having US American family members, all of them made the clarification that US citizenship meant having a US passport that "I didn't ask for it, but I was born with it", and thus for a few it was "an inherent right" (P#2, P#6). All agreed that the meaning of holding a passport was purely practical: free mobility to US mainland; access to study is easier, and also applying for aids and scholarships to study was easier as you're seen as a minority; having access to jobs; and traveling is easier. "I'm not discriminated as much when traveling certain places as a Latin American would be and they (other countries) don't come up with as many excuses to not give me a student visa" (P#8). All of the sample acknowledge being treated as a second-class citizen, and that the passport was the primary advantage of holding US citizenship. "It has advantages in concrete things like mobility, but it has disadvantages since it's not well received in some places when you show an American passport, you are not necessarily treated with kindness" (P#4). Other participants alike admitted that US citizenship bring mistreatment internationally, since

¹³⁴ Another form to refer to US Americans. The expression here is used pejoratively.

other countries carried resentment towards Americans, not knowing the situation where Puerto Ricans stand:

It's like a double edge sword. When traveling with it, people hate us for being Americans even if we don't feel Americans. It's hard to explain, and it's hard, it happens to me. I hide my American passport unless at the airport of course. But I won't tell anybody that I have anything to do with the USA. I would say I'm from PR and if they ask and are really interested, I might mention something. But I try to not be associated with the USA like it does not exist because I know how people perceive Americans. (P#3)

Participants showed indifference towards the US citizenship granted due to its differential treatment at US Congressional level. During María, when talking about conditionalities within the humanitarian aid tied to the second-class treatment participants showed their discontent:

At the federal level, they had set up specific conditions and requirements to be met by the local government. Which, to me, no matter how you look at it, is wrong. We know we're second-class citizens; we know that the citizenship we were granted is second-class, but you can at least cover it up a bit. (P#1)

"In addition to dealing with long-standing historic oppression, PR has suffered through political, economic, and environmental disasters" (Díaz, 2021, p. 106). It is a simple fact how differential treatment was enhanced in Trump's discourse. Trump verbally abusing people already demoralized by seeing their lives destroyed in María and being left with many problems from the aftermath, was also a motive of Puerto Rican discontent as well as enhancement of nationalism. During María, Trump's discourse was very much damaging and affected humanitarian aid response and operations. Influencing as well how FEMA operated and the urgency between humanitarian response granted, offered, allocated or the treatment received. Trump didn't create the already existing tensions and discriminations, but it certainly didn't contribute to alleviating suffering and providing humanitarian relief.

What I think is inexcusable is that the treatment we received was utterly different. Outside of those processes, that are already set up a certain way, and for which the local government was ill-prepared, I do have to say that the treatment was not equal. Not so much because the response took longer, but rather because there was a lot of prejudice with regard to the local government's capacity to administer any funds coming in or that they (US) put us many barriers, too many hurdles. And that added many obstacles. Even with the property titles

issue, where we saw a lot of denials, people that had no insurance were just offered loans.

(P#1)

After María, people experiencing how the relationship between US and PR affected humanitarian aid and how PR government was disrespectful as well, “people are starting to assume political positions, no longer conforming to a second-class citizenship, and people are starting to demand respect. There has been a sort of revival of nationalist figures” (P#1). As Young explains, talking about social injustice is to talk about “oppression as a central category of political discourse” where social structures and practices must be taken into consideration, which is unequal to the “language of liberal individualism that dominates political discourse in US” (Young, 2011, p. 39). The second-class citizenship was reflected in María’s humanitarian response and questions of status were raised again. Staying in the status quo built up by ELA perpetuates the states of subordination and mistreatment:

You can either treat me as equal or let me go. I’d like to see my country free, because we are a different nation, and in spite of being under the yoke, we have, and have preserved, a different identity. The truth is that, pro-independence as I am, if you give me only two options, the current status or statehood, with equal treatment, then I choose statehood. It’s not what I want, but it is more dignified and more humane than the current ambiguous political relationship, which is unrespectful, undignified, and degrading. (P#1)

5.3 Theme Three: Abandonment “*A Cadaver to Feed Our Crows*”

5.3.1 Humanitarian Crisis

The colonial status accompanied with the second-class citizenship is the root cause on differential treatment, creating a perception of Puerto Ricans as an ethnic group that marked their worth to receive humanitarian aid. “The hurricane unearthed colonialism to its most rotten and despicable core” (Torres-Gotay, 2019, p. 87). The treatment PR was subjected to during María was reflected in humanitarian aid received, selection of individuals, morbid actions and control over maintaining a prolonged state of crisis – all directly affecting life and causing death. As Mbembe’s theory of necro-power & necro-politics suggests, power is then transmuted through “control over mortality and to define life” (Mbembe, 2013, p. 161).

Participants agreed that historically the way majority of Americans’ behaviour towards Puerto Ricans – depending on the generation, US state, US political affiliation (Republican or Democrat) – it’s a differential treatment learned and ingrained from US politics, Congress, and President. Although

in a generalized way participants agreed that not all Americans will be racists, they do have superiority complex or differential way of perceiving Puerto Ricans. “In Louisiana, they used to tell me ‘they will be nice to you but the prejudice is there’. Now they dare to verbalize it more, and to be more open about their discrimination and their prejudices” (P#8). The treatment receive from US is “of contempt, the shared feeling is derogatory, belittling, demeaning or like we don’t have completely the same rights as any other US citizen” (P#2). This treatment affected the allocation of humanitarian aid as of “US treatment has to do with how we are perceived, it’s absolutely racist” (P#7), and US response received made the sample – with one exception – feel marginalized for various reasons:

There was a lack of organization in both governments, but mainly, the sluggishness of the federal response in comparison to the response provided for hurricanes that hit Florida and Texas, I would go as far as saying that it was purposely delayed. The evident mistrust shown by the federal government on how funds were going to be used in the island; that mistrust still permeates the whole process, and funds still haven’t been disbursed. The federal government set economic relief to the island, but there were just as many hurdles in the way in order to have access to those funds. Something like: ‘I’ll give you this cookie, but you have to fulfill all of these requirements before I hand over this cookie. When you finally finish all the paperwork required to qualify for your cookie, then I’ll give you a crumb while I keep the whole cookie’. That was, in a nutshell, the federal approach. You can still see it to this day. (P#7)

Participants understood FEMA’s bureaucratic processes as “there’s an enormous morbid element to all of this. It’s like having a malnourished cat, then showing him a big, fat fish, putting it in front of him, but never actually giving it to him. The cat will die waiting for his fish” (P#7).

The US response mistreatment was concretized with Trump’s paper towel incident. In one short (less than five hours) and staged visit to PR comprising a press conference and an appearance in a church – where the selection of the location (rich neighborhood), people present, survivors bused from shelters and more – was constructed in order for a narrative to take place. (Deibert, 2019, pp. 122-123; Morales, 2019, pp. 201, 209). “The places where people were struggling the US President didn’t visit, where people were hungry or had died” (P#3). All participants agreed – except one clarifying that Trump isn’t representative of US treatment or humanitarian response (P#6) – that throwing paper towel at survivors in need “he was saying that we’re worthless, so we didn’t feel like a priority, and it was like ‘here you go work it out and be grateful’. That’s how we felt collectively”

(P#3). The discourse surrounding humanitarian relief was: “He spoke about some millions of dollars that PR didn’t deserve. That he should have instead invested the money somewhere else” (P#6). Justifying it that:

USA felt that it was a lot of money, they were giving more and more, and we didn’t know how to manage it. Expressing that it was even more money than what they assign to other disasters in USA. They were making it seem like it was a gift, ‘we (USA) are gifting them this money’. (P#4).

