Defining “Cuban:” Race, Symbolism, and Sovereignty in the Dispute Over the Isle of Pines, 1899–1925

by

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Abstract

From 1899 to 1925 a contingent of U.S. citizens claimed that Cuba’s Isle of Pines was really U.S. territory. Their claims persuaded several U.S. senators and added to the tension between the U.S. and Cuba in the early twentieth century. I argue that the attempted U.S. annexation of the Isle of Pines was couched in racist rhetoric that sought to categorize Cuba as a fundamentally “black” nation. This view of Cuba relegated it to an inferior position and justified U.S. interference in Cuban affairs. I further argue that Cuban opponents of annexation were conscious of its broader significance and framed their opposition in a broader language of sovereign equality between nation-states. The struggle between these two camps shaped U.S. understandings of Cuba well after the annexationist movement was defeated in 1925.
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Finally, to my fiancé, Courtney Robinson, for her tireless support and for reminding me of the joys of writing, for whom my thankfulness cannot be even approached here.
On America

Throughout this work I use “American” to modify people, states, and things from any part of the Western Hemisphere. I prefer the adjective “U.S.” to refer to people, states, and things from the United States. I break from the customary usage of “American” as synonymous to “of the United States” to avoid the arrogant nationalism that so commonly accompanies that use. This break also emphasizes my argument that self-presentation was central to how Americans from both the U.S. and Cuba imagined their places in the world. I preserve uses of “America(n)” in quotations to preserve the integrity of the ideas of others.

Unless otherwise noted all translations are mine.

I refer to those arguing for U.S. seizure of the Isle as ‘annexationists’ and those arguing that it ought to be Cuban territory with the modifier ‘pro-ratification.’
Introduction

In 1898, in what U.S. history books name the ‘Spanish-American War’ the U.S. seized control of Spain’s remaining colonial territories in the Caribbean and the Philippines. A treaty between the U.S. and Spain, commonly named the Treaty of Paris (1898), explicitly deeded most of these islands to the U.S..\(^1\) However, the treaty called for the U.S. to occupy Cuba only until it was ready to govern itself.\(^2\) The U.S. imposed its own institutions on Cuba to ‘teach’ the Cuban people the ‘maturity’ necessary for self-government.\(^3\) These events constituted the beginning of a U.S. imperial project. Within the chaos of this imperial project a small contingent of U.S. citizens began buying up the Isle of Pines, Cuba’s largest landmass apart from the main island. These speculators stylized themselves as “settlers” in the tradition of U.S. westward expansion and began to argue that the U.S., rather than Cuba, owned the Isle of Pines.\(^4\) Their arguments for annexing the Isle rested on diminishing Cuba’s claim to national legitimacy and constructing it as inherently and irredeemably inferior to the U.S.. Cuban nationalists and the U.S. executive branch widely condemned the annexationists’ arguments and signed a treaty in 1903 eschewing any U.S. claims to the Isle. However, the annexationists persisted with the help of some tendentious senate allies until the treaty was ultimately ratified in 1925.


My project began by asking how the annexationists could delay ratification for over two decades with little executive or public support. During my research, however, this question transformed into a broader curiosity about the arguments and techniques of both annexationists and those who supported ratification. I then asked why the Isle of Pines was so important to each side. This question was far more fruitful. The Isle was not especially valuable as either an agricultural or military territory. For U.S. settlers, the Isle was their home and represented a continuing tradition of U.S. superiority. For Cuban nationalists, the Isle was a fundamental part of Cuba. As such, they worried that annexationist claims represented a threat to Cuban sovereignty. For most U.S. officials the whole affair harmed U.S.-Cuban relations far more than the claiming the Isle could be worth. I argue that annexationists constructed Cuba’s national status as inferior and placed the island nation into a structure of international relations that resembled the U.S. racial caste system. Cuban nationalists resented this structure and worked in conversation with U.S. officials to create an alternative construction. This construct instead paralleled the Cuban notion of “racelessness” writ large, even while U.S. officials worked to dismantle Cuba’s strides towards racial equality.\(^5\) I hope to explain of how the debate over ratification involved and shaped the debate over Cuba’s “racial status.”\(^6\) This narrative informs the wider relationship between the U.S. and Cuba to this day. Maps produced by the U.S. government continue to name the Isle “Isle of Pines” rather than using its new name, the “Isle of Youth.”\(^7\)

\(^5\) Ferrer, “Rethinking Race, Nation, And Empire.”
\(^6\) Ferrer, “Rethinking Race, Nation, And Empire,” 36–37; see also n. 39, pp.45–46.
Although the dispute over the Isle’s title began with U.S. action, Cuban events created the relevant conditions. Cuba’s armed struggle for independence from Spain began in 1968 with the Ten Years’ War (1868–1878). This war integrated the revolutionary army, gave citizenship to former slaves, and initiated “a powerful rhetoric of antiracism.” Cuban events created the relevant conditions. Cuba’s armed struggle for independence from Spain began in 1968 with the Ten Years’ War (1868–1878). This war integrated the revolutionary army, gave citizenship to former slaves, and initiated “a powerful rhetoric of antiracism.” Cubans fought two more wars with Spain: the Guerra Chiquita (1879–1880) and the (final) War of Independence (1895–1898). José Martí (1853–1895) led the Cuban Revolutionary Party (Partido Revolucionario Cubano) from exile in the U.S.. His writings and rhetoric shaped Cuban nationalism for decades to come. Lillian Guerra argues that Martí successfully unified three factions of Cuban nationalism: “pro-imperialist,” “revolutionary,” and “popular.” The first group dominated Cuban politics for most of the duration of the Isle of Pines dispute. They favored the European and U.S. models of ‘civilization’ and “prop[osed] that both Cuba and the United States [would] benefit from an intimate economic and cultural relationship that constricted the boundaries of Cuba’s political sovereignty. Yet, these same groups were equally ‘nationalist.’” Many of the key figures of the dispute fell within the “pro-imperialist” category and several were U.S. citizens themselves. These Cuban nationalists imagined a Cuban state that could become as “civilized” as the U.S. through imitation.

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8 Ferrer, Rethinking Race, Nation, And Empire,” 24.
9 Ferrer, Rethinking Race, Nation, And Empire,” 24.
12 Guerra, The Myth of Martí, 15–16.
13 Guerra, The Myth of Martí, 27.
14 Ferrer, “Rethinking Race, Nation, And Empire,” 37.
The U.S. intervened in the final War of Independence in the name of protecting Cuba from a tyrannical Spain.\textsuperscript{15} Henry M. Teller (1830–1914) attached an amendment to the 1898 U.S. declaration of war against Cuba eschewing any interest in conquering Cuba for the U.S..\textsuperscript{16} Instead, it called for U.S. pacification of the island to prepare it for self-government.\textsuperscript{17} Teller’s amendment followed a long period of press agitation for war with Spain in the name of rescuing Cuba.\textsuperscript{18} The amendment was the first in a long series of senatorial demands on the U.S. government’s conduct in Cuba. The next was the Platt amendment, which set conditions for Cuba’s eventual independence. Its main clauses empowered the U.S. to intervene at will in Cuban affairs “for the preservation of Cuban independence, [and] the maintenance of a government adequate for the protection of life, property, and individual liberty….”\textsuperscript{19} Article six demanded “That the Isle of Pines shall be omitted from the proposed constitutional boundaries of Cuba, the title thereto being left to future adjustment by treaty.”\textsuperscript{20} Platt included this clause to allow the U.S. to negotiate the purchase or seizure of the Isle of Pines.\textsuperscript{21}

Cuban nationalists of all stripes opposed the entire Platt amendment and especially Article six. The U.S. Executive Branch forced Cuba to include the

\textsuperscript{15} Pérez, Cuba in the American Imagination, 48.
\textsuperscript{16} Neagle, America’s Forgotten Colony, 34.
\textsuperscript{17} Neagle, America’s Forgotten Colony, 34.
\textsuperscript{18} Jane McManus, Cuba’s Isle of Dreams: Voices from the Isle of Pines (Gainesville: University Press of Florida, 2000), 7-8.
\textsuperscript{19} Platt amendment, reproduced in Papers Relating to the Adjustment of Title to the Ownership of the Isle of Pines, S. Doc. No. 68-166, at 224–25 (1924).
\textsuperscript{20} Platt amendment, Article VI.
amendment without revision in its constitution. The U.S. was, however, soon open to negotiating the treaty suggested by Article six. The first treaty was signed in 1903 accompanied an agreement to lease Guantánamo Bay to the U.S.. The U.S. Senate refused to ratify it before its expiration date so John Hay of the U.S. (1838–1905) and Gonzalo de Quesada of Cuba (1868–1915) signed a second treaty to the same effect without an expiration clause. The Senate refused to ratify the Hay-Quesada treaty, until 1925. That said, the U.S. provisional government treated the Isle as any other part of Cuba and passed de facto control of the Isle over to Cuban authorities in 1902. Even so, this delay prolonged what might have been a minor annoyance into a sizeable thorn in Cuba’s side. The debate over ownership of the Isle reflected a wider contest over the standing of other American states on the world stage and their relationships with the U.S.. This work explores the debate over the legal status of the Isle of Pines as a symbol of the larger debate over Cuba’s legitimacy as a nation-state. Each faction depicted the Isle and its history in ways that underscored their beliefs about Cuba’s place in the world.

On the Isle itself, the U.S. settlers worked to establish their own communities as separate as possible from the Cuban government. They did this in part seeking a familiar home, but they also used the ‘U.S. character’ of the Isle as a reason for annexation. They promoted this view through various pamphlets, publications, and

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articles in the U.S.. These promotions focused primarily on the material appeal of the Isle as a place to farm and relax but they also included language about the racial advantages of life on the Isle of Pines: namely the ability to live among other U.S. whites. Annexationists based much of their rhetoric on the abhorrence of being forced to live with and under what they considered racially inferior Cubans. Cuban authors naturally rejected this view. They composed a narrative that placed both Cuban and U.S. supporters of ratification in the same category of reasonable observers in contrast to a small and radical contingent of settlers.

Michael E. Neagle’s

America’s Forgotten Colony: Cuba’s

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*Claims to the Isle of Pines* provides a definitive account of the rise and fall of U.S. settlement on the Isle. His narrative focuses entirely on the lives of U.S. settlers and their relationship with the U.S. government. He characterizes the quest for annexation as a turning point in the style of U.S. imperialism in Latin America while stressing that the transition was not absolute. Settler calls for annexation blended the edges of that transition. Settlers combined a nineteenth-century focus on territorial expansion with the twentieth-century focus on “acquiring commercial markets overseas.”

This focus yields a valuable resource on U.S. perspectives that underemphasizes the importance of the symbolism of the Isle of Pines dispute. My work seeks to expand on Neagle’s book with a greater focus on connecting annexationist and pro-ratification rhetoric to the broader goals of each group. Neagle’s account provides a firm foundation for the annexationists’ demands. They were namely interested in preserving their profits and U.S. identity, which they saw as deeply connected.

While Neagle provides some coverage of Cuban and other pro-ratification perspectives they are not the focus of his account.

On the Cuban end of the historiography my work is heavily indebted to Ada Ferrer. Her pivotal article “Cuba, 1898: Rethinking Race, Nation, and Empire” provides a biting critique of U.S.-focused explorations of U.S.-Cuban interactions. Her work provides a basis for understanding the motivations of Cuban elites as Cuba transitioned from Spanish colony to U.S. protectorate. Her work informs my consideration of pro-ratification voices. She proposes that Cubans worked to perform

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29 Neagle, *America’s Forgotten Colony*, 12.
their qualification for national independence on U.S. terms. The difficulty of concurrently convincing U.S. officials that Cuba was a mature nation while opposing a U.S. action helps to explain the delay in ratification of the Hay-Quesada treaty. Lillian Guerra’s *The Myth of José Martí* expands of Ferrer’s work by accounting for distinct nationalist factions in the early Cuban republic. Her discussion of pro-imperialist Cuban nationalists is particularly important. Cuba’s first president belonged to that faction and his government’s negotiation for the title to the Isle of Pines laid the groundwork for the defeat of annexationist claims to the Isle. Louis Pérez provides several indispensable accounts of the relations between the U.S. and Cuba in my period of study. His work on the importance of metaphor to U.S. imaginings of Cuba was particularly valuable.

I base my contributions to this literature on a diverse base of primary sources. My work on the topic began with an album of photographs of the Isle of Pines published in 1913. Its editor, William Wark, compiled a series of fifty images that convey the annexationist narrative of a white tropical utopia. A trip to the Cuban Heritage Collection in Miami gave me the opportunity to compare Wark’s album to the works of other photographers of the Isle. The Cuban Heritage Collection also contains a wealth of other setter promotional materials and several Cuban pamphlets calling for ratification. I have put these works in conversation with published sources including a pair of dueling articles by Senator M. E. Clapp, an early senate

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32 Ferrer, “Rethinking Race, Nation, And Empire,” 35.
34 Pérez, *Cuba in the American Imagination*.
36 Dudley Opdyke Caudry Photography Collection, University of Miami Libraries, Coral Gables, Florida.
annexationist, and Gonzalo de Quesada and numerous newspaper articles on the Isle. The U.S. Senate and the Cuban Society of International Law each published vital collections of documents relating to the dispute. Finally, I use some historical maps and charts to tell the story of the Isle from a unique lens and to strengthen the connection between U.S. and Spanish techniques of empire.

In chapter one I argue that U.S. portrayals of the Isle were designed to further a specific understanding of the Isle as at once Cuban and not Cuban. The U.S. settlers stressed the allures of Cuban land, namely the warm yet relatively temperate climate, while separating the Isle from what they stressed were the inferior influences of Spanish and Cuban culture. Settlers claimed to have made vital improvements, which gave them a Lockean claim to the land and fit within the narratives of Yankee and protestant superiority to Spanish Catholicism. In chapter two, I examine the campaign for annexation. These arguments focused on constructing Cuba as having a black body-politic. I argue that this notion was essential to the annexationists’ legal claims that Cuba could not have owned the Isle before being created by the ‘superior’ U.S. government. Chapter three turns to the Cuban response to these claims. I argue that Cuban nationalists fought for the Isle as part of a larger struggle for sovereignty and independence. Their claims fit within the overarching attempt by Cuban elites to prove their civilized nature to the U.S. audience.
Imagining the Isle of Pines: Cuban or Otherwise?

Despite the contentions of many U.S. citizens that the Isle of Pines was never Cuban, all U.S. imaginings of the Isle were deeply interrelated to perceptions of Cuba.\textsuperscript{37} Most of those who debated the ownership of the isle, including diplomats, U.S. officers, and common citizens, would never set foot on the Isle. Instead, they relied on characterizations of the place which circulated in a variety of media. Landholding companies such as the Santa Fe Land Company enticed potential settlers with tales of rich fields and easy wealth.\textsuperscript{38} Newspaper articles described daring freedom fighters struggling against a tyrannical Spain and later the various attempts of U.S. settlers to annex the Isle for U.S. ownership.\textsuperscript{39} Photographs and tourist brochures portrayed a tropical paradise, ideal for northern visitors. Books on both business and travel similarly described the Isle as an attractive destination when visiting Cuba. Maps and charts helped distant readers imagine the character and desirability of this somewhat foreign place. These depictions emboldened U.S. audiences to make key decisions about the character and legal status of the Isle of Pines.

Those invested in selling land on the Isle to U.S. citizens were particularly concerned with distinguishing it from the rest of Cuba. They focused on describing a place with the benefits of a tropical climate yet lacking the detractions associated with

\textsuperscript{37}I use “imagine” following Benedict Anderson. It refers to actively creating mental labels for a vast and nebulous concept. It should not imply that the imagined thing is false but rather emphasize the creative intellectual work such a project requires. Benedict Anderson, \textit{Imagined Communities: Reflections on the Origin and Spread of Nationalism} (London: Verso, 2006), 6-7.
\textsuperscript{38} Neagle, \textit{America’s Forgotten Colony}, 28-9.
\textsuperscript{39} McManus, \textit{Cuba’s Isle of Dreams}, 7–8.
heat, humidity, and disease. A long-standing western tradition held that climate—as
defined by latitude— influenced everything from the allocation of natural resources to
the behavior of people living there. U.S. citizens did not explicitly endorse this
“tropicalist” attitude but continued to believe that the islands of the Caribbean were
plagued by illness, Spanish Catholicism, and non-white citizens, the last of which
amounted to Cuba’s “race problem.” U.S. whites who might otherwise have been
enthusiastic about annexing all of Cuba saw its people as undesirable fellow citizens
and worried that the island would be unsuitable for habitation by what they
considered to be worthier races.

This chapter will explore the foundations of U.S. understandings of the Isle of
Pines. The depictions of the Isle built upon and altered existing views of Cuba and the
U.S.. These depictions further contributed to a shift in the perceptions of Cuba’s place
in the world politically, economically, and metaphysically. It focuses on the cultural,
racial, and physical descriptors that were used to construct the Isle as an appealing
place. After a brief discussion of the political history of the Isle we will explore how
various depictions of the Isle of Pines reflected and contributed to its sudden rise to
prominence in the U.S. imagination. Those selling the Isle focused on narratives of
tropical paradise, attainable riches through farming, a healthy climate, and the frontier
ideal. Other depictions of the Isle of Pines and Cuba contended that it would be
ridiculous or even repulsive additions to U.S. territory. These portrayals will be

40 Nicolás Wey Gómez, The Tropics of Empire: Why Columbus Sailed South to the Indies,
41 Alejandro de la Fuente, A Nation for All: Race, Inequality, and Politics in Twentieth-Century Cuba
42 Neagle, America’s Forgotten Colony, 28-9.
important to the subsequent chapters which address how diverse ways of imagining Cuba were central to the process of debating its legal status. The first section offers an overview of the Isle’s political history from the U.S. perspective. The chapter then explores how U.S. maps produced from 1856 to 1928 reflected interest and claims of ownership. The third section demonstrates the ways U.S. citizens sought to profit after the U.S. victory over Spain after the conclusion of the Spanish-Cuban-U.S. War in 1898. The fourth section draws a distinction between the prior works and a style of depiction that emphasized U.S. settlement over pure profits. While those two motives were hardly mutually exclusive the settlement angle was stylistically distinct and aimed towards a Jeffersonian yeoman farmer imagining of the ideal U.S. citizen. The fifth section examines how various publishers used photographs to portray the Isle of Pines as either transformed into the image of the U.S. or otherwise.