Other part of the narrative was “invalidating our experience, making it like something minor and comparing it with other events like hurricane Katrina. The treatment was as if they were people with more value than others” (P#4). He diminished the level of tragedy that Puerto Ricans were going through, and he opposed giving more funding. It was horrible” (P#8).

Trump “throwing, in a condescending way, to the survivors a roll of paper towel mimicking a basketball is symbolism of this collective feeling that US treats us in a derogatory way” (P#2). “It was that relationship of USA government with PR treating a group of people like they were less worthy than others” (P#4). It is worth noting, how once more US is seen by some participants as a father figure, a savior, a personification that goes beyond state responsibility towards its citizens. However, participants understand the implications, and that nonetheless it’s an abusive relationship. “When the country needed it most, at its most vulnerable moment, the father came to help the child, but the way it was delivered, as mockery and lack of sensitivity before a disaster and a crisis” (P#2).

[Participant cries] It makes me so angry because so many were struggling. Trump comes here to throw paper towel at people as a mockery of human beings that were in serious need. I was so enraged and powerless, thinking the people who really needed help were not getting it, nothing was happening. What happened here was awful. I’m crying of powerlessness and the abuses against Puerto Ricans, that we’re second-class citizens. (P#3)

Shared feelings across the dataset are anger, rage, frustration, disrespect, lack of comprehension, indignant, outraged, contempt, total disdain towards Puerto Ricans. “Like throwing breadcrumbs at us” (P#8). Participants expressed that Trump’s overt action it’s shared in a covert way in US politics. “Other US presidents don’t give that impression of having such a discriminatory vision of minorities, or of the territories they own, of in respect to the rest of the world such as the disdain Trump displayed, but Barack Obama signed PROMESA” (P#8). PR also suffered verbal abuse by Trump’s comments on Twitter, but the paper towel incident spoke more and was forever remember from any other thing verbalized by Trump, specifically the meaning behind it, the message of power and its

contextualization in humanitarian aid. “The US President is throwing a roll of paper towel to the public as if we were famished pigeons expecting to be thrown corn in the park! It is so dehumanizing” (P#1). Trump throwing paper towel as humanitarian aid shows how “ultra conservative politics has taken us hostage” (P#7). The best way to illustrate it is how humanitarian aid was delivered to survivors in Texas (*Figure 6*) as opposed to PR (*Figure 7*):



President Donald Trump and first lady Melania Trump meet people impacted by Hurricane Harvey during a visit to the NRG Center in Houston on Sept. 2, 2017. | Susan Walsh/AP Photo

Figure 6: Presidential response in Texas, President was handing-in fresh food to survivors. Retrieved from from the investigative report by *Politico* (March 27, 2018).



President Donald Trump throwing paper towel at the crowd during a visit to Cavalry Chapel in Guaynabo, Puerto Rico on Oct. 3, 2017. | The Washington Post/Photo

Figure 7: Presidential response in Puerto Rico, President throwing paper towel to survivors. Image/Video: The Washington Post (September 13, 2018).

Trump’s PR visit left a marked image, “The colonist is an exhibitionist. His safety concerns lead him to remind the colonized out loud: ‘Here I am the master’” (Fanon, 1963, p. 17).

In the middle of all the events, there was also the determination of politicizing the humanitarian aid distributed. In some instances, survivors will receive a small box with some food, depending on the area. People will receive these boxes mainly through the local government. The problematization of these types of relief gestures was that it was presented as a gift. “There were those people who went as far as putting their representative card in the box of goods that were being distributed. Completely politicizing the event. Anything was an opportunity to make things political” (P#1). Both governments wanted to make sure the survivor knew who was giving them food.

The US President was sending small boxes with food to the communities and people would go and pick them up. One of those small boxes made it to our home. It was more like marketing material, with the name of the town, major, it could come with a small card from Trump with something like ‘from your US President, the US helping’ and signed by Trump. (P#6)

The narrative of gifting relief was shattered with FEMA loans. “The process of receiving help was almost impossible. However, for loans they gave it to everyone. A lot of people took loans with low interests but for a long period of time” (P#4). Participants felt this was also morbid. “If I just lost everything, or my roof is gone, and all you can offer is a loan, that’s like throwing another hurricane my way because a loan is a serious thing. People accepted it as a desperate measure. That’s all my sister was offered” (P#1). People are still strapped to those loans. Some could only cover damages partially. The blue tarps are the concrete example how humanitarian aid didn’t reach the survivors. They were meant as a temporary solution, but still today houses can be spotted with them. “That’s a never-ending subject because we always reference the blue tarps when we talk about María and ‘so long after María’ how many blue tarps you can still see from an airplane when you fly over the island” (P#2). Other participants express: “I’m confused. I don’t think a blue tarp is much help, when we know a person needs more than that” (P#7). “It’s very sad that they have become part of the landscape. I think we stopped looking. [Participants rests in silence]” (P#4).

Another example that marked survivors and responders alike was discussed through the humanitarian aid provisions, known as “the FEMA trailers”. Found one year after María – others were found around three years later – the discovery of trailers with basic supplies (i.e., food, water, medicines, batteries, generators) were found abandoned in various locations within both governments’ private grounds. These trailers were also containers with goods sent by private entities.

Months later, at least ten trailers containing relief supplies – including water, food, and baby supplies – were discovered infested by rats in the parking lot of a state election office in San

Juan. Donated by non-profit groups and private entities, the supplies had been distributed by the National Guard but their designated distributors apparently lost track of them as the crisis wore on. (Deibert, 2019, p. 126).

Across the island similar occurrences took place, finding provisions undelivered to survivors. It was a combination of FEMA aid and donations – “abandoned and never distributed” (P#2). All participants were deeply affected by these incidents of provisions “that suddenly appeared abandoned” (P#6). Some participants were more descriptive of the event:

The trailers of humanitarian aid were not abandoned, they were hidden, it’s an important distinction. These were conscious acts, with deliberate intention to conceal. It’s not like I left them there and abandoned them. The word is hidden. There was ill intent. The issue of having provisions stored away while there are people out there in need of them, is a crime to me. (P#1).

The meaning of undelivered humanitarian aid prolonged the exposure of survivors to dire conditions, deteriorating their health and jeopardizing their lives. Not having electrical service – from which all other services derived – for over a year and not having basic supplies delivered, had a massive impact. “Being people that needed water, medications, to find containers with expired medications because they were never distributed to the people. That is a lack of respect” (P#6).

Another incident was the drinking water crates found at the airport strip of a US military base in Ceiba. This incident was covered by US media, and it backlashed on the US humanitarian response. In particular on Trump’s comments about water and food delivered, and that federal response to María in PR was a “sound success” – “an A+” (Deibert, 2019, p. 122).