*Isla de Pinos or Isle of Pines?*

From a U.S. perspective, the history of the Isle of Pines can be broadly divided into four periods. The first period was that of *Spanish domination*, which started with Columbus’s ‘discovery’ of the Isle in 1494 and ended with the Treaty of Paris in December 1898. With the ratification of that treaty the Isle of Pines passed either into U.S. or Cuban control, depending on diverse interpretations. The second, that of *transitional U.S. occupation*, lasted until the U.S. withdrew from Cuba in 1902 under the terms of the Platt amendment. This amendment stipulated, among other clauses, “that the Isle of Pines shall be omitted from the proposed constitutional

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44 “A Treaty of Peace Between the United States and Spain,” Avalon.
boundaries of Cuba, the title thereto being left to future adjustment by treaty.\textsuperscript{45} This sparked the third period, that of \textit{ambiguous ownership}, wherein neither state had a complete legal claim to the Isle. This period ended with the March 1925 ratification of the Hay-Quesada treaty, which recognized the Cuban claim to the Isle and renounced any U.S. claims.\textsuperscript{46} This cemented the de facto Cuban governance of the Isle that had been in place during the ambiguous period, settling the question and creating a de jure claim of ownership for Cuba. Under the \textit{post Hay-Quesada} period the Isle lost most of its U.S. character, hosted the Presidio Modelo where Castro planned his revolution, and received a new name, the Isle of Youth.\textsuperscript{47}

Soon after the start of U.S. occupation in 1898 several citizens took an interest in the Isle of Pines. They were participants in a larger wave of speculative U.S. cultural and economic domination of Cuba. Following the U.S. victory in Cuba’s War for Independence, U.S. interest in the island rose sharply. The withdrawal of Spain reduced the burden of working in Cuba privately and the Federal Government moved to exercise its custodial mandate under the Treaty of Paris. The U.S. government installed bureaucrats to impose U.S.-like institutions such as public schools.\textsuperscript{48} On the private front, U.S. capital had “already begun to ‘annex’ Cuba” through investment in its sugar industry before the end of Spanish control.\textsuperscript{49} U.S. capitalists like Edwin F. Atkins purchased sugar plantations in Cuba in hopes of “bringing Yankee progress to

\textsuperscript{46} Neagle, \textit{America’s Forgotten Colony}, 194.
\textsuperscript{47} McManus, \textit{Island of Dreams}, 70 and 119.
\textsuperscript{48} Guerra, \textit{The Myth of José Martí},” 95.
the backwards tropics.” A 1891 effort to ease tariffs on Cuban sugar was more characteristic of strategies as opposed to directly attempting to secure a U.S. title to Cuba.

Smaller firms took interest in settler colonialism. Among these was the Ohio based San Jose Fruit Company, which sought to establish a colony of U.S. farmers on mainland Cuba. These experiments did not successfully rouse interest in U.S. annexation of Cuba as a whole, which dismayed at least some U.S. citizens. Only on the Isle of Pines did calls for annexation find powerful support. A contributing reason was the existing population of Cuba. A 1904 prospectus gloated that U.S. citizens could find “a home in the tropics surrounded by his own countrymen, talking his own language,” and boasting familiar social institutions, while “it would take one hundred years or more to Americanize Cuba or the Philippines in the same way.” This prediction explicitly defines the Isle of Pines as Cuba without the troublesome Cubans. This view, promoted most vocally by those selling the Isle as a potential U.S. territory, would become central to U.S. imaginings of the Isle through the end of the ambiguous period.

50 Colby, The Business of Empire, 54.
52 The San Jose Fruit Company, A Golden Opportunity for Making an Investment (Alliance, OH: Unknown, Undated). H.E Kilmer Papers, Box 1, Folder 2, CHC.
53 Unnamed, “Letters from an American Who Knows,” H.E Kilmer Papers, Box 1, Folder 9, CHC.
54 U.S. settler colonialists have long loathed moving into occupied land and have typically removed prior residents with genocidal fervor. See e.g. Walter L. Hixson, American Settler Colonialism: a history (New York: Palgrave Macmillan, 2013), 60.
This depiction helped to draw a wave of U.S. settlers to the Isle. A 1907 Cuban census listed the population of the Isle as 3,276, with 438 of those born in the U.S. and some settlers claimed the number was as high as 5,000 U.S. citizens.\textsuperscript{56} Some of the gap between those numbers may have been caused by an exclusion of those not living on the Isle year-round, although the largest claims are clearly questionable regardless of the census technique used.\textsuperscript{57} If the census accurately counted a Pinero population of nearly 3,000 and claimed that only 400 additional U.S. citizens lived on the Isle it would need to have missed nearly twice as many people as it counted and those missed would have been almost entirely U.S. citizens, who composed less than ten percent of the surveyed population. These discrepancies foreshadowed repeated disagreement between annexationists and their opponents on basic matters of fact such as population and what historical maps showed.

The arguments made for annexation in the late nineteenth and early twentieth centuries are incompatible with the present national identity of supporting freedom and democracy everywhere. In 1900, however, the U.S. could be easily imagined as a colonial power. In the Treaty of Paris “Spain cede[ed] to the United States the island of Porto Rico and other islands [then] under Spanish sovereignty in the West Indies….”\textsuperscript{58} This language, combined with the 1898 annexation of Hawaii, made it easy to imagine the U.S. replacing Spain as an island colonial power. Nothing fundamental about the U.S. national character prevented this narrative from dominating the U.S. self-image. Until the turn of the twentieth century, U.S. citizens

\textsuperscript{56} Neagle, \textit{America’s Forgotten Colony}, 74.
\textsuperscript{57} Neagle, \textit{America’s Forgotten Colony}, 74.
\textsuperscript{58} A Treaty of Peace Between the United States and Spain,” Avalon.
had glorified westward expansion as a central pillar of U.S. greatness. For these U.S. nationals, progress and prowess were inexorably linked to the frontier life. They were consequentially greatly troubled by the “closing of the West,” as announced in the 1890 census and harped upon by Frederick Jackson Turner.\(^59\) Successive U.S. presidents, most famously Theodor Roosevelt among numerous others, responded to Turner’s thesis with a look south. U.S. involvement in the 1890’s Cuban war of independence was one such expedition.\(^60\)

Had annexationists won out, the Isle of Pines—and, according to some, all of Cuba—would have become a new frontier for U.S. settlement. Cuban nationalists fiercely opposed outright annexation, although many exploited U.S. military power to contest domestic offices.\(^61\) José Martí, who was famously imprisoned on the Isle of Pines under Spanish rule, had opposed seeking U.S. aid in the final War of Independence for fear of both annexation and the less direct U.S. meddling in Cuban affairs which ultimately occurred.\(^62\) Another faction of U.S. citizens opposed annexation and raised racial and ideological objections to hypothetical Cuban statehood. The U.S. Executive Branch held the direct power to negotiate the fate of Cuba and favored its de jure independence. How the McKinley administration came to this conclusion is open to debate, but it was surely influenced by popular media portrayals of the Cuban cause.

\(^{60}\)Hixon, *American Settler Colonialism*, 171.
\(^{62}\)Guerra, *The Myth of Martí*, 70.
Cuba has long held a special place in the U.S. national imagination. President Jefferson explored purchasing the Island from Spain in 1808, abandoning the attempt only when the Spanish proved disinterested. President Polk made another attempt at purchasing Cuba in 1848 and his failure prompted a few decades of covert sponsorship of pro-annexation revolutions in Cuba. Those attempts occurred within a larger movement of expansion by “filibuster,” which involved private invasions of typically Latin American states in the hope of securing post-hoc legitimacy. In one notable example William Walker attempted to seize Nicaragua as a U.S. colony with a force of a few hundred U.S. citizens. This sort of imperial entrepreneurship would later characterize the approach of settlers on the Isle of Pines in their quest for annexation. Ultimately, Spain’s refusal to sell the Island thwarted nineteenth-century attempts to annex Cuba. After the Civil War, so did U.S. reluctance to admit a majority-black population to statehood.

With Cuba commonly seen as either too black or too deserving of independence to be considered for statehood, most expansionist attention turned to the Isle of Pines. A sketch of the grand political acts and treaties relating to the status of the Cuban government provides essential context for this shift in attention from Cuba to the Isle of Pines. The April 1898 Senate declaration of war against Spain included an amendment, named for Senator Teller which “disclaimed any disposition

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of intention to exercise sovereignty, jurisdiction, or control over Cuba.”\footnote{Russell H. Fitzgibbon, \textit{Cuba and the United States: 1900-1935}, (Menasha, WI.: George Banta Publishing Company, 1935), 24.} This drastically weakened, although did not eliminate, future calls for formally annexing all of Cuba.\footnote{Unnamed, “Letters from an American Who Knows,” H.E Kilmer Papers, Box 1, Folder 9, CHC.} After defeating Spain the U.S. negotiated a peace treaty in Paris while actively and symbolically excluding Cuban representatives.\footnote{Guerra, \textit{The Myth of Martí}, 89.} The treaty granted the U.S. custodial control over Cuba and complete control of “other islands now under Spanish sovereignty in the West Indies.”\footnote{“A Treaty of Peace Between the United States and Spain,” Avalon.} This clause left some doubt as to the legal ownership of the Isle of Pines, or at least created plausible deniability for U.S. citizens seeking to claim it.\footnote{Neagle, \textit{America’s Forgotten Colony}, 34.} The subsequent Platt amendment, which set the conditions for Cuban independence, only furthered confusion with a clause prohibiting Cuba from including the Isle of Pines in its constitutional boundaries and stating that “the title thereto being left to future adjustment by treaty.”\footnote{Platt amendment, reproduced in \textit{Papers Relating to the Adjustment of Title to the Ownership of the Isle of Pines}, S. Doc. No. 68-166, at 224–25 (1924).} U.S. and Cuban officials negotiated two treaties to satisfy this requirement. The first, authored in 1903, was a companion to the treaty granting a permanent lease of Guantánamo Bay.\footnote{Neagle, \textit{America’s Forgotten Colony}, 167.} The U.S. Senate refused to consider it before its expiration seven months later.\footnote{Neagle, \textit{America’s Forgotten Colony}, 167.} U.S. Secretary of State John Hay and Cuban Minister to the U.S. Gonzalo de Quesada signed a replacement to the first treaty in 1904 which was identical except for the removal of any expiration clause.\footnote{Neagle, \textit{America’s Forgotten Colony}, 167.}
Relations recommended ratification first in 1906 but the full Senate failed to ratify the treaty until 1925.\(^77\)

These acts and treaties serve as official statements on the relationship between the U.S. and Cuba. The delay in ratification of the Hay-Quesada treaty symbolized the unequal footing of the two countries. That imbalance made it seem possible that the settlers could win out in their fight for annexation. Until that possibility was fully closed in 1925 hope persisted and settlers continued to claim the U.S. character of the Isle, potentially confusing subsequent migrants.

The remainder of this chapter will address the informal and popular understanding of Cuba by the U.S., its origins, and the implications of these on the dispute over the Isle of Pines. Acts and treaties are useful in understanding the legal status of the Isle but they do little to convey non-partisan attitudes and interest. The views of private actors can be found reflected in the claims about space that various kinds of navigational charts make. An analysis of these charts reveals the story of the Isle as we already understand it. U.S. interest waxed and waned in ways visible in the physical reality apparently represented in these charts. Herein lies the true significance of these material objects. They are statements made by the government of reality and fact. They purport to serve a purely utilitarian purpose: aiding navigation. However, like any objects, they are also windows into the interests and priorities of their creators. They set the story for the claims that private citizens and then the U.S. Government would make about the Isle of Pines, either that it was more

\(^{77}\)Neagle, America’s Forgotten Colony, 192.
directly under the control of the U.S. or that it was a legal part of Cuba. This recalls a long history of using maps to contest imperial claims.78 These charts will later help to illustrate how visions of Cuba were important to legal debates over its status.

Mapping Cuba

In 1893, the coast of Cuba was not radically different than it was in 1928, but its imagined form changed drastically. It was initially considered a minor obstacle to sailors around Florida. By 1900 it became the primary aspect of a chart describing “the Straits of Florida.” Likewise, the change to the Isle’s representation between 1922 and 1928 speaks to a more radical shift than is suggested by the legal changes over that period. The Isle went from being administered by Cuba as its de facto owner to being a de jure territory of Cuba. This change is also apparent in the lack of any open contention of claim to the Isle by the Executive Branch of the U.S. government. However, law is only a fraction of the relationship between state and citizen. In the public imagination, the Isle of Pines was no longer special. The state said as much when it ratified the Hay-Quesada Treaty, but the reality was driven home by yet more symbolic changes.79 Publicly sponsored charts and maps contain the authority of general acceptance. They confer legitimacy to the private claims that they support. For the government to produce a map that validates one’s claims or symbolically minimizes the significance of one’s home suggests that one is either supported or

79 Although the ratification of the treaty was itself largely symbolic, as Cuba had been administering the Isle since 1902. See Neagle, America’s Forgotten Colony, 194-5.
abandoned. This section will focus on the maps themselves. The next chapter will address their importance in staking ownership and identity claims in greater detail.

Throughout the nineteenth and twentieth centuries the U.S. Coast and Geodetic Survey (USC&GS) produced official and authoritative charts and maps of U.S. territory.\textsuperscript{80} One of its main functions was the production of navigational charts of U.S. waters. One of its earliest productions to feature Cuba was the 1856 “Map of Central America,” which was produced using sources from the Senate Committee on Foreign Relations rather than direct observation, as was the norm of the agency.\textsuperscript{81} The map was nearly fourteen square feet and served as an authoritative base for privately produced maps in the U.S. for several decades. It shows the Isle of Pines as part of Cuba, as did all subsequent charts and maps produced by the USC&GS. This will become more important when we explore the use of such media in arguments about the Isle’s legal status in greater depth.

\textsuperscript{81}USC&GS, Map of Central America, 1856, Base Map, 44.8 x 44.5 in, Image from NOAA's Office of Coast Survey Historical Map & Chart Collection, http://historicalcharts.noaa.gov.
Figure 1: Excerpt from Map of Central America 1856

Base maps do not provide extensive detail. Instead, they are designed to convey some general understanding of geographic boundaries. They are thus broadly accessible, especially when compared to nautical charts. The latter are designed for navigation, and contain soundings of depth, information about currents, lighthouses, qualities of the ocean floor, and other resources primarily useful to mariners. The first USC&GS charts to show Cuba were not produced with navigation of Cuba in mind. An early example is the 1893 edition of the “Straits of Florida and Approaches” series. Five editions were produced between 1893 two years before the outbreak of the Cuban War of Independence, and 1928, three years after the ratification of the Hay-Quesada Treaty. This series was produced at a 1:1,200,000 scale, designating it a general chart, and was useful for plotting routes between harbors rather than coastal
sailing. In short, these were the charts one would use to sail to or from a Florida port. The 1893 edition was most explicitly useful for that purpose but its coverage of Cuba was limited to the north-east coast, as Havana harbor is only just within the western limit of the chart and the southern coast is obscured by the chart’s key.\textsuperscript{82} The next edition was published in 1900 and offered a drastic change in coverage. The series shifted its focus to include all of Cuba and offered varying detail of the island, with changes that illustrate waxing and waning interest in the Isle of Pines.

The 1900 edition set the standard contents of this series as 19° to 28°N and -85.5° to -73° W, which includes the southern point of Florida and all of Cuba. It now classified 26 lighthouses on Cuba as significant and offered far more detailed soundings around the whole island.\textsuperscript{83} The Isle of Pines was named in Spanish, surrounded by water of a depth less than three fathoms, and labeled sparsely. Few geographical details were included in no small part because, as the chart specifies,\textsuperscript{82,83}

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{figure2}
\caption{The Straits of Florida and Approaches 1893}
\end{figure}

\textsuperscript{82}USC\&GS, \textit{Straits of Florida and Approaches}, 1893, Nautical Chart, 34 x 42 in. Image from NOAA's Office of Coast Survey Historical Map & Chart Collection, \url{http://historicalcharts.noaa.gov}.
\textsuperscript{83}USC\&GS, \textit{Straits of Florida and Approaches}, 1900, Nautical Chart, 35 x 41 in. Image from NOAA's Office of Coast Survey Historical Map & Chart Collection, \url{http://historicalcharts.noaa.gov}. 

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“the greater portions of Cuba and the adjacent islands and waters [had] not been satisfactorily surveyed; the southern Coast of Cuba and the Isle of Pines and vicinity [were] especially in doubt as to position and other detail.”

Figure 3: The Straits of Florida and Approaches 1900

While the 1900 chart offered a better understanding of the borders of Cuba, its update in 1908 brought a better understanding of the island itself. The update takes the soundings and coastlines almost exactly from its prior print and little changed in the coverage of U.S. holdings except the highlighting of a few more lighthouses. However, while on the 1900 edition there were only a few coastal labels, the island now includes railroad lines, mountain ranges, interior towns, and detailed coastal

soundings. The Gulf of Batabano, which separates mainland Cuba from the Isle of Pines now has detailed soundings and a lighthouse within the Gulf is now considered “significant.” These updates in part stem from a real increase in information that would have become available during the U.S. occupation and under the First Cuban Republic. However, the expanded detail around the Isle of Pines also indicates a shift in the value placed upon that information. The cartographers assumed that more detailed information about the coast of the Isle of Pines was more broadly important.

In 1898 the USC&GS published a special edition chart of Cuba at the same scale of the Florida Series but with far more detailed depictions of both coastal and interior features. The fact that far more detail was available well before the publication of the 1900 edition is important. It eliminates the possibility that the low detail in the earlier edition reflected lack of sufficient information. Instead, the uniformity of the Cuban mainland suggests that the USC&GC expected readers to have little interest in any further detail. The USC&GS could also have been slow to adapt to new interests, but their expectation would have relied upon an understanding of demand, which is significant.

85 USC&GS, Straits of Florida and Approaches, 1908, Nautical Chart, 35 x 41 in. Image from NOAA's Office of Coast Survey Historical Map & Chart Collection, http://historicalcharts.noaa.gov. 86 USC&GS, Cuba, 1898, Nautical Chart, CHC
Focusing in on the Isle of Pines, the most obvious change from 1900 to 1908 is the name of the Isle. It changed from “Isla de Pinos” to “Isle of Pines.” This shift in language would remain on the chart until 1948. The chart now listed geographical details that were absent in 1900, most notably the Ciénaga de Lonier (Swamp of Lonier) which nearly bisects the Isle. It also provides far more detailed soundings and suggests that a channel exists to the north-west of the isle that was not present in the 1900 chart. More soundings are present along the north coast of the Isle than can be found at any equivalent point on the U.S.. The whole Gulf of Batabano is more detailed than the approaches to Guantanamo Bay, which at the time was already guaranteed to the U.S. government. This level of detail paralleled the growing interest in the Isle of Pines from the U.S. The changes also suggest that parts of the U.S. government acknowledged the English-speaking character of the Isle. The linguistic base of a geographical place has long been equated with the rightful ownership of it. In the 1600s Portuguese and Spanish missionaries competed to convert the

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87 It is worth noting that through 2012, this chart has continued to use “Isla de Pinos” rather than “Isla de Juventud,” which has been the Cuban name since 1978. This offers a contemporary example of the political lives of charts. See McManus, Island of Dreams, 119 for more on the change in name.

88 USC&GS, Straits of FL and Approaches, 1908.
indigenous peoples of the Amazon Basin so as to secure a wider swath of the
territory, measuring their success by whether native groups spoke either Spanish or
Portuguese.\textsuperscript{89}

The Gulf of Batabano in *The Straits of Florida and Approaches* 1900 (top) and 1908 (bottom)
The Gulf of Batabano in *The Straits of Florida and Approaches* 1922 (top) and 1928 (bottom)
The next editions of this chart were not published until 1922 and 1928, leaving a fourteen-year gap in the record. The most likely publication date between 1908 and 1922 would seem to be around 1915, when more pressing matters occupied the attention of the USC&GS. The new charts cover the same range of coordinates. They were updated stylistically to remove lists of relevant lighthouses, and the 1922 edition again expanded the number of highlighted lights, including one at the eastern entrance to the Gulf of Batabano. Between 1908 and 1922 a weather radio station was built on Nueva Gerona. This construction likely serves as another example of settler infrastructure expansion. The named towns did not change on the Isle between the 1908 and 1922 charts. The only other notable shift in the Isle’s representation is the addition of another significant light designation to the east of the Gulf of Batabano. However, representation would change significantly from 1922 to 1928, thanks to the ultimate ratification of the Hay-Quesada treaty in 1925.

The 1928 chart preserves the lights designated as significant surrounding the Gulf of Batabano. However, where the prior charts had excessive soundings around the Isle, the new edition contains only a handful of depths. More importantly, the Isle of Pines was presented with fewer named towns. The radio at Nueva Gerona remained, but the Sierra Caballos and Sierra San Jose mountains were no longer listed. The cartographer made the coast of the Isle less complex, visible above in its smoother look when compared to the 1922 chart. This suggests that the specific coastal contours were less interesting to the general public than they would have been.

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in 1922. There was no corresponding decline in specificity along the rest of Cuba in this chart. This marks the devastating effects the final ratification of Hay-Quesada had on both the U.S. settlers on the Isle and on the Isle’s status as a focal point.\textsuperscript{92} The annexationist settlers had been propping up interest through their determined efforts to establish a colony. When the U.S. Senate finally eliminated that possibility those devout settlers largely abandoned their cause.

While USC&GS produced charts that reflected impressions of Cuba and the Isle of Pines, more interested parties used maps as rhetorical devices in their attempts to convey the appeal of land. The Cuban Tourist Commission produced a travel brochure that showed the Isle of Pines as wider than the Florida peninsula.\textsuperscript{93} Travel books included maps showing how a tourist might travel on short trips from Havana to places like the Isle of Pines.\textsuperscript{94} Hotels provided them to guests to encourage further tourism.\textsuperscript{95} During the war several maps of Cuba highlighted Havana Harbor with a mark indicating the sinking of the Maine.\textsuperscript{96} Company prospectuses selling land shares included small maps highlighting the location of their offerings.\textsuperscript{97} At times the technology of map-making itself served as an indicator of society competence.

\textit{Business Exploration}

\textsuperscript{92}Neagle, \textit{America’s Forgotten Colony}, 199-227.
\textsuperscript{93}Cuban Tourist Commission, “Come to the Treasure Island: Isle of Pines, Cuba,” Undated. Courtesy of the CHC.
\textsuperscript{96}CHC map collections, Tray 1, Folder 6.
\textsuperscript{97}Santa Fe Land Company, \textit{Marvelous Isle of Pines}, 32.
In *Commercial Cuba: A Book for Business Men* (1898) William J. Clark complained that “the Spaniard… has not been a good or an entirely reliable map maker, while the foreigner… has been compelled to [rely on] doubtful Spanish sources.”98 This complaint tracks to a broader culture of dismissing Spaniards. Clark based his work on both personal travel in Cuba and on a reading of other accounts. He primarily accused Spaniards of chronic exaggeration, which he describes as both a habitual flaw and a scheme to glorify their home country’s world prominence.99 In this system of weighing countries, the failure to produce reliable maps was a strong mark against Spain’s industrial capacity. Elsewhere in Latin America, maps have been used to contest ownership of ‘virgin’ lands.100 While no one seems to have contended that the Isle of Pines was entirely undeveloped, the notion of *terra nullius* (land that is “unoccupied” and that may be claimed by simple occupation) is historically nebulous. Land did not need to be truly unoccupied but rather unclaimed by another power recognized as equal. Maps served as one symbol of civilizational attainment as knowing the details of territory represents a type of control over it.

Nineteenth century scholarship on Spain was dominated by what Richard L. Kagan has referred to as “Prescott’s paradigm,” which he defined as “a series of assumptions and presuppositions about the inherent backwardness of Spanish culture [and] the progressiveness and superiority of the United States.”101 Kagan based the term on the writings of William Hickling Prescott (1796–1859), a lazy but influential

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historian of Spain who painted a romanticized portrait of Spanish backwardness as a foil to the U.S. industrial progressive nature.\textsuperscript{102} This view seeped into wider cultural artefacts and subjective experiences. In 1859 a northerner named Joseph J. Dimock traveled to Cuba for the months of February and March.\textsuperscript{103} In his travels he marveled at the curiosities of Spanish customs such as the continued use of barbers as surgeons and dentists.\textsuperscript{104} In an entry on race relations Dimock observed that “even the negros here seem to look down upon [new emigrants from Spain].”\textsuperscript{105} Cuba, as the last great Spanish New-World colony, was the destination of choice to observe the depravity of Spanish citizens. This mid-century impression of Cuba would inform later authors who wrote of Cuba and would shape the coverage of The War in Cuba.

While travel and political narratives capture some of the nineteenth-century U.S. understanding of Cuba, there was also a commercial consideration. Cuba offered both new markets and appealing farmland to northern speculators. Here too U.S. citizens relied on the assumptions of “Prescott’s paradigm” in their understanding of Cuban society. In his opening chapter, “How to meet the resident of Cuba,” Clark paired descriptions of Cuban norms with suggestions as to how to improve the efficiency of Cuban life. When discussing the workday, he suggests that the Cuban worker’s “sanitary condition would be improved by substituting a good cup of coffee and a plate of eggs and bacon for his spirit and tobacco in the morning…”\textsuperscript{106} The rest

\textsuperscript{104} Pérez, Impressions of Cuba, 22-23.
\textsuperscript{105} Pérez, Impressions of Cuba, 51.
\textsuperscript{106} Clark, Commercial Cuba, 2.
of the text takes offers similar critiques of the Spanish regime while expressing hope that U.S. guidance will reform the island.

Clark’s notion that Cubans could be vastly improved by imposing U.S. customs upon them was hardly unique. The U.S. imperial project in Cuba relied heavily upon metaphors of education. U.S. citizens understood Cubans as errant children who needed close supervision lest the play of politics distract them from their important economic work. The settlers on the Isle of Pines did not conform to the U.S. national identity of paternal instruction. Instead, these U.S. citizens focused on transforming a tropical island into familiar home via migration. Landholding companies focused on portraying the Isle as familiar to their northern targets. As most settlers were recruited from northern areas of the U.S. this was a daunting task; palm trees hardly resemble the forests and farms of the Midwest. Using both written advertisements and some photographs U.S. landholding companies sought to convince U.S. citizens that some plot in the Caribbean would be the next frontier of U.S. expansion.

_Selling the Isle of Pines_

U.S. settlement was driven by smaller groups of investors who purchased land on the Isle of Pines to sell in parcels to individual settlers. These companies relied heavily on pamphlets to spread the word of the wondrous opportunities they were offering. These works described the Isle of Pines itself, what land was available, and

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107 Pérez, _Cuba in the American Imagination_, 150.
108 Neagle, _America’s Forgotten Colony_, 68.
109 Neagle, _America’s Forgotten Colony_, 62–63.
why it was appealing. They supplemented these verbal descriptors with maps and pictures spreading the same message.

In advertising their settlement in San Pedro, the Ohio firm Hammond, Hammond & Baker focused on distinguishing the Isle of Pines from Cuba and Puerto Rico. The latter were overrun by “the invasion of American capital, brains and energy…[who] cared little about their environments.”110 The small investors, on the other hand, were “average American[s] [who] cannot be happy in a community which is not dominated and controlled by people of [their] own kind.”111 Only on the Isle of Pines could these normal citizens find a comfortable frontier in which they could seek their fortunes. This claim echoes the assertion in the 1905 pamphlet Marvelous Isle of Pines that the Isle was already Americanized in a way that would take a century to achieve in Cuba or the Philippines.112 Hammond, Hammond & Baker wrote in conspiratorial tones to its readers. It offers to share with them as equals this opportunity to farm in the tropics among fellow nationals. The authors sought to assuage other fears associated with settling abroad. It addresses government and taxes on the Isle, remarking “the government of the island is reduced to the simplest and least expensive form” and that “the whole system of taxation is fair and equitable and much less onerous than similar exactions in the United States.”113 Another passage

112 Santa Fe Land Company, Marvelous Isle of Pines, (Fairfield, IA, 1903), 29.
suggests that the alcalde “habitually contributes [nearly all of his salary] to the improvement of the public highways.”

Because this pamphlet was designed to sell land on the Isle it makes no mention of the negative arguments for annexation—that is to say one decrying conditions that could be remedied by annexation. It does not mention the settlers who contend that Cubans had little ability to govern. Among other complaints these settlers suggested that the same alcalde mentioned above “was a man who had an ‘averseness to Americans, or anything which is American.’” Instead of conveying these negative views the pamphlet suggests positive causes for annexation. The U.S. character of the population was one such selling point. Another was hinted at with a map captioned “study this map and you will see why the Isle of Pines will be more benefited by the completion of the Panama canal than any other territory in the world.” The map shows dotted lines between various U.S. ports and the Isle. It implies that the Isle controls the Gulf of Mexico and the approach to the Panama Canal. The benefits to the Isle are not as immediately clear in the map as its caption suggests. Instead, the map was designed to imply a cursory understanding that the Isle had tactical importance.

The 1904 *Marvelous Isle of Pines* pamphlet advanced similar narratives with a heavier focus on agriculture. Fifteen of its thirty pages directly address what can be

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114 Hammond, Hammond & Baker, *San Pedro*, unnumbered. The pamphlet notes that the alcalde is vested with both executive and judicial powers over the entire Isle of Pines.


grown in Santa Fe.\textsuperscript{118} Ten of these pages are devoted to naming a crop and describing in at most two hundred words how perfectly suited the Isle of Pines is for producing that crop.\textsuperscript{119} This pamphlet also attempted to address potential concerns about the government on the Isle, namely those about its competence and efficiently. Its authors wrote that “the title to the property is perfect. It has been examined and passed on by the best attorneys in Cuba. ‘It may be said that the registries of land ownership and the records of property transfers are well kept, contrary to the common belief, titles in Cuba are easily traced and are, if anything, more secure than in the United States.’ – To-morrow in Cuba, C. M. Pepper.”\textsuperscript{120} This assertion clearly suggests a common notion that the bureaucratic state in Cuba was ill-suited to preserving clear land rights. Such an idea would have made potential settlers hesitate. Contradicting that notion would have been one of the most important steps in convincing them to purchase land. That task also involved clearly showing prospective settlers the appeal of the Isle. While these pamphlets achieved that goal partially through writing, the supplemental images contributed heavily to the Isle’s appeal. Each prospectus included images of land being tilled and relaxing U.S. settlers. A comprehensive view of their style is best found in the work of one prolific compiler of photographs, William Wark.

\textsuperscript{118} Santa Fe Land Company, \textit{Marvelous Isle of Pines}, 5-19.
\textsuperscript{120} Santa Fe Land Company, \textit{Marvelous Isle of Pines}, 27.
William Wark: Casta Painter with a Camera

While maps and writings depicted the Isle of Pines using descriptive text and carefully plotted lines, photographs seemed to convey a special realism. William Wark produced what seems to have been the most popular collection of U.S. photos of the Isle from the ambiguous period. His 1913 album *The Isle of Pines* portrayed the Isle along the same thematic ends as the prospectuses did. Various prints show bountiful citrus fields, the comfortable houses of U.S. citizens, leisure and health opportunities. Everywhere U.S. flags fly in the background. The album reads as another persuasive call for investment, settlement, and annexation in a visual medium rather than in writing. The album is composed of 50 prints, each captioned in a few words and affixed on larger page. These were bound together with plain cord and a tan cardstock cover. The album was likely printed in New York although some prints were available to settlers on the Isle, either through import or to those who left and returned more frequently.

The album is organized geographically as one might visit the Isle. A reader can sit with the text and explore the Isle through Wark’s lens as if visiting it himself. The first page opens with a steam boat on calm water, which then sails into port in Nueva Gerona. The ship flies only a U.S. flag in the first image, while at sea, but at

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122 Wark, *The Isle of Pines*. Flags held great symbolic significance and their display abroad was often a point of conflict between the U.S. imperial power and local governments.
123 Wark, *The Isle of Pines*.
125 Wark, *The Isle of Pines*, 1–2
the port it is shown with both Cuban and U.S. flags fore and aft respectively.\textsuperscript{126}

In the 50 photographs U.S. flags outnumber Cuban ones nineteen to four, and all the latter appear on vessels. This sent a clear message of U.S. domination. Continuing through the album we see more of Nueva Gerona. Street signs and advertisements are written in English and U.S.-made cars line the main streets. U.S. hotels and private residences are shown as luxurious and large. The only public building shown is the courthouse. The staff pose in front, serving as a reminder of Cuban political control.\textsuperscript{127}

\textsuperscript{126} Wark, \textit{The Isle of Pines}, 1–2
\textsuperscript{127} Wark, \textit{The Isle of Pines}, 9.
On the next page we ride through lush fields interspersed with palm trees and paddle along the similarly verdant Casas River bank. Here the trip jumps suddenly to Santa Fé, the other population center of the Isle. Settlers pose in front of the Hotel Santa Fé, some showing off a car while the rest sit under an extended roof. Here the emphasis on agriculture emerges, with close shots of clusters of grapefruit on the tree. The stress on tourist appeal also rises, with photographs of a “bath house over famous Santa Rita spring,” a road on “the famous Cayo Bonito estate,” “the famous General Weyler spring,” and “the famous La Ceiba Nurseries.” If this fame were not enough to convince the reader of the desirability of the Isle, perhaps the crowd at Secretary of State W.J Bryan’s address to the Santa Fé Fair would be compelling. The speech boasted a crowd of over 200 settlers and appears much like any U.S. stump speech.

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After leaving Santa Fé we continue through smaller U.S. settlements, pausing to wonder at fruit groves or take a moonlit pleasure sail. Inns and attractions such as “automobiling on the Calzada” are featured as well.\textsuperscript{130} The homes of U.S. settlers continue to be well maintained and impeccably landscaped. Most private properties are captioned with the name of their owner. Several were key figures in the annexation movement, most notably T.J. Keenan, whose stone home on the Isle is pictured below. He led delegations in 1902 and 1924 to lobby for U.S. annexation of the Isle and Neagle describes him as “one of the most ardent annexationists.”\textsuperscript{131} This contrasts with the sole depiction of a native Cuban family. Their thatched roof,

\textsuperscript{130} Wark, \textit{The Isle of Pines}, 38.
\textsuperscript{131} Neagle, \textit{America’s Forgotten Colony}, 161 and 74.
modest home, and simple dress are in harsh contrast to the wealthy estates of U.S. settlers. They are also unnamed, unlike U.S. property owners. This lapse in captioning makes it clear that the photographer cared little about these people as individuals.

This portrait of native Pineros, as those from the Isle were called, is reminiscent of Mexican Casta paintings. Those works were used by the colonial regime to measure individuals’ racial class. In the early twentieth century photography was used through Latin America to similar ends. Such photographs “contributed to the widely shared popular understanding of race as…visible

reality.”133 In this photograph nationality, rather than race, is shown as visible reality. Its subjects are posed to convey their backwardness. A sign over their door reads “celeste esperanza,” an expression of faith.134 The words are nearly illegible and are not repeated in Wark’s caption, unlike most other signage. The album’s intended audience spoke English and could not have been expected to read the sign even if they had noticed it. Wark composed this album in part to make clear distinctions between U.S. and Cuban lives and lifestyles. Most of the Isle was portrayed as belonging to the former while this image of the latter was provided for contrast. Implicit in this contrast is a value judgement. The U.S. lives pictured are modern, enterprising, and prosperous. Pineros are only the focus of one photograph and are shown with an oxcart, signifying their backwardness.

Other Photographers: Echoes of Wark

Wark’s efforts to depict the Isle favorably are not the only surviving photographs of it. Dudley Opdyke Caudry moved to the Isle in 1903 with his wife and child to work on a citrus plantation.135 After abandoning that work they moved to Havana and opened a photograph studio before returning to the U.S. in 1910. Their collection shares some of the biases of Wark’s album but portrays a far less sanitized Cuba. Their collection is far less skewed towards wealthy settlers. It includes slave collars and tools for slaughtering animals, which offer reminders of a darker history and would have disquieted the simple pleasentries of Wark’s album. The family

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133 Deborah Poole, “An Image of ‘Our Indian,’” 40-41.
134 Translated “celestial hope.”
135 Dudley Opdyke Caudry Photography Collection, University of Miami Libraries, Coral Gables, Florida.
taught their young child to write using a Spanish-language workbook and their papers include several cards written in Spanish.\textsuperscript{136} This alone would have distinguished them among U.S. settlers, who generally refused to learn Spanish.\textsuperscript{137} One of their albums includes several stills that resemble images found in Wark’s \textit{The Isle of Pines}. This last detail makes their collection significant for our understanding of U.S. impressions of the Isle of Pines.