There was an aerial shot, and the area they covered was so big they looked like structures. Expired water bottles, when we know people, like my friend, that had to ration their water because they were extremely cut-off, isolated from the rest. Thousands of water bottles left to waste, [Participant cries], that was a crime. What type of twisted mind leaves them there? No one can persuade me that that was a deliberate, malicious act done to worsen, and profit off, the crisis. As well as an opportunity to politicize the situation. (P#1)

Getting water on time was critical to sustain life, especially for people cut-off in isolated mountainous areas where getting supplies was difficult:

The lack of drinking water and all the water wasted sitting there all that time unused. People risking their lives to get any drinking water, and the helicopter that got to Utuado to bring

essentials, what they brought was a couple of boxes of water, only half a bottle per person.

That was so hard, and to find out about the waste was demoralizing. (P#4)

For many Puerto Ricans the impact of the finding in Ceiba was that “the water had all gone bad and had to be discarded. Lot of people needed drinking water and all of it was left there to perish. Water is the most essential item after a crisis like this. Everyone should have gotten this. This one thing I’ll never forget” (P#2). All participants identified with the statement that “the containers with humanitarian aid, the crates with water that were abandoned, it weeps before God’s eyes¹³⁵” (P#6).

Not only provisions were found long after the hurricane, but also it was known that aid from abroad remained at the ports due to Jones Act, distribution matters, emerging markets of disaster capitalism waiting to be exploited, and such. “They saw the disaster, the tragedy people were experiencing, as an opportunity to make profit, to make it political. They hid provisions. Warehouses full of items sent from people and family members abroad were confiscated and held hostage in the ports” (P#1). All participants agreed that “the trailers, the water, and such kept demoralizing the country, horribly” (P#4).

During María the treatment Puerto Ricans received from both governments showed a similar approach – discrimination and inequality originated from US racism. “Inequality comes from a historical mentality, mainly an imperialist one” (P#8). “We have seen how the colonized always dream of taking the colonist’s place” (Fanon, 1963, p. 16). In PR these elements were metamorphosed into classism, “there is discrimination based on skin color as well, but social class discrimination is more evident here” (P#7). “The higher social class are the best-adapted ones, because they adapted more easily to the imposed model to climb the socioeconomic ladder” (Rivera Ramos, 1998, as cited in Martínez-Avilés, 2011, p. 68). Possible reasons behind PR government behavior might be due to power, wealth and high-class which specifically the pro-statehood PR Governor at the time of María – Ricardo Rosselló – enjoyed. To maintain their economic interests, the high-class transform their ways of thinking to those of the US colonizer and defends them (Vázquez-González, 2023, p. 20). Commenting on this high-class background and its connection to colonialism, one participant’s experience in high-class circles is worth noting:

¹³⁵ “It weeps before God’s eyes”: Puerto Rican expression meaning that it’s a sin so big even for a tolerable and forgiving God it is too hurtful – thus, God weeps.

Rosselló is the same age as me, and I used to go to the same parties as him. They [high-class] feel a deep contempt towards the rest of the people. They think they're royalty. They're an elite and they feel entitled to their privileges, even entitled to steal. (P#8)

The behavior of PR government and their disconnection towards the people is a replica of colonialism's structures and ideology. The best example is the condescending and contemptuous expressions in a Telegram chat. "*Boricuas* saw how the elite, Rosselló and his cronies, expressed themselves" (P#1). The PR government response was also connected to life-and-death situation, and to a morbid element by "they will choose whom to help" (P#3) in which "the repercussions are quite serious" (P#7). "The treatment it's too politicized, it's repeated in aid distribution that's not equitable, giving aids to people they know and receiving depending on who you know" (P#4).

Verbal abuse from both governments were lacerating to an entire island already demoralized. From the part of US were Trump's public tweets¹³⁶ and other government officials' statements, and from PR government private comments made public by a chat leak between PR Governor Rosselló and other government officials. The abuse PR suffered in María's aftermath and everything people lived was all within a frame of coloniality. A year and a half after María, with the chat conversation "we did learn that indeed the government of PR did not care" and made the "people enraged against the Governor because those were his words" (P#3). "He verbalized and wrote 'I see a wonderful future for the island, a PR without Puerto Ricans'" (P#8). "Government officials were joking among themselves saying 'we can fool even our own', and they were talking about the death toll, the aids that never came, what did they really do with the funds, and all of it" (P#3). "People from the government also mocked the dead in the chat. They said, 'Do we have a cadaver that we could feed to our crows?'. It was painful, because it was related to the deaths in María" (P#1).

Living through all the previous mention struggles, Puerto Ricans also endured cruelty from both governments. "We were so hurt by the things he said about his own people. Being mistreated by an outsider hurt, but when it's from someone from your own country it hurts even more" (P#3). PR was powerless with Trump, but with Rosselló it led to protests until he resigned.

¹³⁶ Some of Trumps' comments: "I hate to tell you, PR, but you've thrown our budget a little bit out of whack, because we've spent a lot of money on PR, and that's fine. We've saved a lot of lives"; "If you look at a real catastrophe like Katrina... and you look at hundreds of people that died... sixteen people certified versus in the thousands. You can be very proud... Everybody around this table and everybody watching can really be proud of what's taken place"; "Puerto Ricans want everything done for them". (Deibert, 2019, pp. 122-123; Morales, 2019, pp. 209-210; Torres-Gotay, 2019, p. 87).

The prolonged state of crisis plunged the island in “an incredible desperation” (P#2). Participants recognized that there was a public discontent with both governments’ treatment and for “not providing the necessary assistance or for being very delayed in assisting and responding” (P#1). The sample felt alone, despair, anxious, in survival mode, “that no one will come to help us” (P#3), “people were left to fend for themselves” (P#1), “‘everyman for himself’ at this point” (P#7). “In general, it was just despair, a feeling such as we’re in a hole and no one is around to throw us a line, so we have to support each other, and not wait for the government or the USA” (P#1). Participants’ words describing both governments’ humanitarian response was impetuous and hasty, extremely slow, inefficient, ineffective, indifference, disrespectful, ineptitude, failure, deficient, poor, disorganized, critical. “Oh my God! I would say dehumanized” (P#1). “They didn’t want to assume their responsibility as government for the citizens in an emergency situation such as this” (P#6), as explained by the majority of participants. Others were more inclined in that they pay taxes and thus, the government have a duty in which they failed. Participants expected that Puerto Ricans living under two governments at least one was going to respond because “the state must protect its people. If the state can’t protect its people, it’s worth nothing, we might as well have nothing” (P#5). The governments’ response carried within participants feelings of frustration, anger, rage, sorrow, powerlessness, marginalization, and felt desperate, unprotected and alone. Therefore, the dataset realized – that some way or another – they were abandoned by the state. “Always. That’s not tied to the hurricane. It’s the way our government operates, always abandoning its people” (P#1). “We did not only live through abandonment, but it was also proven through the government’s chat” (P#3). Many expressed the same statements: “that they were left behind” (P#8); “feeling of being alone, with no state, no one to help when needed” (P#5); “the state was absent”, “it disappeared” or “we respond by ourselves”. “The first responders were people from the community, that was the “Agency” that responded” (P#1).

The consequences of not receiving assistance in a timely manner were that people died and it was clear that “the hurricane did not kill those people, the system did” (P#5). The sample felt the deaths were “unnecessary and could have been prevented, is what the government failed in” (P#6). All said that there was a lack of transparency by the government concealing the death-toll and that they were lying to the population. Other opinions were that “the neglect was crass. It was just too much. These deaths are the offspring of our tyrannical government” (P#1). “In the field of psychology negligence is a form of structural violence. Another word can be ‘abandonment’ or ‘violence’. I could describe the situation as systematic abuse also” (P#4). Participants confirmed that the conditions and

situations endured where so dire and for such a prolonged time that it drove people to choose death. “Suicide was an alternative to their suffering. The hopelessness and the conditions could be more despairing if you keep having needs” (P#4). Reasons for survivors deciding to end their suffering were: “the depression, the loneliness, the feeling of abandonment, and seeing no end” (P#5); “a lot of people felt alone, desperate and needed help, felt nobody will help them, and they couldn’t get out of the situation they were in” (P#3). As participants stressed, many victims were vulnerable population – children and old people. “It was a social crisis. In fact, this was a social disaster more than a natural one” (P#4).

They were people who didn’t see a way out. They probably didn’t have the resources or the money to hop on a plane and move out like other people. Each person found their own way out. I found a job; the next person moved to US; another person didn’t receive their treatment in time; and the other one committed suicide [Participant cries]. We were in a crisis. (P#1)

Participants understood that the number of deaths reflected the abuses that people endured through the humanitarian intervention – ironically. “It’s astounding. Only those who were living here when it happened would understand the level of devastation and tragedy that PR went through, that was played down” (P#8). “It’s maddening, all this experience is infuriating thinking of these people with so much power in their hands that could have done something different” (P#4).

Participants all stated without a doubt that PR was deep in a humanitarian crisis, which the dead attested for it. “Desolation. It’s terrible. It’s a humanitarian crisis as serious as the one taking place in Ukraine right now. The loss of human life is irreversible” (P#7). “The humanitarian crisis was a product of the way we are socially organized, not a product of the hurricane, but because of the dependency model. This will keep happening because none of it has changed” (P#5). Participants soundly affirming that PR was in a humanitarian crisis created by both governments’ morbidity and humanitarian response, led them to conclude that: “FEMA is not a humanitarian aid agency. That’s the main issue”, and that “the immense majority of people in power don’t care about the public” (P#1).

The most notorious incidents during María’s aftermath discussed above manifests Mbembe’s necro-power & necro-politics theory and his understanding of the relationship between power and politics that has over the survivors’ life. Actions that through both governments’ treatment and abuse of power turned María into a catastrophe. The preponderance of participants agreed that the “US government, conscious of the dire needs people faced, had the power to decide who would live

versus who would die” (P#7), and all participants assure the same statement towards the PR government actions. Participants concluded that life depended on power and politics and the death-toll:

It’s the direct result of the racist policies of USA and the incompetence of the local government. Those deaths could have been avoided. If you have the power to avoid them, you must avoid them. This is the direct result of colonial politics. (P#7)

6 Conclusion

This project aims to answer the research questions regarding colonial power struggles shaping humanitarian aid in the aftermath of hurricane María in PR, revealing the implications of coloniality and necro-politics still inflicted today in PR, as well as the perception Puerto Ricans had of such struggles on aid. The findings of the data showed that the current problems PR faces intensified post-María, since the USA humanitarian aid is conditional.

Across this project there was a focus on humanitarian aid, and visibility on human rights – as per the investigation centered around US humanitarian intervention. The reason for this assistance is due to the colonial relationship PR has with US, which affects all aspects of Puerto Ricans' lives and not only humanitarian relief.

For this investigation, semi-structure interviews were conducted to survivors and responders alike with the hope to gather both perspectives of the narrative surrounding humanitarian intervention. The study was framed into the theories of Quijano's Power (colonial, coloniality); Young's Oppression (exploitation, marginalization, powerlessness, cultural imperialism, violence); and Mbembe's Necro-power & Necro-politics. The data was examined with thematic analysis which made visible patterns across the dataset. The themes generated were Power Relations, Second-class Citizens, and Abandonment. These themes gave current insight on the situation of an ethnic group still under colonial rule during the century of climate change.

The relevance of the study is to be able to understand the role that power relations occupy in a colonial context and how this affects several areas of social issues that were unveiled by a natural disaster. Puerto Ricans under US preponderance power live a different reality – one that is constantly breaching human rights. Despite US having a stand on international human rights mechanisms. The current relationship US holds with PR continues perpetuating dominion and oppression. In addition, PR's government continues to reproduce models of subjugated learned with US.

In order for PR to be able to reach solutions to its current problems, there needs to be changes in attitudes and mentalities. In particular how the legal system is built to continue with total control. In addition, international intervention should be present to defend the rights of Puerto Ricans as an oppressed group by the US empire. If problems are not addressed soon, it can be expected another humanitarian crisis detonated by the next natural event, as per humanitarian aid in US falls far from humanitarian principles of international humanitarian instruments.

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List of Figures and Tables

<i>Figure 1: Comparative table of US state and territories' 2017 hurricane season</i> -----	p. 11
<i>Figure 2: Comparative table of US resources allocated in 2017 hurricanes in Texas and PR</i> -----	p. 52
<i>Figure 3: Harvard Study findings attributed to María in PR</i> -----	p. 55
<i>Figure 4: Table of suicides related numbers post-María</i> -----	p. 56
<i>Figure 5: Comparative table illustrating humanitarian agencies and standards</i> -----	p. 58
<i>Figure 6: US President humanitarian response in Texas</i> -----	p. 135
<i>Figure 7: US President humanitarian response in Puerto Rico</i> -----	p. 135
<i>Table 1: Conversion to codes into themes/sub-themes of all data before final Theme 1</i> -----	p. 80
<i>Table 2: Conversion to codes into themes/sub-themes of all data before final Theme 2</i> -----	p. 81
<i>Table 3: Conversion to codes into themes/sub-themes of all data before final Theme 3</i> -----	p. 82
<i>Table 4: Codes found related to Humanitarian Aid and Human Rights</i> -----	p. 172
Concept Map 1: General overview of data findings -----	p. 78
Concept Map 2: Thematic – overview -----	p. 79
Concept Map 3: Thematic – framework -----	p. 79

Annexes

Annex 1: Letter of Consent

Request for participation in the research project

“Power relations and its ripple effect in humanitarian aid: A study on the post-years of the aftermath of hurricane María in Puerto Rico”

This is an inquiry about participation in a research project where the main purpose is to shed some light in the current situation of Puerto Rico five years after hurricane María's landfall and the effects of power relations in the humanitarian aid context. In this letter we will give you information about the purpose of the project and what your participation will involve.

Purpose of the project

In 2017, a major hurricane had its landfall in Puerto Rico, a territory of United States of America. My topic is centered in hurricane María and the subsequent years of this hurricane (2017-2022). The reference is María, but the hurricane was the climatological event that unveiled and made visible other crucial elements of crisis like management of aid received, human rights' protection, sustained embedded ideologies and problems of socio-economic-political nature. María is the perfect context for my project that aims to explore human rights during the century of climate change under a colonial framework.

The objective of the scope of work will be to find out how the way power structures are constructed in Puerto Rico (PR) in relation to United States (US) affected not only aid on the aftermath of hurricane María, but also how these power relations and actions had serious consequences even 5 years post the hurricane. Actions that like a domino effect marks today's challenges in Puerto Rico.

The objective of my investigation is to understand the role that power relations occupies in a territorial context and how this affects several areas of social issues that were unveiled by a natural disaster. By looking at the progression of events from 2017-2022, it is possible to understand the mixture of issues brewing towards PR's contemporary reality.