Three prints in Wark’s \textit{The Isle of Pines} appear in the family collection: “Nueva Gerona, Street Scene,” “Nueva Gerona, Sarda Homestead,” and “San Juan, Native Homestead.” Of these the second and third are identical while the first differs notably between the collection and the album. Dudley Opdyke Caudry seemingly left Cuba in 1910, which means he could not have taken all the photos in Wark’s album. He likely took at least two, however, and the third was at least composed with referential eye. These two depictions of a Nueva Gerona street tell a story of change and revision. In the first image there are no street signs and three Cuban flags fly prominently. Several people are walking in the street while others cluster on each side. In the second the flags are no longer visible, cars and telegraph poles have appeared, as have some English street signs and advertisements. The telegraph poles and cars suggest a new level of modernization while the flags and signage contain a different message. These developments reflect editorial choices made to depict the Isle as more heavily influenced by the U.S., reflect an actual change in the local culture of Nueva Gerona, or represent a combination of both influences.

\textsuperscript{136} Dudley Opdyke Caudry Photography Collection, \textit{Cuaderno de Taquigrafía}, University of Miami Libraries, Coral Gables, Florida. \textsuperscript{137} Neagle, \textit{America’s Forgotten Colony}, 119.
Above: “Nueva Gerona, Isle of Pines” from D.O.C Photography Collection; Below: “Nueva Gerona: Street Scene” from Wark, *Isle of Pines*
These repetitions of content were not uncommon in early twentieth century photography.138 Several photographs from Wark’s album were reproduced within a decade by the Brandow Printing Co., which was also located in Albany, N.Y. They were used in a testimonial published after 1918 by the Isle of Pines Chamber of Commerce. The book lauded the Isle as a remarkable destination for tourist travel and “an American colony which keeps going and growing under the Cuban flag.”139 This glowing review was illustrated with several photographs reproduced from Wark’s album, suggesting some publishing relationship between the two producers. This strengthens the argument that Wark’s Isle of Pines was an intentional tool of annexationist rhetoric.

Conclusion

These three discursive forms give the reader some insight into how U.S. citizens constructed the image of the Isle of Pines. Cartographic sources served primarily to reflect the waxing and waning interests of U.S. readership in the Isle. Aside from reflecting these trends, the maps also provide a new link between the centuries-old methods of Spanish colonialism and the developing techniques of the U.S. imperial state. Both empires constructed knowledge of a place as a legitimate claim to domination of a subject territory. The changes in mapping detail offer a distinct window into the U.S. view of Cuba and the Isle of Pines. Commercial depictions of the Isle shifted our focus from geographical to cultural imaginings. The

138 See Deborah Poole, “An Image of ‘Our Indian,’” 40, discussing the contradictory uses of the same photography in the same publication within two months of each other.  
former was central, however, to the development of the latter. U.S. citizens based their biases against the Cuban people in large part on considerations of their physical homeland. U.S. citizens in the metropole understood Cuba through the lens of climate. At times, this construction overpowered that of race. One observer suggested that the heat in Cuba had driven U.S. settlers on the Isle to make “fools of themselves” with annexationist agitation.\textsuperscript{140} Nonetheless race played a heavy role in U.S. understandings of Cuba and the Isle. Those who sought to sell land in either mainland Cuba or the Isle of Pines focused on depicting an Isle that was racially familiar to U.S. settlers. Photographers of the Isle joined this effort to whiten prospective U.S. holdings. Their cameras sought to portray a whiteness to empower both commercial and political attempts to seize the Isle. These components of the U.S. understanding of Cuba offer a foundation for the political arguments in Chapter Two and a foil to the Cuban efforts discussed in Chapter Three.

\textsuperscript{140} Neagle, \textit{America’s Forgotten Colony}, 178.
In calling to annex the Isle of Pines U.S. settlers advanced an understanding of the world in which the U.S. and Cuba were in opposite categories of national status. They constructed Cuba’s body-politic as inherently and unchangeably inferior to that of the U.S.. Their arguments echoed the infamous *Dred Scott* decision almost exactly. Settlers claimed that Cuba was “so far inferior that [it] had no rights which the white man was bound to respect.”¹⁴¹ Not all arguments in favor of annexation were as explicitly racialized. However, the general cause of annexation relied on an understanding of Cuba as inferior in its capacity for self-government. This understanding was not simply a realist interpretation of power which would have focused on the complete dominance of U.S. military and economic power compared to Cuba’s capabilities. Nor was it limited to the popular imagining of Cuba as a child in need of education that Pérez describes in *Cuba in the American Imagination*. One U.S. senator in 1902 identified the U.S. role in Cuba as leading its people “out of their childhood into manhood.”¹⁴² Instead, U.S. settlers imagined Cuba as an inherent inferior without the possibility of maturing that was implicit in the Cuban as children metaphor.

Race invariably informed this dismissal of Cubans’ ability to form a just and tolerable government. It further empowered U.S. citizens to claim that their needs and

desires superseded those of the Cuban state when the two came into conflict. The idea that the U.S. had a valid claim to the Isle of Pines heavily relied on this prioritization. In one senator’s view U.S. settlers needed their interests protected through annexation while Cuba should have been “spared any unnecessary humiliation.”\textsuperscript{143} By this logic the property interests of individual citizens took priority over the territorial integrity of a sovereign state. Except that U.S. annexationists did not recognize Cuba as a sovereign on the same footing. Instead, it had some of the properties of an independent state without possessing the protective myths and legal rights associated with nationalism. We imagine that nations have “immemorial pasts.” U.S. citizens commonly imagine seventeenth-century puritans as fundamentally belonging to the U.S. nation despite the anachronism of that statement.\textsuperscript{144} U.S. settlers did not grant Cuba that same privilege. One settler wrote that “Cuba did not belong to the Cubans until we gave it to them May 20, 1902.”\textsuperscript{145} This contradicts the fundamental myth of nation-states that the land they claim has belonged to them eternally. In that sense annexationists denied that they were bound to respect Cuba as a nation-state.

This construction of Cuba was particularly useful for those who wanted to annex the Isle of Pines. This chapter will expand on the construction of the Isle of Pines as Cuban while not Cuban by examining pro-annexation arguments as policy proposals and legal interpretations. One might expect these sources to be more direct than the subtle implications of maps and photographs. Instead, the debates over

\begin{footnotes}
\item[143] U. S. Senator Hon. M. E. Clapp, “Have We Mislaid a Valuable Possession?,” \textit{The North American Review} 190, no. 646 (1909),8.
\item[144] Anderson, \textit{Imagined Communities}, 11–12.
\end{footnotes}
crafting and interpreting the legal status of the Isle more heavily on symbolism and metaphor. U.S. Senators wrote of settlers who were both heroes and persecuted victims of the twin evils of tyrannical Cuba and an U.S. government callous enough to sell its citizens into slavery. Samuel Pearcy, a U.S. settler on the Isle, wrote that “I have always had hopes that even Senators could not be so wicked and heartless as to sell us into slavery to ‘the dogs and devildoms’ of Cuban-Spanish laws.” 146 Many settlers portrayed themselves in similar terms. While the prior chapter showed the efforts of settlers to present an U.S.-dominated Isle of Pines this chapter focuses on why they found such an image so important. Annexationists relied heavily on this image of the Isle to raise sympathy for the settlers and to impugn Cuba’s motives for claiming the Isle. Several advocates claimed that Cuba only desired the Isle after U.S. citizens began “improving” it. 147 Maps and geography reappear in nuanced (and at times convoluted) claims justifying a U.S. title to the Isle of Pines. These arguments rest upon a fine distinction between geographic and political names of islands. While annexationists acknowledged that Cuba had included the Isle of Pines politically they argued that the Treaty of Paris referred to the ‘geographic Cuba,’ which conveniently excluded the Isle. Much of this debate gets lost in specific procedural arguments. These points are important, however, and so we must explore them in greater detail. From these minutiae we can understand how annexationists constructed a separate and unequal Cuban state.

146 Pearcy to Pearcy, 20
147 Neagle, America’s Forgotten Colony, 184.
We begin with two U.S. senators. John Morgan authored the 1906 U.S. Senate Committee of Foreign Relations minority report arguing against the Hay-Quesada Treaty. M. E. Clapp took up the annexationist cause later in that decade in public writings. These two men were among the most powerful annexationists and their syntheses of settler arguments are a good starting point for our exploration of legal imagination. The settlers who demanded annexation phrased their needs in terms of protecting their rights. They claimed the right to live in a society dominated by people they deemed their racial equals. This fundamental claim formed the basis of associated demands for economic protection as these settlers believed that ‘inferior’ Cubans could not secure their property rights. Some U.S. senators made a similar argument on the international scale when they claimed that Cuba was inherently subservient to the U.S. as a justification for annexing the Isle of Pines. When this claim failed to persuade the U.S. government to seize the Isle from Cuba settlers turned to court cases and flag flying to claim U.S. identity. The whole case for annexation relied on constructing the Cuban body-politic as black in opposition to the presumed white U.S. body-politic.

Clapp & Morgan: U.S. Senator Allies of the Annexationist Cause

In 1909, U.S. Senator M. E. Clapp wrote an appeal for sympathy. He claimed that the U.S. settlers on the Isle were being neglected and abandoned by their “countrymen.” After briefly describing the settlers’ “unfortunate position of involuntary expatriation,” Clapp proceeded to describe the Isle of Pines, with a

148 Clapp, “Have We Mislaid a Valuable Possession?,” 1.
special focus on its location: 38 to 60 miles from Cuba, 730 from the entrance of the Panama Canal, 230 from the Yucatan, 370 from Jamaica, and “three hundred and fifty miles from Tampa, Florida, via Batabano and Havana.” This descriptive method highlights the importance of where a place is to the understanding of both that place and its significance. He chose those points to stress the value of the Isle of Pines. Knowing those numbers, a reader could understand that the Isle offered a strategic port for both trade and control over the Panama Canal, all while being conveniently accessible from the U.S. It is curious that Clapp highlighted the route one would take from Florida to the Isle, as it raises the question why one would go to this supposedly independent Island by traveling through Cuba? The route itself is not surprising; it both matches that described in a 1926 guidebook and is intuitive from a consideration of navigational charts. The port of Havana was accessible without interruption by sea from Florida and the approach is in 500+ fathoms of water. This would allow any ocean vessel to make the journey. Sailing directly to the northern coast of the Isle of Pines requires both a shallower draft and the captain to follow a complex route to avoid dangerously shallow waters.

Travelers would then take a train from Havana south to Batabano and then a smaller ship from there to Nueva Gerona on the northern coast of the Isle of Pines. The population centers of the Isle were concentrated in the northern two thirds of the island, while the southern third was principally condemned as swampy.

149 Clapp, “Have We Mislaid a Valuable Possession?,” 1–3.
151 “Straits of Florida and Approaches” 1908. One fathom is equal to six feet.
152 Terry, Terry’s Guide to Cuba, 113–16.
153 Clapp, “Have We Mislaid a Valuable Possession?,” 2.
deepest approach to the Northern side would take a ship along the Cuban coast into the Bay of Batabano and even then the vessel would pass through water only three fathoms deep. These depth restrictions, along with the convenience of a major port, allowed the route Clapp described to dominate. His article argues that the north coast of the Isle was surrounded by deeper water than that off Batabano. Clapp claimed that this fact dismissed any critique of the depths surrounding the former. This line of reasoning suggests that he was not particularly familiar with the navigational issues at hand or at the least that he did not worry that his readers would notice an issue with that logic.

Clapp’s article presents a generalized outline of common settler arguments. Two years before Clapp published his article the U.S. Supreme Court ruled against Edward J Pearcy’s claim that cigars he brought from the Isle of Pines should be exempt from U.S. tariffs. This decision, which we shall return to later in this chapter, weakened settler claims that the Isle was already U.S. territory. Considering that setback, Clapp’s article makes muted versions of some arguments. For instance, he chose to call for the U.S. government to buy the Isle rather than claiming that the U.S. already owned the land. However, its general portrayal of the Isle matches earlier rhetoric in support of the settlers. Clapp cast U.S. settlers to the Isle of Pines as laudable pioneers who were told by their government that “the Isle of Pines was an inviting place of residence.” His claim most likely refers to letters sent by the Assistant Secretary of War in response to some inquiries which claimed that the Isle

154 “Straits of Florida and Approaches” 1908.
155 Clapp, “Have We Mislaid a Valuable Possession?,” 2.
157 Clapp, “Have We Mislaid a Valuable Possession?,” 5.
was U.S. territory. The notion that the state would make an advertising call for settlement would have fit well within the general myth of manifest destiny. Such a state existed to facilitate the marvelous industriousness of its citizens. Clapp insisted that these settlers would be able to reverse “the [negative] conditions which have prevailed in the island for hundreds of years, under Spanish rule." Clapp rhetorically constructed Spain as inherently backward, in contrast to the glorious capacity of U.S. control to correct prior failings, which fits well within the recurring theme of Prescott’s paradigm. In concert with these assumptions Clapp weighed the desires and needs of two groups in his analysis: “our people in the Isle of Pines” and “the Government of Cuba, which is our ward and protégé.” The former ought to be granted their wish for a U.S. takeover of the Isle while the latter, in Clapp’s eye, should, if convenient, “be spared any unnecessary humiliation through even an appearance of injustice to them.” That a U.S. Senator would deem the wants of U.S. citizens more important than those of a foreign government is hardly surprising. What is notable is the attitude Clapp held towards the Cuban state. He saw Cuba as a young state, to be protected and nurtured where possible, but unable to stake a competitive claim against U.S. interest.

Senator Clapp’s impression matches the principle source he relied upon: the minority report on the Hay-Quesada Treaty. He claimed that this report, which was authored by Mr. Morgan in response to the majority report of the Senate Committee

159 Clapp, “Have We Mislaid a Valuable Possession?,” 3.
161 Clapp, “Have We Mislaid a Valuable Possession?,” 8.
162 Clapp, “Have We Mislaid a Valuable Possession?,” 8.
of Foreign Relations in 1906, “sufficed to prevent the ratification of this treaty, [making] the prospects for its future ratification seem very doubtful.”  

A key portion of the report was an expression of Morgan’s understanding of the relationship between the U.S. and Cuba. While he held the Cuban government sovereign in some respects, his interpretation of both the recent history and a legal reading of the Platt amendment found that “the United States is the sovereign protector and [Cuba and its government and people] are vassals.” He further held that this relationship was “as firmly rooted in our national policy as if it had been expressly provided for in the Constitution of the United States.” Here Morgan insisted that the imperialism of the U.S. towards Cuba was inescapable. He proceeded to rely on that understanding of the relationship between the countries in his proposals.

Like Clapp, Morgan saw the ratification of the Hay-Quesada treaty as deeply threatening to the U.S. settlers on the Isle. “Our people” would be forced to either “expatriate themselves and to submit to conditions of government that are abhorrent to them and to every intelligent citizen of the United states” or to live as a foreigner in Cuba and, implicitly, to be consequentially treated unfairly by that government. He presented these choices as an inescapable dichotomy which would result from the ratification of Hay-Quesada. Morgan did not explicitly say why being a Cuban citizen would be abhorrent. These allegations reflect what Richard Kagan named “less a clear analytical model of analysis than a series of assumptions and presuppositions

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163 Clapp, “Have We Mislaid a Valuable Possession?,” 7.
about the inherent backwardness of Spanish culture” combined with some likewise
unstated horror at the prospect of implicitly white citizens being subject to a
democracy in which black Cubans could vote.167

Morgan’s report presented a legal theory of U.S.-Cuban relations as a
foundation for his argument that the U.S. ought to retain control over the Isle of
Pines. This historical view of the trajectory of the Cuban state’s capacity to own
things has greater implications for the status of Cuban statehood and, consequentially,
the capacities of the Cuban people. Under his theory of Cuba as a vassal state to the
U.S. Morgan identified several distinct phases of ownership of the Isle of Pines. First
it was a Spanish colony, separate from Cuba, named Evangelista by Columbus. Only
in 1880, allegedly, was it incorporated into the government on Cuba. Morgan stressed
that “the Isle of Pines has been known among all geographers, publicists, and nations
by this distinct name, and none of them have ever merged this geographical name into
that of Cuba.”168 The Isle was then transferred from Spanish control to that of the
U.S. either by article 2 of the treaty of Paris (ceding all other Spanish islands) or by
article 1, which granted to the U.S. protectorate control over Cuba. Regardless of
prior status, any hypothetical rights to the Isle held by Cuba “were completely
extinguished by [the Isle’s] exclusion from the limits of Cuba by the express
provisions of the Platt amendment, and by the constitution of Cuba, and by the treaty
with the United States of July 2, 1904.”169

By this logic the Isle belonged, by default, to the U.S. from the latter’s decision not to expressly include it in Cuba’s constitutional boundaries. “The Isle of Pines…was never under Cuban sovereignty. There was [until the U.S. created the Cuban government] no Cuban sovereignty.”  

In resting on the grants by Spain in the Treaty of Paris, Morgan furthers he notion of a Cuban people subservient to the wishes and demands of the U.S. That notion corresponds to a view that Cuban governance was fundamentally inferior to that of the U.S. This view insulated the U.S. government from blame for Cuba’s supposedly failing state. Instead, U.S. elites understood the Cuban people to be incapable of governing at a level befitting the dignity of U.S. citizens.

**Settler Demands and Desires**

U.S. settlers and those sympathetic to their cause focused their energies on convincing the U.S. Senate not to ratify the Hay-Quesada Treaty. This focus was primarily pragmatic. Every executive branch during the ambiguous period from 1902 to 1925 and most of the press dismissed and sometimes mocked settlers who called for annexation. The executive branch concluded that annexing the Isle would not be worth the high price of angering Cuba. The State Department pressed forward with a treaty renouncing U.S. claims, president Roosevelt signed it, and the Senate Committee on Foreign Relations (SCFR) recommended ratification. Settlers opposed each of these steps, but only managed to halt the treaty before the full Senate in 1906.

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One senator, M. E. Clapp, claimed that Senator Morgan’s minority report of the SCFR “ha[d] sufficed to prevent the ratification of the treaty.”173 This belief was well placed considering where in the process the treaty stalled. Clapp’s claim also implies that good argument was related to legislative approval. Regardless of whether that was empirically true, the fact that it was believed has important ramifications for our interpretation of settler arguments. Because of this belief settlers endeavored to express their desires persuasively and extensively. A pair of letters written by S. H. Pearcy in 1906 which were presented to the U.S. Senate during their deliberations on the Treaty exemplify these themes.