Research Questions:

- My research question is *How current structures of power affected aid on the aftermath of hurricane María and how these actions affected the subsequent years and still marks today's challenges in Puerto Rico?*
- Additionally, some sub-questions worth exploring along the investigation are *What are the effects of these actions in current times? How is today still affected by these actions and what has it maintain or changed 5 years after the climatological event? Are embedded ideologies, hegemony, power relations, human rights practices, humanitarian aid and social injustices still the same or are they somehow different?*

This is a master's thesis research project. The collected personal data will be used anonymously to answer the research questions concerning only this thesis project.

Who is responsible for the research project?

Universitetet i Sørøst-Norge (University of South-Eastern Norway), campus Drammen is the institution responsible for the project.

Why are you being asked to participate?

The sample selected for this research project is based on participants' direct experience with one or more of the following: were in Puerto Rico for hurricane María's landfall, its aftermath, during the recovery efforts and reconstruction period. The participants chosen are educated professionals of 30 years or more of age, but no more than 75 years old, that are survivors and/or have worked with agencies managing the disaster. Less than 10 people will be asked to participate, to successfully secure around 6-8 participants for the project. The number of participants also is due to the quantity required for a master thesis. If a participant receives this inquiry is because he/she meets the criteria of selection.

What does participation involve for you?

The method for the data collection will be interviews which will be the appropriate way to gather the information needed to answer the project's questions. More specifically, semi-structured interviews will be conducted, allowing the discussion of relevant topics to take place, thus leading to efficiently retrieve valuable findings.

The set of questions that will be asked are designed to maintain the scope of work. Being this a qualitative research, my concern is to recollect the sensations, emotions and experiences lived by the participants as means to answer my research questions. To retrieve information that is from 5 years back (starting from the event María) and connect them to current events, the set of questions will be divided in three sections with the purpose of target and shed some light on topics relevant to the investigation.

- First part: Questions focused on María to access the participant's memories of events that happened with the hurricane when it made landfall in 2017.
- Second part: Once the participant has remembered details of María, the second set of questions focused in María's aftermath which are the next 3-6 months after the hurricane. These were the crucial recovery months, and were the hardest and strongest for the survivors to live by, since a cascade of events and social issues were more visibly brewing.
- Third part: It's set on the subsequent years after María. This is the reconstruction period and is where the participant will share what has changed since María made landfall in 2017 and what has remained the same or worst up-to 2022.

The type of information that will be collected via a set of questions, will be related to the experiences lived in hurricane María's landfall, its aftermath and the subsequent years after the event. The idea of the questionnaire will be to first set the proper milieu to remember important situations set in 2017 that will pave the way to certain key events that happened from 2017 – 2022. Additionally, the questions will uncover important ideologies of identity and government responsibility that will help explain colonial power relations and government responsibility, politization of humanitarian aid and human rights practices. The set of questions will be targeting all concerning aspects before mentioned and aims to provoke awareness, reflexion and give grounds for social change.

The information will be collected by video recording.

- If you chose to take part in the project, this will involve that you consent to be video recorded. It will take approx. 1 hour and 40 minutes. The interview includes questions about your experience during hurricane María and its ripple effects of the following years living in Puerto Rico. The topic will be surrounding this 2017 event and its effect on power relations, humanitarian aid and human rights in a disaster related context. Your answers will be recorded via the secure university (Universitetet i Sørøst-Norge) online meeting account with end-to-end encryption.

- Please note that in the eventuality that information about a third person is shared, the participant must omit names and other identifying characteristics in description of events and people.

Participation is voluntary

Participation in the project is voluntary. If you chose to participate, you can withdraw your consent at any time without giving a reason. All information about you will then be made anonymous. There will be no negative consequences for you if you chose not to participate or later decide to withdraw.

Your personal privacy – how we will store and use your personal data

We will only use your personal data for the purpose(s) specified in this information letter. We will process your personal data confidentially and in accordance with data protection legislation (the General Data Protection Regulation and Personal Data Act).

- All information of participants whether is personal or as part of the data collection will be anonymous. No personal data will be exposed and there is no way of identifying the person's identity. The aim and nature of the project does not put the participant's life in danger, and it is not possible to trace back. Nonetheless, the anonymity will be always kept since it is not relevant to the investigation to expose the person's identity. Participants are not going to be recognizable in the publication of the thesis because the collected data will be de-identified. Please note that although I will be collecting personal data, no personal data will be present in publications.
- Apart from the institution responsible for the project (Universitetet i Sørøst-Norge), the sole person that will have full access to the personal data is me by way of student, but if requested, the project supervisor will review it and if advised on so, a translator.
- The measures that will be taken to ensure that no unauthorized person is able to access the personal data are replacement of your name and contact details with a code. The list of names, contact details and respective codes will be stored separately from the rest of the collected data, then the data will be stored encrypted on an external hard drive with a pin code.
- The name of the data processor that will collect, work with and store data is Zoom, which is the data processor in agreement with Universitetet i Sørøst-Norge (USN).

What will happen to your personal data at the end of the research project?

The project in its entirety is scheduled to end approx. 31st December 2022. Personal data is anonymous during all stages and duration of the project. Any other data like interview scripts and digital recordings will be securely kept in an external hard drive with a pin code to access it, until project is fully approved and there is no need for future verification and reference to it. If project director or supervisor recommend archiving the data for future research a notification and a new letter of consent will be given to all participants. During all that time, I will be the only person with access to the data until deletion.

Your rights

So long as you can be identified in the collected data, you have the right to:

- access the personal data that is being processed about you
- request that your personal data is deleted
- request that incorrect personal data about you is corrected/rectified
- receive a copy of your personal data (data portability), and
- send a complaint to the Data Protection Officer or The Norwegian Data Protection Authority regarding the processing of your personal data

What gives us the right to process your personal data?

We will process your personal data based on your consent.

Based on an agreement with Universitetet i Sørøst-Norge, Data Protection Services has assessed that the processing of personal data in this project is in accordance with data protection legislation.

Where can I find out more?

If you have questions about the project, or want to exercise your rights, contact:

- Institution responsible for the project: Universitetet i Sørøst-Norge (campus Drammen) via the project leader Gabriela Mezzanotti, email Gabriela.Mezzanotti@usn.no or telephone +47 31 00 96 15.
- Our Data Protection Officer: Paal Arne Solberg. (Paal.A.Solberg@usn.no)
- Data Protection Services, by email: (personvertjenester@sikt.no) or by telephone: +47 53 21 15 00.

Yours sincerely,

Project Leader
(Researcher/supervisor)

Student (if applicable)

Consent form

I have received and understood information about the project “*Power relations and its ripple effect in humanitarian aid: A study on the post-years of the aftermath of hurricane María in Puerto Rico*” and have been given the opportunity to ask questions. I give consent:

to participate in an interview

I give consent for my personal data to be processed until the end date of the project, approx. 31st December 2022.

(Signed by participant, date)

Annex 2: Interview Questionnaire

Interviews' Script: MARÍA

Ask for the informed consent to conduct the interview. Inform the participant the use of data will be only for research purposes. Assure participant of their anonymity and their names will be substituted with 'Participant #'.

Demographic Information:

1- What is your name?

2- Can you tell me a little bit **about yourself** starting with your age and nationality, and anything else about yourself you feel is relevant and you're comfortable sharing?

- Prompting questions/words or follow-up questions:
 - o Where were you born?
 - o Where did you live most of your life?
 - o Are you living now in Puerto Rico (PR)?
 - o Which is your main language?
 - o What other languages do you speak?
 - o Do you have family members living in United States (US)?
 - Before or after María?
 - o Where you in PR during hurricane María and/or its aftermath (reconstruction/recovery efforts)?
 - o Where you a survivor, a responder or both?
 - o What was your employment (profession/occupation) then and now (during period from 2017-2022)?
 - o Did you worked (or work) with FEMA, in an agency or organization in collaboration with FEMA or with the government?
 - If so, which?

María (2017):

3- What was your impression of the effects of the **hurricane** when it happened (2017)?

- Prompting questions/words or follow-up questions:
 - o Magnitude of the hurricane's direct hit when landfall.

- What was the category?
- Did you expect it?
- Do you want to share a specific memory?
 - Ex. 'Razor blade' / 'Fire' landscape / Flood

4- What was your impression of the **damaged** received?

- Prompting questions/words or follow-up questions:
 - Magnitude of the extent of the impact.
 - Did you expect it to be at that level?
 - Do you want to share a specific memory?
 - Ramification of problems.
 - How much time you thought the island will need to be able to recover?
 - Did you believe the island was going to recover?
 - Did you thought PR will be the same after María?
 - When did you realized that?

5- What did you felt after the hurricane?

- Prompting questions/words or follow-up questions:
 - Day after
 - Subsequent months (3 – 6 months): October 2017 – February 2018
 - Did you felt you will be able to recover in the years to come?

Aftermath of María:

6- Can you tell me the collective feelings/sensations felt in PR during the aftermath?

- Prompting questions/words or follow-up questions:
 - Mention or choose which applies
 - Feelings: despair, powerlessness, discrimination, inequality, sadness, depression, suicidal thoughts, anxiety, worried, isolation, fear, left behind/forgotten, uncommunicated.
 - Shared sensations: excess heat, sleepless, tensions (household & society), hunger, hygiene.
 - Necessity: long queues (hours/half a day), empty shelves of water/food, rations (1 item per person).
 - For how long?

7- Do you know someone who had to leave for US due to María?

8- Can you give me some examples of why people will leave the island?

- Prompting questions/words or follow-up questions:
 - o Examples: displacement, economy, work, education, shelter, health, dire conditions.
 - o Did they stay in US?

9- In 2017, Puerto Rico needed help after María?

- Prompting questions/words or follow-up questions:
 - o Yes/No & Why?
 - o Examples of areas in need: housing, water, gas, food, security, health, electricity...

10- What governmental agency oversaw (was in charge of) the response and recovery efforts in PR?

11- What type of **support or help** was the government giving after María?

- Prompting questions/words or follow-up questions:
 - o Psychological support, medical emergency response aid, health services, special needs (vulnerable population), security, shelter, housing, economic relief, work, food/water, communication system, sanitary services, water and electrical (power) services.

12- Did **you needed** or still need help?

- Prompting questions/words or follow-up questions:
 - o If so, how did you solved it?
 - o What were your needs or losses?

13- Which support or help did you **received**?

- Prompting questions/words or follow-up questions:
 - o If so, how long did you waited for this help?
 - o Incentives: economic relief (check) / groceries

14- From whom or by whom did you received help?

- Prompting questions/words or follow-up questions:
 - o Government, FEMA, church, NGO, family, friends, neighbors, community, strangers.

15- How did it made you feel the US government response?

- Prompting questions/words or follow-up questions:
 - o Was FEMA effective?
 - o Did they treat you well?

16- How did it made you feel the PR government response?

- Prompting questions/words or follow-up questions:
 - o Was it effective?
 - o Treatment

17- Which words would you use to describe the emergency response?

- Prompting questions/words or follow-up questions:
 - o Organized, successful, catastrophic, disastrous.

18- Do you think PR was in a crisis after María (during aftermath = 3-6 months; year; years)?

19- What do you think created (generated) the crisis?

- Prompting questions/words or follow-up questions:
 - o Was it the climatological event of the hurricane or the response of the hurricane?

20 - Which of the two governments (US and PR) has the decisive authority on matters regarding PR?

- Prompting questions/words or follow-up questions:
 - o Why? PR is a territory not a state
 - o Insular cases: *"PR belong to but is not part of"*
 - o Is this before as well as after María?
 - o How does this make you feel?

21- How would you describe the relationship between US and PR?

- Prompting questions/words or follow-up questions:
 - o Historically; between individuals

22- Can Puerto Ricans vote for the US president or US elections?

23- How does this makes you feel?

24- What do you think was the problem before, during and after María?

- Prompting questions/words or follow-up questions:
 - o Do you think the problem is of a social, economic and/or political nature?

25- What is your opinion of the treatment Puerto Ricans receive from US?

- Has it changed or has it remained the same after María? How's so?

26- I will show you a picture. Look at it, take your time to remember and tell me about any emotions it awakens within you.

- Picture: Trump (throwing paper towel)



○

27- Any comments on the media headlines and articles regarding the billions of dollars that US (presidents/congress) was going to give PR for hurricane relief?

28- What about the billions offered before the presidential elections 2020?

29- Where those billions received?

- Prompting questions/words or follow-up questions:
 - Offered and approved: US (president & congress)
 - Implementation of funds: Can you see plans/projects done (completed)?

30- Whom (or what) do you think was responsible of the response and recovery of PR?

31- Is the recovery the responsibility of the state (meaning the government)?

- Prompting questions/words or follow-up questions:
 - Yes/No & Why or Who else can be held accountable?
 - Which state US, PR or both?
 - Is the community accountable?

32- Do you think PR would have been able to recover without FEMA?

33- I will show you a picture. Look at it, take your time to remember and tell me about any emotions it awakens within you.

- Pictures: Death Toll (shoes)



○

34- Do you have any thoughts on the death toll?

- Prompting questions/words or follow-up questions:
 - Cause of death: Maria VS aftermath
 - Examples: sick, vulnerable, suicides
- Pictures:
 - Shoes ...OR...
 - Trump's tweet (death tolls numbers)

35- Do you feel the state (government) abandoned you (or Puerto Ricans)?

- Prompting questions/words or follow-up questions:
 - Did you feel abandoned by the state? Which state (US/PR)?
 - While waiting for help or someone to come, and experiencing that no one was coming, or help wasn't been delivered... Do you think the state forgot about you, you weren't important or left you behind to live or to die (same)?

Subsequent years (of the aftermath) of María:

36- Which is the PR post-María?

- Prompting questions/words or follow-up questions:
 - Period 2017-2022: PR current situation
 - What things have stayed the same or have changed?
 - How?

37- What important events took place between 2017-2022?

- Prompting questions/words or follow-up questions:
 - List of events: Suicide tolls data availability; Trailers of Humanitarian Aid found abandoned 1 year later (2018); Drinking water in airport strip in Ceiba; Political protests/manifestations (July 2019); Financial Crisis; Closing of schools (approx. 2017-2018); Earthquake swarm 2019-2020 (progressing into 2022); Pandemic

(2020); Professionals leaving the island (“2nd” wave of migration); heavy haze (Sahara’s winds 2019-2020); Subsequent natural events: response & community preparedness; Politization of humanitarian aid funding (during US electoral year); arrests in government officials (2022); expose corrupt personnel; displacement (gentrification).

38- Puerto Rico needs help now in 2022?