Racial Complaints in Settler Rhetoric: S. H. Pearcy’s Views

Neagle identifies four general themes which recur in the settlers’ arguments for annexation. Settlers contended that Cubans ought to be grateful to the U.S. for their independence from Spain.174 They argued that Cuba should joyously yield the Isle as a small price to pay for freedom.175 Settlers also demanded U.S. protection of their capital, arguing that the Cuban state would fail to do so.176 Out of a similar dismissal of the tolerability of Cuban government settlers claimed that ratification would depress property values and would thus be unfair to settlers.177 They also feared that the Isle would become not white and would lose its U.S. character.178 The last fear highlights the importance of law in constructing identity. De jure Cuban

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173 Clapp, “Have We Mislaid a Valuable Possession?”
174 Neagle, America’s Forgotten Colony, 171
175 Neagle, America’s Forgotten Colony, 171.
176 Neagle, America’s Forgotten Colony, 171.
177 Neagle, America’s Forgotten Colony, 172.
178 Neagle, America’s Forgotten Colony, 172.
ownership of the Isle would change settlers’ ability to live on the Isle as U.S. citizens by eliminating their majority and by weakening their claim to live in the U.S. This would rob them of their primary identity as citizen-residents of the U.S. and transform them into foreigners living in Cuba.

As the full Senate considered the viability of the Hay-Quesada Treaty in 1906 it relied heavily on reports from settlers and U.S. officials with knowledge of the Isle. Former Captain S. H. Pearcy authored the first two letters printed by the Senate for use in its deliberations and made available to all senators. Pearcy was a U.S. settler, ran a line of vessels from Mobile, Alabama to the Isle of Pines, and had a brother of the same rank in Washington, D.C. He was not actively working for the U.S. military at the time but he noted his rank in the introduction of the letter that his allies prepared for the Senate. His letters referenced the SCFR reports and offer a window into his worldview. Pearcy was deeply anti-Cuban. His attempt to run a steamship line from Mobile, Alabama directly to the Isle was explicitly intended to avoid passing through Havana.\(^{179}\) He believed that traveling to the Isle via Havana coerced U.S. settlers into unnecessary interactions with the Cuban state.\(^{180}\) He considered this no different than being forced to stop in Havana on one’s way from the mainland U.S. to Puerto Rico, as both that island and the Isle of Pines were U.S. territory in his eyes. Cuba could not rightly govern the Isle of Pines because, as he said, “the Anglo-Saxon race will not and can not submit to being treated as the Cuban officials treat them.”\(^{181}\) His examples of Cuban injustice illustrate the importance he placed on racial and


\(^{180}\) Pearcy to Pearcy, 18.

\(^{181}\) Pearcy to Pearcy, 18.
national identity. “Civilized law” as he understood it would enforce rather than punish his preferences and priorities.\textsuperscript{182}

The unjust treatment Pearcy complained of was that a person could be arrested “no matter how respectable or prominent” when accused by even “the lowest negro” of a crime.\textsuperscript{183} Pearcy claims to “have never committed a single offense against any civilized law” in spite of being arrested repeatedly on the Isle by Cuban authorities.\textsuperscript{184} He describes two such arrests, once for protesting aggressively when his son trespassed in a store on the Isle and another time for assaulting another U.S. settler who spoke out against annexation. The latter instance suggests that Pearcy believed physical violence a permissible response to betrayal. This minor violence was included to demonstrate the seriousness of his warning that settlers would not peaceably tolerate betrayal. Pearcy wrote “I feel sometimes as if I could take my gun and march out and kill everything that stood between us and freedom, and that I could keep going until I was shot down.”\textsuperscript{185} His arrest resulted from the betrayal of a local U.S. citizen; the larger betrayal would come from the Senate’s ratification of the Hay-Quesada Treaty.\textsuperscript{186} In the first arrest he mentions “a rural guard was dragging and pushing [his] little boy to prison for having refused to go out of a store when a negro ordered him out.”\textsuperscript{187} This story contains three racial types: “a rural guard”, “a negro”, and Pearcy’s “little boy.” Pearcy’s son refused to leave a store when ordered to. Pearcy implied that his son would not reasonably be expected to obey such a

\textsuperscript{182} Pearcy to Pearcy, 19.
\textsuperscript{183} Pearcy to Pearcy, 18.
\textsuperscript{184} Pearcy to Pearcy, 19–20.
\textsuperscript{185} Pearcy to Pearcy, 20.
\textsuperscript{186} Pearcy to Pearcy, 22.
\textsuperscript{187} Pearcy to Pearcy, 19.
command because it came from his racial inferior. Here Pearcy implicitly constructed a menacing specter of a Cuban Isle of Pines. He designed it to present a frightening picture of the conditions white U.S. citizens would be subject to if the Hay-Quesada Treaty were ratified.

On such an Isle, white children would be expected to treat black adults as social superiors. It was Pearcy’s son’s failure to do this that lead to his arrest. Compounding that outrage, a white child who did not treat a black adult as an authority would be arrested on only the word of that adult. Not only can this black adult command respect on hir private property, ze can now bring the powers of the state down upon a white child. Yet worse, this arrest would be performed by a “rural” police officer. This use of “rural” implies another racial inferiority, perhaps Spanish but certainly not Anglo-Saxon. That Pearcy construed this arrest as outrageous harassment makes his disdain for black Cubans clear. It was also characteristic of settler fears of a Cuban state that would impose laws meant to govern Cubans on U.S. citizens, who considered themselves above such laws. Finally, this letter suggests that Pearcy believed this disdain for “black” Cubans would be as generally shared by his fellow U.S. citizens and his Senatorial audience.

Pearcy also charged that Cubans were conspiring to doom his business. The state required that certified pilots captain all commercial vessels. The available Cubans were only experienced on sailing vessels, not the steamships he wished to use.\textsuperscript{188} Apparently, the five available pilots on the Isle had “formed a collusion

\textsuperscript{188} Pearcy to Pearcy, 19.
against going out on [his] boats.”\(^{189}\) Pearcy found this absurd as he had “always paid them well and treated them kindly” in his eyes, although immediately before and after that assertion he names the pilots “beautiful ornaments” and complains of a “half-breed negro” who “got stuck up as master of a ship and therefore declined to be ordered.”\(^{190}\) Licensed pilots were certainly skilled workers and could have expected a level of respect from their employers. It is hardly inconceivable that the five Cubans Pearcy attempted to employ all became independently disgruntled with his expectations and belief in their inferiority. Alternatively, he may have been right that these pilots were colluding against him for his advocacy of annexation. Such a protest was not inherently objectionable, but it was against what Pearcy believed an unquestionably right position and thus illegitimate.

Elsewhere Pearcy was more explicit in his dismissal of Cuban legitimacy. He described ratification as selling U.S. citizens into slavery and observed that “Cuba did not belong to the Cubans until we gave it to them on May 200, 1902.”\(^{191}\) This assertion was in part a convenient argument. If all Cuban sovereignty stemmed from U.S. generosity then Cuba could not possibly claim the gift was incomplete. The logic was not only convenient, however. It conformed to Pearcy’s explicit view that “a half-breed, ignorant man like” the alcalde could “govern a lot of intelligent Anglo-Saxons.”\(^{192}\) This complaint may not be shocking to find in the letters of a U.S. citizen

\(^{189}\) Pearcy to Pearcy, 19.
\(^{190}\) Pearcy to Pearcy, 19–20.
\(^{191}\) Pearcy to Pearcy, 20–21.
\(^{192}\) Pearcy to Pearcy, 22.
in 1906, but the white supremacy it contains cannot be ignored when examining the debate over ratification of the Hay-Quesada Treaty.

**Other Settler Desires Related to Identity**

The racism evident in Pearcy’s letters does not fully explain why settlers were so opposed to living on a Cuban Isle of Pines, or at least it did not in their eyes. The other settler demands that Neagle describes were explicitly related to race. However, their other desires linked to annexation were heavily influenced by racial, ethnic, and nationalistic concerns. Settlers expressly feared that ratification would depress property values.\(^{193}\) That fear, however, was founded upon a certain distaste for Cuba. The material benefits of U.S. ownership would have been directly related to tariffs, which did increase the cost of goods from the Isle, just not significantly. Instead, property values would decline because U.S. citizens would not want to live abroad generally and especially not in Cuba. This disinterest in living as a foreigner in Cuba was born from a combination of Prescott’s Paradigm and the racism visible above. It was expressed in terms of comfort, familiarity, and efficiency. As one prospectus put it “the average American cannot be happy in a community which is not dominated and controlled by people of his own kind. He wants to do things in his own way.”\(^{194}\) With that attitude in mind, U.S. settlers fought to establish and maintain dominance on the Isle.

Settler attitudes towards the Cuban government on the Isle were not uniformly hostile. Some found a peaceful coexistence with the Cuban alcalde, or at least

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\(^{193}\) Neagle, *America’s Forgotten Colony*, 172.

claimed to have done so. In contrast to Pearcy’s threats of rebellion should Cuban rule persist, the authors of *San Pedro: Isle of Pines* wrote more favorably of the local government. In their telling, the “rural guards” were both “very few in number” and “a well behaved lot, most of whom could give the average American police officer ‘pointers’ on strict attention to his own business and courteous treatment of the general public.”

This pamphlet came out two years after Pearcy’s complaints of abuse and injustice, which leaves several interpretations open. It could be that the pattern of law enforcement changed radically over those two years. This is unlikely both because settlers continued to complain about the government on the Isle and because the same alcalde remained in place. Instead, the purposes of the two writings could account for much of the contradiction. Pearcy wrote to inspire annexation while this pamphlet was written to attract settlers who would be disinterested in moving abroad to the lawless hellhole Pearcy described. Another portion can be attributed to the differing attitudes of the authors to Cuban authority. Pearcy claimed he was mistreated because of his anti-Cuban stance while this pamphlet was quick to acknowledge that it asked U.S. citizens to travel to a foreign country.

Curiously, both documents address the same cultural, economic, and racial desires Neagle describes. They differ in whether those desires can be met on the Isle. While Pearcy argued that Pineros were ungrateful, economically backwards and stifling, and making the Isle unlivable for Anglo-Saxons land venture companies depicted an Isle opposite of Pearcy’s. Both wealthy and poor natives were apparently

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grateful for the economic growth U.S. settlers brought to the Isle. Not only were taxes low, but license fees were “not at all burdensome.” One could reach the Isle comfortably via Havana, which, rather than an outrage or inconvenience, was “restful, healthful and altogether charming.” The significant concerns were shared, but prospective settlers reading about the Isle would be enticed rather than reading of the horrors described by Pearcy and his allies.

_History as Destiny_

Both explicitly annexationist and promotional writings focused heavily on the history of the Isle of Pines. Annexationists relied on the history of the Isle to inform their arguments about the legal process surrounding the Isle. The principal component of these procedural arguments revolved around the chain of ownership but occasionally touched on other questions as well. Landholding companies and others focused instead on trying to sell the Isle for settlement and destination for health and other tourism. Both groups also needed to answer awkward questions about the Isle’s past in order to make their arguments about the Isle more persuasive. We shall begin with the weaknesses that annexationists sought to address before examining the concerns posed by landholding companies. The latter group was not particularly focused on annexation. They either implied that the Isle was already U.S. territory or acknowledged Cuban rule and describing it in positive terms. Instead, they worked to

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combat the notation that the Isle was too tropical for white settlement. They also worked to explain why their claim that the Isle was an agricultural paradise with land available at exceptionally low prices was not too good to be true.

The annexationists needed to explain why an island so close to Cuba could not have been considered part of Cuba in the Treaty of Paris. To those unfamiliar with the intricacies of territorial maritime law the difficulty of this argument a 1905 legal textbook used the Isle as an example in the section on coastal definition. It observed that “there can be little doubt that the whole Archipelago de los Canarlos is a mere salt-water lake and that the boundary of the land of Cuba runs along the exterior edge of the Banks.” To counter this legal interpretation settlers focused on a specific telling of the history of the Isle.

The Minority Report, which Clapp credited with preventing ratification of the Hay-Quesada Treaty opened its legal analysis with a historical discussion. This history began with Columbus’s discovery of the Isle of Pines In this telling the Isle was named La Evangelista by him, and occupied as a separate discovery under the flag and name of the King of Spain. For a great many years it was not included in the Government of Cuba by any edict or act of the Spanish Government. It was never so included as a separate political department of Cuba. As a part of the territory subject to municipal government of the Department of Habana and to the judicial district of Bejucal, in 1880, it was called the Isle of Pines.

In that period, and from that time to the present, the Isle of Pines has been known among all geographers, publicists, and nations by this distinct

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This history was an attempt to dispel the argument that Cuba was the natural owner of the Isle of Pines. It cast some doubt on the significance of the Isle under the Spanish colonial government. If it were merely merged into the administration of Cuba out of convenience then Morgan could argue that the Isle was not automatically part of Cuba in the wording of the Treaty of Paris. He was not alone in this line of thinking, which rested on both the political history of the first quoted paragraph and a natural history which is hinted at in the second. His procedural argument continues by claiming that “geographical names were used to distinguish the large islands that were ceded to the United States…and Cuba…was designated by its geographical name and not by any reference to the limits of its political jurisdiction.”²⁰⁴ If “Cuba” in the Treaty of Paris meant only the island Cuba it would not include the Isle of Pines. The careful distinction between “geographical” and “political” names was important for Morgan. By 1856 the Isle of Pines appeared on U.S. government maps as part of Cuba.²⁰⁵ By calling this a political rather than geographical name Morgan sought to elevate natural history over political history, namely because the former appeared to be more in his favor.

Irene A. Wright was a U.S. historian of the Isle in the 1900s. She prepared a book on the Isle under the 1908 U.S. occupying government in Cuba.²⁰⁶ An

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²⁰⁵ USC&GS, Map of Central America, 1856.
²⁰⁶ Irene A. Wright, Isle of Pines, (Havana, 1910), 5.
unspecified delay in printing prevented the completion of the book before the U.S. installed a new Cuban government.207 This “successor [did] not find it compatible with policies [then] cherished in Cuba” as it did not want to attract any more U.S. settlers to Cuba or “least of all, to the Isle of Pines.”208 Wright then revised the book and published it with funding from U.S. settler groups on the Isle itself. Her work contributes to the rhetorical separation of the Isle from Cuba. Its chapter on history explains that “far back in eras only geologists know by name, the smaller Isle ‘cut loose’” and claims that down to the processes of metamorphic rock formation the Isle of Pines and Cuba have separate histories.209 Her work is less absolute on the issue, however. She credits the Captain-General of Cuba with appointing the first political official on the Isle in 1763.210 While this would appear to contradict Morgan’s claim that Cuba and the Isle were not under the same jurisdiction in the Spanish colonial system, it does not. Morgan’s exact statement was limited to acts of the Spanish government. This sort of vague language allowed Morgan to make broader claims than could be substantiated.

Wright claims that Cubans initially neglected the Isle because they believed it was not worth investing in. Later it became the regional “headquarters of outlawry;” with around 75 “honestly employed” residents and 125 “fugitives, vagabonds and smugglers.”211 Cuban negligence or disinterest allowed this condition. In the last decades of the eighteenth century a new Spanish governor of Cuba ordered mass

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arrests of the latter class on the Isle. This again suggests that Spanish authorities in Cuba saw the Isle as part of their jurisdiction. This order was short-lived however, and the south coast of the Isle was overrun with “poaching mulattoes and blacks” from Jamaica who were either fishermen or pirates depending on who was asked. They “knew [the coasts of the Isle] far better than the Spaniards themselves,” a detail which subtly reinforced the pervasive narrative of Spanish incompetence.

This last theme was not absolute in Wright’s work. Like the San Pedro pamphlet, she speaks highly of the alcalde, Sr. D. Benito Ortiz, “for whom ‘natives’ and Americans alike have thorough respect, reinforced by personal liking.” This again contradicts Pearcy’s views of the man as a corrupt villain. One of Wright’s contemporaries, U.S. Army Capt. J. A. Ryan, “concluded that previous tensions stemmed more from settlers’ ignorance of the Spanish language and Cuban law rather than any innate political, economic, or cultural conflict with pineros.” This analysis could explain Pearcy’s conflicts with Cuban law. His angry response stemmed from his general distain for Cuba, which was not universally shared by his settler peers.

Landholding companies were less concerned with the contemporary government of the Isle in their promotional works. Instead they focused on depicting the allure of the Isle and explaining how and why such appealing land was unsettled and available. The San Pedro pamphlet explained the latter question by referring to

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the abject incompetence of Spanish government. “Under no other government would such conditions have existed.”

The explanation that backwards Spanish feudalism prevented the Isle from reaching its ‘natural’ level of development was tailor-made for the biases of the day. On the allure of the Isle these pamphlets faced the most trouble justifying a move to the tropics. “Tropicalism” was alive and well in the early nineteenth-century U.S. One mainland critic of the settlement movement dismissed annexationists as “people making fools of themselves” and claimed that their behavior showed that “climate seems to have something to do with [the excitability of the “Latin races”].” With such attitudes in mind, landholding companies were careful to promote the Isle as relatively temperate. One remarked that the Isle was “tempered by the ocean breezes” which prevented “any debilitating effect.” This recalls the 1490s debate over the symbolic-latitude status of Cuba. These latitudes offered longer growing seasons than the “wintry northern states.” Additionally, the warmth offered potential health benefits. Contemporary movements in the southern coasts of the U.S. were redefining the tropics as healthful rather than deadly. Pamphleteers also tried to depict the Isle’s history of piracy in exciting terms. They often called the Isle “Treasure Island” which “to the dreamer [offered] a mine of historical interest.” That historical interest offered an exciting perk for imaginative

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217 Kagan, “Prescott’s Paradigm”, 435. These biases survived the professionalization of U.S. history unscathed, which explains their presence in Wright’s work.
readers of these pamphlets. For annexationists, the history of the Isle was explicitly linked to procedural legal claims.

_Procedural Claims: an intersection of law and symbolism_

Annexationists shared a narrative process by which the title to the Isle of Pines belonged to or could belong to the United States. Senator Morgan traced the common narrative history of the title in his _Minority Report_. The Isle of Pines became definitively not Cuban when Cuba acquiesced to the Platt amendment in its constitution and in a 1904 treaty with the U.S..

> “The Government of Cuba, in the very act of its creation by a law of the United States known as the Platt amendment was excluded from jurisdiction of every nature over the Isle of Pines.”

Article six of the Platt amendment reads “that the Isle of Pines shall be omitted from the proposed constitutional boundaries of Cuba, the title thereto being left to future adjustment by treaty.” The debate over the Isle’s status and over the Hay-Quesada treaty revolved around this language on paper. The deeper significance of the debate can still be found in the linguistic and procedural points, however. Morgan’s statement that the U.S. government created Cuba may have been factually true, but it also threatened the imagined community of Cuban nationalism. The effort to annex a part of Cuban territory magnified that threat, bringing “untold humiliation and disrespect to [Cuba’s] national sovereignty.”