- Prompting questions/words or follow-up questions:
 - o Yes/No & Why?
 - o In PR’s current situation, can you give one example of a persistent issue since 2017.
 - Electrical grid, roads

39- What type of projects did you see (or know) were done following María in 2017 until now in 2022?

- Prompting questions/words or follow-up questions:
 - o Can you give an example of one project (or something you saw) that you know happened or participated on? (Examples: Government, worked on, community, church, individual).
- Bridge, road, electrical grid, water dam, help line.
- How long was (will it take) until their completion?

40- From a professional point of view...can you give an example of something impactful that you experienced in the aftermath?

41- Which aspects of Puerto Rican culture do you think were enhanced or diminished after the hurricane?

- Prompting questions/words or follow-up questions:
 - o Puerto Rican values: family oriented, helping others
 - o Sharing household: cultural practice & economic necessity
 - o Saying: “to make the best out of the worst”

42- What is your perception of having an American passport?

43- Do you feel American or Puerto Rican?

- Prompting questions/words or follow-up questions:
 - o Why?

44- Is there any cultural difference between US & PR?

45- How do you identify yourself?

- Prompting questions/words or follow-up questions:
 - o Why?
 - o 600 years of colonialism (500 Spain + 100 US)

46- If you know, can you mention a human right that was absent or affected before, during or after María?

- Prompting questions/words or follow-up questions:
 - o Voting, self-determination, freedom of speech, basic rights (food, water, shelter), health, well-being, housing, work, education...

47- What other bodies or international organizations do you think could have helped in the aftermath?

- Prompting questions/words or follow-up questions:
 - o Other countries; UN

48- To conclude...according to your answers to all the previous questions. If PR have received help on time, was treated fairly and equal, the management of the emergency was effective, received help and treatment non-discriminatorily and was not caught in socio-economic-politics problems before and after Maria...**do you think the humanitarian crisis could have been avoided?**

49- After all what you have lived in PR, how do you feel (how are you now)?

- Prompting questions/words or follow-up questions:
 - o Feeling: Powerless, empowered (empowerment to do things without expecting help), tired, hopeful, overwhelmed, strong.
 - o How are you now considering the effects of María?

50- What is the change you would want to see in PR?

- Prompting question/words or follow-up questions:
 - o Community, autonomy (individual and social), political future, have a voice, non-discriminatory treatment
 - o Why?

51- Any final thoughts that you'll want to share?

Annex 3: Conversion of Codes into Themes and Sub-themes

Table 4. Codes found related to Humanitarian Aid and Human Rights, but where not developed into a theme.

Code		
Emergency aid/assistance	Humanitarian Aid & Assistance	
Community (neighbors/strangers/faith based/church/work/other groups)		
Family & friends		
Collaborative strategies		
Government (PR– local/USA– FEMA)		
Sustainability		
Needed help		
Humanitarian aid in the form of bank loans		
Conditional humanitarian aid		
Humanitarian aid (USA vs. International)		Aid Distribution
Incentives (economic relief– checks/groceries)		
NGOs		
Community based projects		
Private non-profits		
Humanitarian crisis	Humanitarian Crisis	
Crisis (political/economic/social/personal)		
Despair		
Dire conditions		
Recovery (ongoing)		
Resilience (as a meaning)		
Displacement		
Exodus		
Gentrification		
Trauma (PTSD)		
Tensions (personal/society)		
Intense physical/emotional distress (variety of sensations/feelings)		
Psychological impact (collective mental health)		
Harvard University study (on critical consequences of event)		
Necessities (long queues/search for resources/rations)		
Maldistribution		
Politicization of humanitarian aid		
Prolonged state of crisis (uncertainty)		
Lack of resources (water/food) – Article 25		Human Rights *
Lack of shelter (homes) – Article 25		
Absence of health – Articles 22; 25		
Absence of salubrious environment (or hygiene/subhuman conditions) – Articles 22; 25		
Absence of basic services (electricity/hospitals/communications) – Articles 22; 25		
Absence of security (feeling unsafe) – Article 3		
Lack of work – Articles 23; 25		
Economic disruption/restraint – Article 22		
Lack of education (schools) – Article 26		
Absence of well-being – Article 25		
Lack of liberty/freedom (colonial status) – Articles 1; 3		
Absence of autonomy (voting/to choose) – Article 21		
Systematic oppression – Article 3		
Form of slavery/servitude (psychological captivity) – Article 4		
Discrimination – Articles 2; 7		
Dignity (degrading/demoralizing) – Articles 1; 5		
Access to life – Article 3		

* U.N. Universal Declaration of Human Rights (2015)

Annex 4: Participants' Reference on *Identity* and *Oppression*: Song

Hijos del Cañaveral

(Children of the Sugarcane Fields)

by: Residente

[Verse 1: Residente]

From the time we were born	Desde que nacimos
Our plantain smudge ¹³⁷ from the same stalk was torn	Nuestra mancha de plátano salió del mismo racimo
We're kin from the same horizon	Somos hermanos del mismo horizonte
All of us raised on the lap of the mountain	Todos nos criamos en la falda del monte
We grew up just so others the benefits could reap	Crecimos, pero pa' que otro se aproveche
We're a people with baby teeth	Somos un pueblo con dientes de leche
Children of toil granted no time to eat	Los hijos del trabajo sin merienda
The lemonade's for the plantation foreman to keep	La limonada para el capataz de la hacienda
Everything that survives	Todo lo que sobrevive
We're the fermented cane of the Caribbean	Somos la caña fermentada del Caribe
Even though history flogs us	Pero aunque la historia nos azota
Like a glass bottle we float on	Somos como una botella de vidrio que flota
We got Central Aguirre ¹³⁸ production going with our might	La Central Aguirre, la pusimo' a producir
Without knowing how to read or write	Sin saber leer ni escribir
And the depression without medicine we treat	Y la depresión la curamos sin jarabe
Because we walked to the rhythm of the beat ¹³⁹	Porque caminamos al compás de la clave
Our race is by nature fierce	Nuestra raza, por naturaleza es brava
Out from the top of a volcano ¹⁴⁰ with lava we came	Salimos de la tapa de un volcán con lava
"There is no identity", some say	"No hay identidad", dicen algunos
Yet on our backs we all wear the number twenty-one ¹⁴¹	Pero aquí todos llevamos en la espalda el número veintiuno
We learned to walk a long time ago	Aprendimo' a caminar hace rato
With one bare foot and a shoe on the other one	Con un pie descalzo y el otro con zapato
With the <i>cacique's</i> medal ¹⁴² in the pawnshop	Con la medalla del cacique en la casa de empeño
We are the owners of a land with no owner	Somos los dueños de un país sin dueño
[Chorus: Francisco "Cholo" Rosario]	
Children of the sugarcane fields	Hijos del cañaveral
Our strawhats ¹⁴³ never fall	Nunca se nos cae la pava

¹³⁷ "*Mancha de Plátano*": Plantain stain; typically used to describe a distinctive birthmark that is believed to be common to many Puerto Ricans born on the island. Also signifies Puerto Rican's origins or being marked as born in the island.

¹³⁸ Central Aguirre: Located in Salinas, Puerto Rico, was formerly one of the largest sugar mill complexes in the island.