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227 Rolando Álvarez Estévez, _Isla de Pinos y el Tratado Hay-Quesada_ (La Habana: Instituto Cubano del Libro, 1973), 21 in Neagle, _America’s Forgotten Colony_, 164.
posed by annexation was reciprocal to the power annexationists believed was vested in the U.S. state. That the U.S. could seize a part of Cuba at will was one aspect of this power. Greater still was the right of a foreign government to define what constituted Cuba.

The first official claim that the U.S. owned the Isle of Pines was born in the bureaucratic chaos that followed the U.S. war with Spain. In August 1899 two members of the Department of War responded to written questions from U.S. citizens about the legal status of the Isle. Without the authorization of the Secretary of War, Elihu Root, Assistant Adjutant General John J. Pershing told a settler that Spain ceded the Isle of Pines directly to the U.S. under Article Two of the Treaty of Paris.\footnote{228 Neagle, \textit{America’s Forgotten Colony}, 166.} Secretary Root dismissed this interpretation, writing that the Isle “was included under the term of ‘Cuba’ as it was used in the Treaty of Paris.”\footnote{229 Elihu Root to Sen. Thomas C. Platt, December 18, 1903, in \textit{Isle of Pines}, 68\textsuperscript{th} Cong., 2d Sess., 1924, S. Doc. 166, 288.} In spite of this dismissal, Root was careful to note that “the Americans who settled in the island could not be expected to know whether it was a part of the duty of an Assistant Secretary of War [to interpret] the title of the island, and that they have a strong equitable claim to have our government take special pains to see that their rights are protected.”\footnote{230 Elihu Root to Sen. Thomas C. Platt, \textit{Isle of Pines}, 68\textsuperscript{th} Cong., 2d Sess., 1924, S. Doc. 166, 288.} Root’s comments show that annexationists did not have a monopoly on hierarchical imaginings of the international relationship between the U.S. and Cuba. That said, his view suggests some protections short of annexation. This would pose a lesser threat to Cuban sovereignty.
Morgan took a radically different interpretation of treaty law than Root. Most notably, he did not concede that the Isle was part of Cuba under the treaty of Paris. As discussed in “History as Destiny,” Morgan claimed that the Isle was not part of Cuba because it has its own name. He further argued that the U.S. held the title to the Isle as a hostage to ensure compliance with other portions of the Platt amendment. Because Cuba and the U.S. agreed to the Platt amendment it was legally binding and legitimate. Finally, the phrase “adjustment” meant only that the U.S. and Cuba would negotiate as to who legally owned the Isle. The resulting treaty should have been based, in Morgan’s eyes, on legal interpretation. He believed that the U.S. had “a perfect title” to the Isle and that relinquishing it was absurd and beyond the duties of the Executive branch. At this point in the argument Morgan’s tone shifts to one of righteous rage. He charges that the U.S. government is defrauding the settlers by going against prior statements. This rage highlights an unequal weighing of priorities.

If the Department of War erred in claiming the Isle was U.S. territory some correction needed to be made. The proposed corrections highlight the prioritization of U.S. settler over Cuban nation-state. Senator Platt saw two just solutions: convincing Cuba that the U.S. did actually own the Isle or, if that proved impossible, buying it from Cuba. Morgan followed a similar line of thinking. He noted that “the pride of

the powerful Spanish element that remains in’ Cuba prevented it from yielding the
Isle to the U.S. for money or any other concession.237 Neither senator considered the
option of apologizing to the settlers who were misled and making some restitution to
them to defray their losses and costs of returning to U.S. territory. Morgan hardly
considered that Cuba might have been as loath to selling the Isle as he was. The
dismissal of the Cuban state is most clear in these oversights. The annexationists in
the Senate did not consider Cuba as a nation with comparable wants to the U.S.
Instead, they imagined it as some lesser construct, ripe for U.S. domination. Morgan’s
presentation of the conflict was persuasive enough to prevent ratification of the Hay-
Quesada treaty, but his words did not win government support for the annexation of
the Isle. Instead, the title remained in legal limbo. The more committed annexationists
looked to other symbolic theaters to press their case for U.S. identity and ownership
of the Isle of Pines.

Test Cases and Constitutional Claims

In 1903 Edward J. Pearcy, the son of S. H. Pearcy, imported two thousand
cigars from the Isle of Pines.238 He refused to pay a tariff on them, arguing that the
Isle belonged to the U.S. and that goods from the Isle would therefore not be subject
to import duties.239 This claim had a meager legal foundation. The 1901 case
Armstrong v. United States had found that goods transported between the U.S. and
Puerto Rico were not subject to tariffs.240 Unfortunately for E. J. Pearcy, that

238 Neagle, America’s Forgotten Colony, 178.
240 Juan R. Torruella, (2013) ”Ruling America’s Colonies: The Insular Cases,” Yale Law & Policy
Review: Vol. 32: Iss. 1, Article 3, 58.
precedent did little to sway the U.S. Supreme Court. A subsequent case had concluded that the U.S. Senate could apply tariffs to trade between the mainland U.S. and Puerto Rico.\textsuperscript{241} Also, the U.S. government did not openly claim the Isle of Pines. And worse, by 1907, when the Supreme Court finally heard \textit{Pearcy v. Stranahan}, the Isle had settled into a state of limbo. The Senate had refused to ratify the Hay-Quesada treaty but it made no move to annex the Isle. The decision was characteristic of the non-annexationist understanding of Cuba’s status.

Annexationists such as Morgan explicitly considered the relationship between the U.S. and Cuba in imperial terms.\textsuperscript{242} The Court chose a different understanding. It took Congress’s 1898 recognition of the existence of a Cuban people seriously.\textsuperscript{243} The Court also found that Spanish records suggested that the Isle had long been administered as part of Cuba. The status of the Isle of Pines was so obvious in the Court’s eyes that “all the world knew that [the Isle] was an integral part of Cuba.”\textsuperscript{244} Such a ruling was not what E. J. Pearcy desired, but it was hardly a surprising decision. S. H. Pearcy even dismissed another attempted test case as hopeless in one of his letters presented to the Senate.\textsuperscript{245} He understood that such cases had little hope of success when the Executive branch did not agree with the annexationists as the Supreme Court was historically deferent on matters of foreign affairs.

\textsuperscript{241} Torruella, “Ruling America's Colonies: The Insular Cases,” 58.
\textsuperscript{242} Morgan, “Views of the Minority of the SCFR on the Isle of Pines treaty,” 225–6.
\textsuperscript{244} \textit{Pearcy v. Stranahan}, 205 U.S. 258, 266, (1907).
\textsuperscript{245} S. H. Pearcy to J. L. Pearcy, February 21, 1906, in \textit{Isle of Pines}, 68\textsuperscript{th} Cong., 2d Sess., 1924, S. Doc. 166, 18.
Given the weak prospects this case had we must ask why E. J. Pearcy decided to fight up through the Supreme Court. We already know that his family was ready to spend personal money to symbolically weaken the ties between Cuba and the Isle of Pines.\textsuperscript{246} A ruling in E. J. Pearcy’s favor would have been a financial victory but that alone was not the driving purpose. Instead, the Pearcys needed a victory. The father lost thousands of dollars by his own account. These men expected support from their government. They saw this case as an opportunity to correct a perceived injustice. Instead, the Court handed them a resounding defeat.

This case has not aged as prominently as the other Supreme Court rulings surrounding the U.S. acquisitions from Spain. This body of case law is often referred to collectively as the “Insular Cases.” Some of them continue to apply to the U.S. governance of Puerto Rico.\textsuperscript{247} One case transformed the assertion that “the constitution follows the flag” from a campaign soundbite to binding case law.\textsuperscript{248} That transformation will help us to understand the importance settlers placed on displaying U.S. flags.

\textit{Under “Old Glory:” The U.S. Flag as a tool of conquest}

Settlers on all sides of the annexation question proclaimed their identity with U.S. flags. Ostentatious displays of the U.S. flag remain central to proclaiming U.S. identity to this day. In 1903 this habit was already a point of friction between the U.S. and the government of Haiti. A Haitian Minister complained that U.S. foreigners

\textsuperscript{246} S. H. Pearcy to J. L. Pearcy, February 21, 1906, in \textit{Isle of Pines}, 68\textsuperscript{th} Cong., 2d Sess., 1924, S. Doc. 166, 18. S. H. Pearcy ran a boat line between Mobile, Alabama and the Isle of Pines at a loss because he believed it would free U.S. citizens from being forced to travel through Havana.

\textsuperscript{247} Torruella, “Ruling America’s Colonies: The Insular Cases,” 58.

\textsuperscript{248} Torruella, “Ruling America’s Colonies: The Insular Cases,” 64.
living in Haiti were illegally flying U.S. flags and acting as though this entitled them to consular protections.249 “The persons who thus violate the law and who abuse the hospitality never fail in bringing a complaint against the police, and add that their flag has been insulted.”250 This habit of U.S. foreigners threatened Haiti’s sovereignty by making it difficult to enforce domestic laws on foreign citizens living there. These U.S. citizens were using flags to illegally obtain the symbolic protections of the U.S. state. This is not to say that their government was not in their corner.

The U.S. consular official responded that these citizens were properly using their flag to protect themselves from the “frequent political troubles” in Haiti.251 This practice had supposedly “been equally a means of saving the Haitian Government from many diplomatic complications, as well as the payment of numerous claims” because the flags protected U.S. citizens and their property from violence.252 This cable backed U.S. citizens who were violating Haitian law with a threat that Haiti’s government would be held responsible for private crimes committed against U.S. citizens. Both officials agreed that U.S. citizenship and the U.S. flag conferred at least partial immunity on its bearers. While the Haitian government opposed this protection, the U.S. welcomed it with the caveat that “any case of [a U.S. citizen breaking domestic law that was] brought to the notice of [the U.S.] legation would be justly dealt with.”253 The U.S. claimed the right to enforce and adjudicate Haitian law

249 Mr. Jérémie to Mr. Terres, Port au Prince, January 24, 1903, in “Papers relating to the foreign relations of the United States” 58th Cong., 2d sess., 1903, H. Doc. 1, 596.
250 Jérémie to Terres, 596.
251 Mr. Terres to Mr. Jérémie, Port au Prince, February 6, 1903, in “Papers relating to the foreign relations of the United States” 58th Cong., 2d sess., 1903, H. Doc. 1, 597.
252 Terres to Jérémie, 597.
253 Terres to Jérémie, 597.
as it applied to U.S. citizens. This claim amounted to a declaration that U.S. citizens, who were imagined to be categorically white, were above Haitian law. This was exactly the protection that S. H. Pearcy demanded in his complaints against the Cuban government.

U.S. settlers on the Isle of Pines used flags to similar ends. In another letter that was displayed in the Senate during the 1906 debate on ratification George E. Hibbard described a dispute over repairing a bridge. The alcalde allegedly refused to either repair a bridge near Nueva Gerona or allow U.S. settler to do the work themselves. In protest, the settlers repaired the bridge. When a collection of Cuban officials came to stop their work Hibbard proudly notes that “the American flag was flying over that bridge.” The alcalde did not even attempt to enforce his order out of fear of U.S. resistance. The settlers understood the flag as a protective symbol in the same terms U.S. citizens in Haiti relied on it. “To avoid serious trouble the Americans allowed the alcalde to put up the Cuban flag at the other end of the bridge,” and to help a little in the repair project. In this confrontation U.S. settlers claimed to be above or equal to the alcalde. They did not recognize him as a legitimate authority. Instead they portrayed their compromise as one between two figures of equal status.

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255 Hibbard to Morgan, March 1, 1906, 30.
256 Hibbard to Morgan, March 1, 1906, 30.
In 1924 the U.S. setter Aaron Keritsky was arrested for displaying a large U.S. flag on the Isle of Pines.\textsuperscript{257} This was illegal under a Cuban law which prohibited the “display of a foreign flag without displaying a Cuban flag at the same time.”\textsuperscript{258} This law was similar to the one referenced in the Haitian complaint at the beginning of this section. Shea was outraged by the arrest and named it the act of an arrogant government.\textsuperscript{259} The Cuban government was working to preserve its control over the Isle with this enforcement, but it angered U.S. citizens. This could not have been helpful in the push to ratify the Hay-Quesada treaty, although it did not ultimately prevent that result in 1925.

These disputes were not explicitly racial but relied on dismissing Cuban energy and industrial character as vastly inferior to the U.S. national character. Hibbard doubted whether there was “a Cuban on that island that [had] the mechanical ability to even repair a bridge.”\textsuperscript{260} In similar terms, the settlers worked “with Yankee axes, saws, etc.”\textsuperscript{261} Hibbard’s dismissal of Cubans’ abilities to do productive work actually favored national identity over race. In discussing the Managua orange grove, near the town of McKinley he claims it was “planted by runaway negroes that went there from Florida during our civil war. I state these facts so that you will not accuse these Cubans of having the energy enough to get out an orange orchard.”\textsuperscript{262} These escaped slaves were not the classical image of U.S. citizens. In fact, under U.S. law at

\textsuperscript{257} W. E. Shea, (1925, Jan 17). “The isle of pines, A threat to Cuba?” The Independent (1922-1928), 114, 63.
\textsuperscript{258} Shea, “The Isle of Pines, A threat to Cuba?,” 63.
\textsuperscript{259} Shea, “The Isle of Pines, A threat to Cuba?,” 63.
\textsuperscript{261} Hibbard to Morgan, 29–30.
\textsuperscript{262} Hibbard to Morgan, 29–30.
the time, they were not even U.S. citizens.\textsuperscript{263} Nonetheless Hibbard coopted them as examples of the superiority of those from the U.S. The claim that Cubans were inferior to U.S. black subjects must be acknowledged as remarkable.

Black U.S. citizens had recently volunteered to fight in Cuba in part to contest their subjugation and exclusion from U.S. society.\textsuperscript{264} Their struggle coincided with U.S. imperialists’ adoption of a Southern understanding race.\textsuperscript{265} The notion that black republics could not justly or acceptably govern white U.S. citizens stemmed from the reactionary southern opposition to Reconstruction.\textsuperscript{266} In this context Hibbard was claiming actual black subjects of the U.S. as part of a body-politic which he imagined as white and thus superior to the black body-politic of Cuba. This racialized imagining was explicit at the time. Officials did not use these terms but the imaginings of Cuba as symbolically black and the U.S. as symbolically white were central to their conceptions of the two states. This racial imaging was present in the complaints of U.S. citizens being sold into slavery by the ratification of the Hay-Quesada treaty. It also added to the symbolic protection offered by U.S. flags and the anger U.S. citizens felt towards officials from Cuba and other black-imagined governments.

\begin{footnotesize}
\begin{enumerate}
\item \textsuperscript{263} \textit{Scott v. Sandford}, 60 U.S. 19 How. 393 393 (1856), 407.
\item \textsuperscript{266} Weston, \textit{Racism in U.S. Imperialism}, 12.
\end{enumerate}
\end{footnotesize}
Conclusion

The annexationist movement ultimately failed to win sufficient support from the U.S. government. The U.S. Senate ratified the Hay-Quesada treaty in 1925, which put an end to thoughts of annexation. This legislative defeat for the annexationists was in part a rebuke of their blunt notion of international order. The U.S. Senate rejected the idea that Cuba was so inherently inferior that it deserved no consideration as a sovereign state. This was hardly a victory for Cuban sovereignty however. While Cuban supporters for ratification won enough support for their immediate cause, the U.S. maintained its interference in Cuban affairs for decades to come. To continue the analogy of race relations, the U.S. view of Cuba moved past an absolutist claim of its black inferiority. Instead, U.S. officials favored a color-blind imagining in which states were inherently equal while ignoring the structural oppression of previously ‘black’ Cuba as an individual problem. As I will discuss in the next chapter, this shift was partially the goal of Cuban actors. While they did not relish second-class status, the new position secured marginal national autonomy. It was a victory for those Cuban elites who preferred the U.S. economic order and were at least sympathetic to its racial model. The U.S. annexationists wanted a more extreme form of domination and did not see mere hegemony as sufficient. They saw all Cuban government as inherently inferior. That view was a more pressing target of Cuban nationalists which allowed the ratification of the Hay-Quesada treaty to be a victory without bringing any change beyond the symbolic. Therein lies the importance of

267 Neagle, America’s Forgotten Colony, 193–5.
268 Pérez, Cuba Under the Platt Amendment, 301.
269 See Guerra, The Myth of Martí, 26–9 for further discussion of pro-imperialist nationalism in Cuba.
symbolism in international relations. Mutual respect in basic language was an
important goal in its own right.
Demanding Equality: Cuban Resistance to the U.S. Imagining of the
Nation and U.S. Support for Ratification

In the previous chapter we explored how annexationists sought to minimize or
dismiss Cuba’s capacity to govern itself. Cubans, especially elite Cubans, tended to
resent this dismissal. José Martí (1853–1895) was the fundamental figure of Cuban
nationalism. His worldview famously included condemnations of the European model
of nationalism (which the U.S. generally was a part of for his purposes) combined
with glorifications of the ‘American’ “natural man.” 270 The U.S. case was particularly
egregious. Martí condemned the U.S. more specifically, describing it as monstrous. 271
He reminded his readers of “the crude, uneven, and decadent character of the United
States, and the continuous existence there of all the violence, discord, immorality, and
disorder blamed upon the peoples of Spanish America.” 272 In this passage he
contradicted the pervasive characterization of non-U.S.-Americans as savage and
violent. He sought to instill in his America some measure of pride in their nations. All
that said, Martí stopped actively shaping Cuban nationalism before then end of the
War of Independence. After his death the war against Spain continued and all
political Cubans came to use his memory for their own ends.