¹³⁹ "Al compás de la clave": Clave—literally 'key' in Spanish—refers to a rhythmic pattern common to many Afro-Caribbean rhythms, with special emphasis on syncopation and asymmetrical accents on certain beats. There is a distinct Puerto Rican *clave* which differentiates it from Cuba's *clave*.

¹⁴⁰ Reference to the geographical composition creating the island.

¹⁴¹ Number worn by Roberto Clemente, a Puerto Rican professional baseball player who played in Major League Baseball. Allusion to Puerto Rican pride.

¹⁴² Medal made of gold and worn by the *cacique*—the high chief of the indigenous people of Puerto Rico, the *Tainos*.

¹⁴³ Symbol of the peasant, in Puerto Rico called *jíbaro*.

Our race is always fierce
Even when the hurricane blows

Esta raza siempre es brava
Aunque sople el temporal

So you can feel the caliber
Of a horse with no rider
Look at it run free
As it reflects on the machete¹⁴⁴

Pa' que sientas el calibre
De un caballo sin jinete
Mira cómo corre libre
Se refleja en el machete

[Verse 2: Residente]

We are the morning dew at breakfast
We are the tide dancing with the moon
We dry our sweat with the wind, without a towel
And perfume ourselves with beach salt

Somos el rocío cuando se desayuna
Somos la marea cuando baila con la luna
Nos secamos el sudor con el viento, sin toalla
Y nos perfumamos con la sal de la playa

When the sun hangs the clouds on the clothesline to dry
Of coconut water is the pouring rain
Standing on the same shore, we dream
Without losing our way thanks to the fireflies that here gleam

Cuando el sol cuelga las nubes en el tendedero
De agua de coco son los aguacero'
Y soñamos desde la misma orilla
Sin perder el camino porque aquí los cucubanos brillan

The hurricane comes and we pray to the cross
Playing Brisca¹⁴⁵ whenever electricity is lost
The heat our beer warms up
In the lake we bathe until the dam is opened up

Viene el huracán y le rezamos a la cruz
Y jugamos brisca cuando se va la luz
El calor nos calienta la cerveza
Y nos bañamos en el lago hasta que abran la represa

Here, on Good Friday we eat *yautía*¹⁴⁶
Here, our Three Kings¹⁴⁷ come from Juana Díaz¹⁴⁸
We stand up straight at the wake of our dead
And we get dizzy together in the same "coffin"¹⁴⁹ on the patron saint festivities

Aquí los Viernes Santo se come yautía
Aquí los Reyes Magos vienen de Juana Díaz
Velamos parao' a los difuntos
Y en las patronales en la Caja'e Muertos nos mareamos juntos

No one can take away what is ours
No matter how much snow¹⁵⁰ they throw, here the snow will melt
Despite planting the roots however they please
The soursop trees will never grow apples

Lo nuestro no hay nadie que nos los quite
Porque por más nieve que tiren, aquí la nieve se derrite
Aunque siembren las raíces como les dé la gana
Los palos de guanábana no dan manzanas

[Chorus: Francisco "Cholo" Rosario]

Children of the sugarcane fields

Hijos del cañaveral

¹⁴⁴ Another Puerto Rican symbol, that the *jibaro* uses to work. Originally used in agriculture, afterwards it was also used as a revolutionary symbol.

¹⁴⁵ *Brisca*: Popular Spanish card game.

¹⁴⁶ Root (starchy vegetable) typical in Puerto Rican cuisine and during religious lent when substituting meat.

¹⁴⁷ Symbol of Puerto Rican Christmas characters.

¹⁴⁸ Three Kings are from the Spanish catholic tradition. The reference is that they come from the municipality of Juana Díaz in Puerto Rico, which apart from being a Puerto Rican Christmas symbol, they are recognized as patron saints.

¹⁴⁹ "*Caja de Muerto*": "Coffin" for Puerto Ricans (also known as the Rotor in other places); is a barrel- or drum-shaped amusement park ride, commonly found in carnivals or patronal festivities in the island, which rotates at such speed that it leaves riders stuck to its walls.

¹⁵⁰ In 1952, Felisa Rincón De Gautier – the first mayoress of Puerto Rico's capital city – in a US airline brought snow to Puerto Rico for children.

**Our strawhats never fall
Our race always fierce
Even when the hurricane blows**

Nunca se nos cae la pava
Esta raza siempre es brava
Aunque sople el temporal

**So you can feel the caliber
Of a horse with no rider
Look at it run free
As it reflects on the machete**

Pa' que sientas el calibre
De un caballo sin jinete
Mira cómo corre libre
Se refleja en el machete

[Chorus: Francisco "Cholo" Rosario]

**Children of the sugarcane fields
Our strawhats never fall
Our race always fierce
Even when the hurricane blows**

Hijos del cañaveral
Nunca se nos cae la pava
Esta raza siempre es brava
Aunque sople el temporal

**To defend ourselves
Was not something we learned in schools
Even though the bull has horns
Our rooster has spurs**

Pa'prender a defendernos
Nunca fuimos a la escuela
Aunque el toro tenga cuernos
Nuestro gallo tiene espuelas

[Verse 3: Residente]

**Since the Discovery under the cracking whip
They tried, but we still have the same accent
Our grit has been dignified
We're the verses that aren't sung in our anthem¹⁵¹**

A latigazo limpio desde el descubrimiento
No pudieron, seguimos con el mismo acento
Nuestro aguante ha sido digno
Somos los versos que no cantan en nuestro himno

**We have to release the ships from our docks
This cart moves without oxen
We will take the colonist down from the throne
So that our flag can sing in a single tone¹⁵²**

Hay que soltar los barcos del muelle
Esta carreta ya se mueve sin bueye
Al colono lo bajaremos del trono
Pa' que nuestra bandera cante en un solo tono

[Outro]

**In the *cuatro*, Luisito Sanz
In the *bongó*, Anthony Carrillo
Go on, talk to the saints!¹⁵³**

En el cuatro, Luisito Sanz
En el bongó, Anthony Carrillo
Háblale a los santos, dale

¹⁵¹ USA banned the original national anthem due to its revolutionary content. The lyrics were replaced in 1903 and became Puerto Rico's official anthem.

¹⁵² After singing the national anthem it is mandatory to do so with the United States' anthem. It is mandatory to have both flags waiving in all official ceremonies and governmental offices.

¹⁵³ Reference to Afro-Caribbean tradition. Ceremonies of drumbeat are offered to the saints. Music is a way to talk to the spiritual realm.

Annex 5: Saffir-Simpson Hurricane Wind Scale

As per NOAA description on the *Saffir-Simpson Hurricane Wind Scale* applied for hurricane Irma (Category 5) and hurricane María (Category 4):

	130-156		
	mph		
Cat 4 (major)	113-136		Catastrophic damage will occur: Well-built framed homes can sustain severe damage with loss of most of the roof structure and/or some exterior walls. Most trees will be snapped or uprooted and power poles downed. Fallen trees and power poles will isolate residential areas. Power outages will last weeks to possibly months. Most of the area will be uninhabitable for weeks or months.
	kt		
	209-251		
	km/h		
	157 mph		
	or		
	higher		
Cat 5 (major)	137 kt or		Catastrophic damage will occur: A high percentage of framed homes will be destroyed, with total roof failure and wall collapse. Fallen trees and power poles will isolate residential areas. Power outages will last for weeks to possibly months. Most of the area will be uninhabitable for weeks or months.
	higher		
	252		
	km/h or		
	higher		