José Martí’s close friend and chosen editor Gonzalo de Quesada (1868–1915)
worked tirelessly to establish himself and his nation as legitimate actors in the

270 José Martí, “Our America,” in Our America: by José Martí: Writing on Latin America and the
63–65.
272 Martí, “The Truth About the United States,” 64.
international arena. Another ally, Cuba’s first President Tomás Estrada Palma (1835–1908) saw the annexationist movement as a serious affront to Cuban sovereignty and likewise struggled to reject it without harming Cuba’s image in the U.S.. Both Quesada and Estrada Palma held Cuban and U.S. citizenship and were firmly among the “pro-imperialist nationalist” wing of the independence movement. Cosme de la Torriente (1872–1956), a “noted lawyer, diplomat, and War of Independence veteran,” also worked to establish Cuba’s international standing, although he was less prominently involved during Estrada Palma’s administration. He served as the Cuban ambassador to the U.S. starting in 1923 with the primary goal of ratifying the Hay-Quesada treaty. Less famous Cuban elites also worked to end the consistent affront to Cuban sovereignty that the delay in ratification symbolized. The Cuban Society of International Law and other ‘intellectual’ groups sponsored speeches and published arguments in favor of ratification. All of these efforts fell under the shadow of the United States. This emerging empire controlled Cuba less directly than annexationists imagined controlling the Isle but it nonetheless powerfully shaped Cuban nationalism. Many Cuban nationalists welcomed the less direct mode of U.S. influence. They also struggled with the contradictory tasks of justifying their legitimacy to the U.S. while

274 Neagle, America’s Forgotten Colony, 168.
275 Guerra, The Myth of Martí, 27.
276 Neagle, America’s Forgotten Colony, 185.
277 Neagle, America’s Forgotten Colony 182.
279 Ferrer, “Rethinking Race, Nation, And Empire,” 38.
preserving some direct independence, such as maintaining the title to the Isle of Pines.  

The U.S. intervention in Cuba’s struggle for independence radically changed the course of Cuban nationalism. In the colonial period the Spanish stoked fears of Haitian-style black supremacy. Ada Ferrer has shown that Spanish officials “consciously and skillfully manipulated features of the rebellion to” “label the independence movement black.” Cuban nationalists responded by creating a narrative of raceless nationality. This response helped to assuage the fears of white Cubans but it was incompatible with the racial worldview returning to power in the U.S. The occupying army treated the Cubans as savage children. To further this treatment the U.S. constructed all Cuban behavior as a test of Cubans’ ability to govern themselves and even of their humanity. In response Cuban leaders chose “to perform their capacity for civilization.” This performance involved comparing their war of independence to the U.S. Revolutionary War. It also included centering white elites in Cuban political life while suppressing black and poor voices. “In the late nineteenth century the status of Cubans in racial terms was highly indeterminate.” Cuban leaders were part of a struggle to determine and construct

280 Ferrer, “Rethinking Race, Nation, And Empire,” 37.
281 Ferrer, “Rethinking Race, Nation, And Empire,” 29.
282 Ferrer, “Rethinking Race, Nation, And Empire,” 29.
283 Ferrer, “Rethinking Race, Nation, And Empire,” 29.
284 Ferrer, “Rethinking Race, Nation, And Empire,” 35. See also Pérez, “Metaphor as Paradigm,” Cuba in the American Imagination, 95–174, for commentary and a collection of period cartoons on the topic.
286 Ferrer, “Rethinking Race, Nation, And Empire,” 37.
287 E.g. “We are a poor ragged Army, as ragged and poor as the Army of your forefathers in their noble war for Independence.” Calixto García to General Shafter, 19 July 1898. in Ferrer, “Rethinking Race, Nation, And Empire,” 36.
288 Ferrer, “Rethinking Race, Nation, And Empire,” 37.
the racial status of Cuba. They were fighting against the annexationist construction of a Cuba that was fundamentally black (and thus dependent on and inferior to the U.S.). Where the previous chapter focused on the annexationist perspective, this one will center Cuban responses and the struggle to define Cuba as sovereign and civilized.

The Cuban pro-ratification movement was an offshoot of Cuban nationalism. The Isle of Pines held some symbolic importance to Cuban nationhood. In 1870 José Martí was sentenced to hard labor on the Isle. On July 26, 1896 Evangelina Cossio Cisneros lead a failed uprising against Spanish troops on the Isle. The U.S. media magnate William Randolph Hearst used the New York Journal to spread her story in the U.S. as part of his effort to incite a war between the U.S. and Spain. Far more importantly, the legal process surrounding the Isle of Pines was an affront to Cuban sovereignty. Senator Platt created the legal confusion over the Isle’s title by demanding its exclusion from Cuba’s constitutional boundaries. This demand was a small portion of the broader affront to Cuban sovereignty in the Platt amendment. The amendment promised that the exclusion of the Isle would be temporary. It was to be “left to future adjustment by treaty.”

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289 Ferrer, “Rethinking Race, Nation, And Empire,” 37.
290 McManus, Cuba’s Isle of Dreams, 2.
291 McManus, Cuba’s Isle of Dreams, 8.
292 McManus, Cuba’s Isle of Dreams, 7–8. Over fifty years later, on the same July day in 1953, Fidel Castro attacked the Moncada garrison in Santiago de Cuba. This crime earned him a sentence on the Isle of Pines.
293 O.H. Platt to J. C. Lenny, November 5, 1902, 285.
Gonzalo de Quesada of Cuba and John Hay of the U.S. negotiated such a treaty only to have the U.S. Senate ignore it. This move would be demeaning in its own right but the insult was enhanced by the language of Senate reports that officially defined Cuba as an inferior entity. The question of ratifying the Hay-Quesada treaty was not the most pressing issue in Cuba’s struggle for self-government.²⁹⁵ That said, Cubans who were interested in the legal standing of their government pressed for ratification as part of their larger struggle for sovereignty and U.S. recognition as a legitimate nation. Groups such as the Cuban Society of International Law lobbied both the U.S. and Cuban governments to finally ratify the treaty in the name of respecting Cuban sovereignty and its territorial integrity.²⁹⁶

This chapter will explore Cuba’s struggle for legitimacy in U.S. eyes. Nationalists performed their legitimacy in diverse fora. Even before the U.S. intervention Cubans promoted their struggle for independence in the U.S. by drawing connections to the U.S. Revolutionary War. One of Gonzalo de Quesada’s contributions to the final war of independence was an English-language book describing the war for a U.S. audience. Quesada later worked to strengthen the legitimacy of the Cuban Republic in D.C. and at various international conferences. In the first section I argue that the memory of José Martí was central to the importance Cubans placed on ratification. In the second I argue that the creation of an international system of arbitration was related to Cuba’s struggle for national legitimacy in U.S. eyes. The third explores Gonzalo de Quesada’s rebuttals to

²⁹⁵ Neagle, America’s Forgotten Colony, 182.
²⁹⁶ Sociedad cubana de derecho international, Statements and documents relative to the Isle of Pines treaty, 4.
annexationist rhetoric and their symbolic importance. In the fourth section I argue that the Isle of Pines dispute made growing anti-U.S. sentiment look more dangerous to U.S. leaders and explore the role of that sentiment in Cuba’s insistence on maintaining the Isle. The final section explores Cosme de la Torriente’s role in Cuban public life and his “mission” to Washington for ratification.

In the Name of Martí

José Martí was a central figure in Cuba’s struggle for independence. He led the final nationalist effort in exile by writing and organizing from the U.S.. Complicating his task, Cuban nationalists were deeply divided on what sort of nation they were fighting for. Martí, as Lilian Guerra has argued, successfully united these factions through compromise and “multilayered discourse,” in which he framed his language to appeal to both radical and conservative elements.\(^\text{297}\) He struggled to convince conservative professionals and radical labor activists that they shared a mission.\(^\text{298}\) Martí died soon after landing in Cuba in 1895 in a skirmish with Spanish soldiers.\(^\text{299}\) His fellow nationalists began to deify him at once. Gonzalo de Quesada dedicated a book to his friend in 1896.\(^\text{300}\) He published *The War in Cuba* in English to invite U.S. attention and sympathies to the Cuban cause. In a section on “the founders of Cuban liberty” Quesada named Martí the spiritual guide of Cuban patriotism.\(^\text{301}\) His closing clause on Martí proclaims “José Martí, oh father! you live in us, you can only die when, consumed by the flames or submerged in the waves, Cuba shall be no


\(^{299}\) Gray, “The Quesadas of Cuba”, 392.

\(^{300}\) Gray, “The Quesadas of Cuba”, 392.

\(^{301}\) Gray, “The Quesadas of Cuba”, 526.
more! Cubans would continue to use Martí’s name as a symbol of independence and patriotism well after the end of the final War of Independence.

In May of 1901, Ritica Suárez del Villar, a revolutionary turned school principal in Cienfuegos, led her students in a memorialization of José Martí and the sixth anniversary of his death. Suárez del Villar’s work during Spanish rule earned her a visit from the revolutionary hero General Máximo Gómez (1836–1905) following independence. She became a principal as part of a movement to transition revolutionaries into the classroom. Her revolutionary credentials may have earned her the respect of Gómez, but they did little to help her teaching career. Cuban elites were wary of angering the occupying U.S. government and prohibited her from honoring revolutionary leaders. The school board had already prohibited a celebration of Antonio Maceo—an Afro-Cuban hero of the revolution—the previous December. Suárez del Villar elected to hold her memorial of Martí without asking permission. Lillian Guerra argues that Suárez del Villar’s decision was informed by a racial calculus as honoring a black man would have angered U.S. and Cuban whites more than honoring Martí. However, both attempts threatened Cuba’s political elites who feared that “uncensored interpretations of revolutionary figures” would threaten their control. This fear highlights the potency of revolutionary rhetoric.

303 Guerra, The Myth of Jose Marti, 96
304 Guerra, The Myth of Jose Marti, 95
305 Guerra, The Myth of Jose Marti, 95.
307 Guerra, The Myth of Jose Marti, 98.
that remained in Cuba following the end of the war. Cubans would continue to make use of Martí to criticize elite actions they disapproved of.

One such action was the failure to secure the title to Isle of Pines. Michael Neagle argues that some Cuban elites welcomed U.S. settlers as beneficial agents of improvement and economic growth.\textsuperscript{308} This analysis conforms with Ada Ferrer’s account of Cuban politics in the early twentieth century. Cuban political elites committed that “they would be grateful and dignified, they would respect Spaniards and Americans and private property, and they would be peaceful.”\textsuperscript{309} This commitment was in keeping with Martí’s efforts to minimalize radical factions of the independence movement.\textsuperscript{310} It was not, however, the only memory of Martí with power in Cuba. Other Cubans argued for a more confrontational approach to the U.S. government.

In January of 1925 Dr. Roque E. Garrigó (1876–1936), a Cuban judge, politician, and scholar, delivered a speech to commemorate José Martí’s birth in Cruces, a town in the Cienfuegos province of Cuba.\textsuperscript{311} He blamed the problem of the Isle of Pines on the governments of both the U.S. and of Cuba.\textsuperscript{312} The people of the U.S. and Cuba were not responsible for the delay in ratification in Garrigó’s eyes. He insisted that “the people of the U.S. do not want what the Senate wants and hopes to carry out, nor have the Cuban people ever wanted that which their government has

\textsuperscript{308} Neagle, \textit{America’s Forgotten Colony}, 187.
\textsuperscript{309} Ferrer, “Rethinking Race, Nation, And Empire,” 35.
\textsuperscript{310} Guerra, \textit{The Myth of José Martí}, 36–9.
\textsuperscript{311} Garrigó, \textit{Pro-Isla de Pinos”
\textsuperscript{312} Garrigó, \textit{Pro-Isla de Pinos”}, 7. “he dicho ‘pueblos’ y no ‘gobiernos.’”
permitted out of indescribable negligence.” This charge against the Cuban state is telling. Garrigó based this claim on an analysis of the process behind the Hay-Quesada treaty and the importance of treaties in international law.

Garrigó blamed the status of the Isle of Pines in large part on the absurdity of U.S. Constitutional law. The U.S. Senate’s role in the treaty process weakened the permanence and reliability of treaties. Garrigó incredulously asked if the U.S. Senate had the authority to revoke or change a treaty after it had already ratified it. By way of explanation, he then presented a case of the U.S. Senate going back on a treaty it had ratified. He argued that the balance of power between the U.S. and Cuba left the latter vulnerable to such a change from the Senate. Garrigó ended his speech by insisting that regaining the Isle of Pines was part of a duty to fight and sacrifice for one’s country. This could only be accomplished by behaving honorably and by showing the U.S. how a nation ought to behave in the international arena. In the words of Martí “only domestic virtue can extinguish foreign interference.” This closing remark perfectly captures the Cuban campaign for respectability which the dispute over this Isle of Pines factored into.

313 Garrigó, Pro-Isla de Pinos”, 7. “ni el pueblo de los Estados Unidos quiere lo que su senado pide y pretende realizar, ni el cubano ha querido nunca lo que por incalificable dejadez, su Gobierno ha consentido.”
314 Garrigó, Pro-Isla de Pinos”, 9 “¿tiene el Senado Americano facultad para revolver o modificar un Tratado después que el mismo lo ratificara?”
315 Garrigó, Pro-Isla de Pinos”, 12. “que solamente la virtud doméstica podía extinguir la injerencia extranjera.”
Arbitration and Imperialism

Ada Ferrer argues that Cuban leaders “opted to perform their capacity for civilization” in response to U.S. imperial rule.\textsuperscript{316} This performance may have been directed towards the U.S. but it was not exclusively on U.S. terms. In addition to Cuban attempts to portray their nation as sufficiently white and educated to be worthy of independence Cubans participated in a push to establish an international civilization. At the turn of the twentieth century Latin American states led a movement for sovereign equality among states.\textsuperscript{317} In his classical history Thucydides gives the Athenians the phrase “the strong do what they can and the weak suffer what they must.”\textsuperscript{318} This paradigm served as a foundation for the great power politics that dominated international affairs through World War II.\textsuperscript{319} However, by 1881 Latin American leaders began to incorporate a different theory of international relations.

This new paradigm was based upon Rousseau’s understanding of ‘the people’ as a fictitious person who represents the body of a collective nation.\textsuperscript{320} In the first inter-American conferences, which started in 1889, American states fought for equal treatment in part because of the manifestly unequal reality they faced. The U.S. had already defeated Mexico decisively and U.S. officials continued to view their southern neighbors as potential conquests. In an effort to level the playing field the

\textsuperscript{316} Ferrer, “Rethinking Race, Nation, And Empire”, 37.
\textsuperscript{319} Klein, \textit{Sovereign Equality Among States}, 1–7.
\textsuperscript{320} Klein, \textit{Sovereign Equality Among States}, 2. See also Ernst H. Kantorowicz \textit{The King’s Two Bodies: A Study in Medieval Political Theology}, 312 on the development of the eternal political body belonging to ‘The People.’
parties to the First International Conference of American States in 1889 worked on a compulsory arbitration clause for their collective agreement. The clause sought to prevent disputes from “threatening inter-American peace.” The effort failed to create a mandatory system of arbitration but it did install a framework for future collaborative conferences. These preserved the notion of sovereign equality although the U.S. limited the topics for discussion to avoid losing its material advantages; among other topics the U.S. prohibited passing collective judgment on a single state’s conduct or debating “political questions.” Arbitration would continue to play a role in checking the power of imperial governments in their dealings with weaker states.

One of the early tests of international arbitration involved a dispute between the U.S. and the Netherlands. Major General Leonard Wood became the appointed Governor-General of the Philippines after leaving Cuba in 1902. In 1906 he discovered a Dutch flag on the island of Palmas, setting off an international dispute that would not end until 1928. The Netherlands claimed the island through a history of governing it beginning with a treaty between local leaders and the Dutch East Indies Company. Much like the Isle of Pines, neither government considered the island of Palmas notably valuable. The U.S. only insisted on arbitration following a public outcry after Dutch officials tore down a U.S. flag that they found flying on the island. The Dutch won their case in 1928, after the ultimate ratification of the

324 Roque, “Palmas Arbitration Revisited,” 441.
325 Roque, “Palmas Arbitration Revisited,” 442.
Hay-Quesada treaty, but the two incidents share important common threads. Both cases were part of a growing body of international norms demanding that territorial claims be based on a real history of governance rather than merely referring to an arbitrary border drawn between remote western powers. The system of international law founded in the Americas was becoming important beyond those continents.

_Gonzalo de Quesada’s Quest for Respectability_

Gonzalo de Quesada played a notable role in this effort. His contributions go beyond the treaty that bears his name. One of Quesada’s early efforts to establish Cuba as a legitimate nation-state came in his participation in the Peace Conferences of 1899 and 1907. Among other accomplishments, these conferences created the international court of arbitration that heard the above case between the U.S. and the Netherlands. Quesada presented a speech on the topic at the second conference entitled _Arbitration in Latin America_. In it he compared the goal of universal arbitration to the promised land, observing that it would come only through tireless faith. He noted that while Europe had struggled to generate any meaningful progress up through the Second Peace Conference in 1907 “Latin America has continued undaunted…towards the ideal.” This speech holds two important lessons for our understanding of Quesada. It first illustrates his commitment to an international system of law occupied by sovereign equals. He wrote that nations “are

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328 Gonzalo de Quesada, _Arbitration in Latin America_, (Rotterdam: M. WYT & Zonen, 1907), x.
329 Quesada, _Arbitration in Latin America_, xi.
subject to the same laws, passions, prejudices and ambitions” as people and thus
demanded a similar form of “juridical justice.” Second, he saw Latin America as a
leader on the world stage. This view was wholly incompatible with the racial
dichotomy of ““civilized” and “non-civilized” nations” which U.S. president
Theodore Roosevelt favored. That said, Quesada was not among the most radical
Cuban nationalists. Instead he was a “pro-imperialist nationalist” and an U.S. citizen
much like another prominent member of Martí’s inner circle Tomás Estrada Palma,
who served as Cuba’s first president.

The U.S. military government chose Tomás Estrada Palma to lead Cuba after
it withdrew in May of 1902. He in turn appointed Quesada as minister to the U.S.
in June. The post was a vital one given the immense power of the U.S. held over
Cuba both in law through the Platt amendment and in military and economic
dominance. Of Quesada’s many diplomatic tasks the contest over the Isle of Pines
was one of the longest. Quesada’s approach to the task further presents a strange
combination of opposition to and support for U.S. actions. Quesada’s rhetoric
surrounding the Isle dismissed annexationist claims within U.S. frameworks and fora.
Quesada’s most notable writing on the topic was in The North American Review.

In his article, Quesada responded to an article by Senator Clapp entitled
“Have We Mislaid a Valuable Possession?” Quesada directly refuted each of

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330 Quesada, Arbitration in Latin America, x.
331 Klein, Sovereign Equality Among States, 49–50.
332 Guerra, The Myth of José Martí, 27.
333 Pérez, Cuba Under the Platt Amendment, 89.
334 Gray, “The Quesadas of Cuba”, 395
335 Quesada, “Cuba’s Claims to the Isle of Pines,” 594.
Clapp’s claims and dismissed his cause as a “puerile” attempt while emphasizing his and his country’s respect for U.S. officials and their guidance.\textsuperscript{336} The respect Quesada insisted on was the central contradiction in this long dispute over the title. The U.S. government had repeatedly framed its interference in Cuba as paternal and benevolent.\textsuperscript{337} Quesada wrote within this framework himself with his book \textit{The War in Cuba}, which cast the Cuban struggle for independence as parallel to the U.S. Revolutionary War. Early sections discussed “oppressive taxation” among other complaints against Spain organized to parallel the U.S. complaints against its colonial master.\textsuperscript{338} He returned to these notions in his article on “Cuba’s Claims to the Isle of Pines” by taking U.S. assurances not to replace Spain as Cuba’s colonial master as sincere.\textsuperscript{339} Among other provisions, he quotes \textit{Neely v. Henkel} (1901) in which the U.S. Supreme Court found that the U.S. “held in trust for the inhabitants of Cuba to whom [the island] rightfully belongs and to whose exclusive control it will be surrendered when a stable government shall have been established by their voluntary action.”\textsuperscript{340}

Quesada based his belief in the eventual ratification of the treaty in part on the idea that the U.S. government would follow that ruling and act in good faith following “this relation of a trustee.”\textsuperscript{341} This assumption was clearly an odd one, as Quesada made it seven years after the U.S. forced the Platt amendment into Cuba’s constitution and only three years after Quesada resigned following the second U.S.

\begin{thebibliography}{99}
\bibitem{336} Quesada, “Cuba’s Claims to the Isle of Pines.”
\bibitem{337} Pérez, \textit{Cuba in the American Imagination}, 101.
\bibitem{338} Quesada, \textit{The War in Cuba}, 33.
\bibitem{339} Quesada, “Cuba’s Claims,” 598.
\bibitem{341} Quesada, “Cuba’s Claims,” 599.
\end{thebibliography}
occupation of Cuba. These U.S. actions showed no intention to allow Cuba exclusive control of its own government. Although Quesada did not openly share my doubts of the U.S. government’s sincerity in promising to respect Cuba and look out for its best interests, he did take aim at one explicit duplicitous act in his article. As he tells it, the Hay-Quesada treaty was an explicit companion to the agreement to lease coaling stations to the U.S.. He remarked that “had the Cuban Government doubted for a moment that the agreement of the lease would be ratified… and the treaty of the Isle of Pines would fail ratification, it would have cast the two documents into one, making the lease agreement dependent on the success of the treaty…. ”

Even in this admission of error Quesada continue to sing the praises of the U.S. That such a tactical mistake would come out of an excess of trust is a clever narrative that works towards ratification while proclaiming the greatness of the U.S..

In the final paragraphs of his article, Quesada sought to assuage the fears of settlers. One of the common claims discussed in Chapter 2 was an alleged Cuban “ill will towards U.S. citizens.” Quesada stressed that “the Government of Cuba has done more than it was expected in favor of the inhabitants of the Isle of Pines.” Such an assertion would hardly have swayed the fervent annexationists, who were motivated by more than material complaints about Cuban governance. Instead, Quesada’s words were aimed at the vast majority of U.S. citizens who held no personal stake in the Isle of Pines. Quesada felt protected from the annexationists and

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342 Quesada, “Cuba’s Claims,” 601–02. Coaling stations were naval bases that allowed coal-powered steam ships to refuel during a voyage.
343 Neagle, America’s Forgotten Colony, 182–83.
344 Quesada, “Cuba’s Claims,” 604.
held that “Cuba has confidence in the honesty and good faith of the [U.S.] Senate.”

This belief held that senators would “give the Cuban side a fair hearing… [and thereafter] will bring the matter to an end by doing the proper thing towards Cuba.”

These words were a nod towards the mythic trustee government of the U.S. that held Cuba’s interests close to its heart. In one sense, that view seems absurd. Senator Clapp had only just written an article that dismissed Cuba’s claim with arguments Quesada deemed “puerile.” That said, Quesada was not merely counting on senator Clapp’s capacity for reasoned deliberation. He also had the assurances of president Taft who he quotes as saying “that any separation of Cuba and the Isle of Pines ‘would be a violation of a sacred trust.’” Taft’s words were part of a discourse shared between U.S. and Cuban elites of mutual respect between the U.S. and Cuban nations. Taft’s position on the Isle was common among executive branch officials, who typically found Quesada’s

Anti-U.S. Sentiment in Cuba and its Role in Ratification

In the two decades between the creation of the Hay-Quesada Treaty and its ratification, the U.S. arguments both for and against ratification sides remained consistent. In 1925 the Executive branch still supported ratification while a collection of senators fiercely opposed it. President Coolidge’s basic argument was the same simple historical one that Gonzalo de Quesada stated in 1909. Coolidge (1872–1933)

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345 Quesada, “Cuba’s Claims,” 604.
346 Quesada, “Cuba’s Claims,” 604.
347 Quesada, “Cuba’s Claims,” 596.
348 Quesada, “Cuba’s Claims,” 604.
argued that the Isle was simply Cuban territory and that there was thus no compelling reason to delay ratification. The annexationist champion of the senate was then Royal Samuel Copeland (1868–1938), who repeated the same claims made by senators Clapp and Morgan. He maintained that the Isle held special strategic value and argued that the U.S. could simply buy it from Cuba in exchange for forgiving Cuban debt to the U.S.. Annexationists had long suggested that purchasing the Isle would be a reasonable compromise in spite of Cuba’s disinterest in selling.

The debt argument offers yet another reason for Cuba’s disinterest. Copeland argued that “there has been no reimbursement of the cost of the second intervention in 1907-8-9… this amounts to $6,509,000, no part of which has been paid.” Copeland’s appeal to a debt born of military occupation was hardly respectful of Cuban independence. The fact that the Second Occupation was used to drastically reduce Cuban sovereignty only worsened the insult. In this light, Coolidge had a more pressing reason for ratification: preserving the U.S.’s image. He worried that annexationist rhetoric was “being seized upon by anti-American agitators in Latin American countries as further fuel with which to feed the charges of ‘Yankee Imperialism’ aired from time to time.” This fear was well founded.

Cuban resentment over the Isle of Pines dispute was growing in Cuba. Michael Neagle links this movement to growing anti-U.S. sentiment in Cuba. The
ultimate push for ratification had two principal fronts. At home, Cuban citizens organized for ratification. They created societies, gave speeches, and engaged in other forms of grass-roots advocacy. Some groups even published materials in English for U.S. consumption. These activities lend insight into Cuban beliefs about the Isle of Pines. Abroad in the U.S. Cosme de la Torriente lead a self-described “mission” for ratification. The remainder of this section will examine the symbolic importance of ratification for Cubans domestically.

Official opposition to U.S. claims to the Isle of Pines began even before the creation of the Cuban Republic. President Tomás Estrada Palma objected to U.S. annexationist claims that the Isle was U.S. territory under Article Two of the Treaty of Paris. Estrada Palma wrote about the Isle of Pines that “because...for Cuba the possession of the expressed island is an undeniable advantage, in more than an idea, our government must force the U.S. government to recognize our right to the Isle of Pines as making a fundamental part of the Cuban Republic.” Like Gonzalo de Quesada, Estrada Palma was no radical opponent of U.S. influence. However, his U.S. counterparts still found his opposition to U.S. seizure of the Isle surprisingly

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357 Neagle, America’s Forgotten Colony, 185–90.
358 Sociedad cubana de derecho international, Statements and documents relative to the Isle of Pines treaty.
360 Estrada Palma to Juan Rius Rivera, September 7, 1901, in Torriente, Mi Misión en Washington, 115–16.
361 Estrada Palma to Juan Rius Rivera, in Torriente, Mi Misión en Washington, 115–16. “Por estas razones y ser para Cuba la posesión de la expresada Isla de indudable ventaja, en más de un concepto, es deber de nuestro Gobierno esforzarse en conseguir que el Gobierno de Washington reconozca nuestro derecho a la Isla de Pines como formando parte integrante de la Republica Cubana…” (Emphasis added).
362 Guerra, The Myth of Martí, 27.
strong and excessively sentimental. 363 Estrada Palma understood the importance of symbolic assertions of sovereignty. He saw that the Isle would be of little use to the U.S. “because of the difficulty in accessing its coasts with large ships.” 364 Given the lack of any real utility of the Isle to the U.S. government the cause of annexation must have been grounded in equally symbolic demands to weaken Cuba’s sovereignty.

Cuban nationalists echoed this interpretation throughout the ambiguous period. In their report on the matter the Cuban Society of International Law remarked that the question of ownership “has frequently been obscured by the stress laid upon the fact that a number of American citizens have settled on the island and acquired property there.” 365 They argued that this was irrelevant to the legal question at hand, which must have been decided solely on whether the language of the Treaty of Paris between the U.S. and Spain intended to include the Isle in the designation of “Cuba.” 366 The fact that many senators were swayed by non-legal analysis of the question is hardly surprising. The same report reproduced the arguments from Pearcy v. Stranahan, in which the U.S. government argued that the question of title was fundamentally a political one, and thus beyond the jurisdiction of the U.S. Supreme Court. 367 Given this line of reasoning we must ask why so many groups focused heavily on the law of the case when the ultimate solution could only be achieved

363 Neagle, America’s Forgotten Colony, 168.
364 Estrada Palma to Juan Rius Rivera, in Torriente, Mi Misión en Washington, 115. “por el difícil acceso a sus costas de buques mayores…”
365 Sociedad cubana de derecho internacional, Statements and documents relative to the Isle of Pines treaty, 13.
366 Sociedad cubana de derecho internacional, Statements and documents relative to the Isle of Pines treaty, 13.
367 Sociedad cubana de derecho internacional, Statements and documents relative to the Isle of Pines treaty, 40–41.
politically? The weight attached to legal analysis makes sense only when considered within the central myth of U.S.-Cuban relations. It was important because the contesting parties constructed the law as binding.

Annexationists within the U.S. Senate were careful to insist that their relationship with Cuba was grounded upon a trustee relationship and the rule of law. Copeland, for instance, “if Cuba really owned the Isle of Pines, no vote of mine would ever snatch from her a grain of sands.”368 Copeland, of course, made this statement secure in his interpretation of the law. However, even the empty promise was significant. The language of respect for the law was powerful enough to keep the discussion of title away from considering direct military seizure. It also created the conditions Ada Ferrer argues were necessary for Cubans to prove their capacity for civilization and legitimacy, at least with respect to this issue. Constant discussion of the legal terms of ownership required the U.S. Senate to present themselves as “an audience capable of being swayed.”369 In creating that self-image they opened themselves to reasoned argument from a living symbol of Cuban capacity for civilization, Cosme de la Torriente.

368 Royal S. Copeland, as quoted in Special to The New York Times, “Coolidge Would Let Isle of Pines Go.”
369 Ferrer, “Rethinking Race, Nation, And Empire,” 37.
Ratification at Last: Cosme de la Torriente Contribution and the Conclusion of the Dispute

Torriente dedicated much of his career to “establishing Cuba’s international identity.” His first official post was part of Cuba’s mission to Spain where he worked on commercial and extradition treaties designed to soothe the Spaniards still living in Cuba and to establish Cuba as a legitimate sovereign entity. He resigned the post in 1906 in protest of the second U.S. occupation of Cuba (1906–1909). Torriente continued to comment on Cuba’s international standing and to push for greater independence from U.S. influence. As such, he was already well respected in Cuba when president Alfredo Zayas appointed Torriente as the next Cuban ambassador to the U.S. in 1923 with the express goal of resolving the Isle of Pines dispute. Looking back decades later, Torriente wrote that “always for me the Platt amendment violated the Joint Resolution of their Congress of April 20, 1898.” Torriente was remarking on the contradiction in spirit between the Teller amendment of 1898 that affirmed Cuba’s right to independence and the Platt amendment’s insistence on a U.S. right to intervene in Cuban affairs. Ratifying the Hay-Quesada treaty would negate the low-hanging clause of the Platt amendment which denied

373 Neagle, America’s Forgotten Colony, 185.
374 Torriente, Mi Misión en Washington, 59. “Siempre para mí la Enmienda Platt violó la Resolución Conjunta de su Congreso, de 20 de abril de 1898.”
Cuba the title to the Isle of Pines. Torriente saw this as the first step in a broader program to liberate Cuba from the entire Platt amendment.

Torriente accomplished his task by socializing with notable figures in D.C. including U.S. senators but also the niece of Ulises Grant and other socialites. He made arguments following the conventional legal lines but he also relied on more symbolic techniques of demonstrating the Cuban nature of the Isle. In one instance he recounts that “on the final days of the discussion of the Treaty, a Senator told me that he would not vote in favor of it unless I proved to him that Pineros had fought in the war of independence.” Torriente used this as an example of the firm belief many U.S. citizens held in the Isle’s U.S. character. The senator was dead set against the treaty and considered it unthinkable that Pineros would have fought for independence. This conformed to much of the annexationist propaganda against the Pineros which called them subservient as well as whiter and thus more Spanish than ‘Cubans,’ who only resided on the mainland in that narrative. “The Senator convinced, he voted at last for the treaty.” Another senator was apparently swayed by the publication prepared by the Cuban Society of International Law which I discussed above. In all, Torriente succeeded through careful combination of the symbolic importance of law with the equally symbolic importance of national character.

375 Torriente, Mi Misión en Washington, 95–97.
376 Torriente, Mi Misión en Washington, 87. “en sol últimos días de la discusión sobre el Tratado, un Senador me dijo que él no votaría a favor del mismo si no se le probaba que los pineros habían tomado parte en la guerra de independencia.” See also McManus, Cuba’s Isle of Dreams, 39.
377 Torriente, Mi Misión en Washington, 87. “El Senador convencido votó al fin por el Tratado.”
378 Torriente, Mi Misión en Washington, 87. “El Senador Willis, de Ohio, republicano, enemigo del Tratado, recibió un día el folleto que se había preparado por la Sociedad Cubana de Derecho Internacional…”
Conclusion

Cuban nationalists fought back against annexationists’ attempts to cast them as inferior colonial subjects. Their words and writings speak to a fundamental desire to exist as an equal member of the American international community. Their opposition to U.S. annexation was part of a larger movement for inter-American national equality, but it also helped to launch some portions of that movement. Gonzalo de Quesada and Cosme de la Torriente both based their world views in part on their experiences in the pro-ratification struggle. More importantly, the push to ratify the Hay-Quesada treaty set the stage for the ultimate repeal of the Platt amendment in 1934. The inherent contradictions of “pro-imperialist” Cuban nationalism—namely the tension between the desires for a close relationship U.S. and relative independence—long delayed both ratification and the end of the Platt amendment. The respectful appeals for independence that Cubans such as Torriente honed in the Isle of Pines dispute were vital to future interactions between Cuban Republic and the U.S.
Conclusion

The history of U.S.-Cuban relations at the turn of the twentieth century is awash with contradictions and enigmas. Prominent politicians from both Cuba and the U.S. relied on a shared narrative of mutual respect while fighting to either increase or diminish Cuba’s sovereignty and status. Annexationists such as Samuel Pearcy were surprised to find themselves excluded from this discourse. Pearcy especially was accustomed to the trappings of power and status that his wealth and whiteness afforded him. While his appeals were heard in the U.S. Senate, he surely expected to have more power against the Cuba he understood as inherently beneath him. Instead, he and other settlers found themselves speaking the wrong language both on the Isle and in the U.S. Senate. We should hardly mourn this slight reduction in white privilege but we must mark it as a historical change. The annexationists spent two decades of effort and untold wealth trying to cast Cuba as an inferior nation. Paradoxically that interpretation contributed to the U.S. disinterest in annexing all of Cuba.

The U.S. forced all Cuban nationalists, not only the pro-imperialist variety, to justify their national existence. As Ada Ferrer argues, most Cubans took this challenge in stride and conformed to U.S. notions of civilized conduct. This performative civilization was essential to the cause of ratification. The settlers’ warnings of an incompetent and tyrannical Cuban government failed to compete with the figures of Gonzalo de Quesada and Cosme de la Torriente. The latter two addressed U.S. leaders in their own for a, their own language, and using their own symbols. They successfully adopted the role of a grateful student of the superior U.S.
government. This role was incompatible with forceful opposition to U.S. imperial overreach, but that hardly mattered. More subtle appeals to the wisdom and justice of the U.S. Senate were far more useful anyway. Recalling the passage from “Come to Treasure Island” this mode of communication with the U.S. remained in fashion in Cuba even after the repeal of the Platt amendment. It speaks of the wisdom of the U.S. Senate, which was capable of “recognizing the merits of Cuba[’s] claim” and putting it before the demands of its own citizens. This was hardly the attitude favored by Senators Clapp, Morgan, and Copeland, all of whom were firmly convinced of their superior claim. To be clear their disagreement with the U.S. Supreme Court’s opinion on the matter and Gonzalo de Quesada’s interpretation of international law hardly makes these senators unreasonable. Instead, the small claims such as Clapp’s insistence that the Treaty of Paris meant to exclude the

Cuban Tourist Commission, “Come to the Treasure Island: Isle of Pines, Cuba,” (1950s?). Courtesy of the Cuban Heritage Collection, University of Miami.
Isle of Pines from Cuba because it mentioned the existence of other Spanish island holdings reeked of an alternative facts style approach to international relations. The annexationists’ insistence that U.S. had “a perfect title” to the Isle of Pines was but one example of U.S. duplicity with respect to Cuba. This is not to accuse these senators of operating under a post-factual framework. Instead, they were simply relying on the traditional status relationship between metropole and colony. Their U.S. was so vastly and inherently superior to Cuba that the actual facts mattered only so far as they conformed to their end desire. Cuba had no rights the U.S. was bound to respect, especially not before 1902. Before then figures like Morgan and Pearcy argued that Cubans had no right or claim to their titular home, much less to a small part of it with a different name.

And yet, the annexationist view did not prevail. This could be purely because the Isle was not actually useful as a naval base and, contrary to some of the more ridiculous claims made in promotional materials, several hurricanes destroyed significant portions of U.S. capital on the Isle. While these material factors surely played a role there remained a vocal collection of U.S. settlers demanding annexation. Had there been no cost to the U.S. then annexation would have been far more plausible a proposition. Instead, fierce Cuban advocacy for their claim to the Isle overwhelmed the settler construction of an inferior Cuba. The Cubans discussed throughout this work managed to make the Isle too costly a prize for the U.S. to

379 Clapp, “Have We Mislaid a Valuable Possession?,” 4.
382 See Neagle, America’s Forgotten Colony, 50 for the latter claim.
claim. This in its own right was a symbolic victory over the annexationist view of Cuba. That the raceless model of international relations that pro-imperialist nationalists achieved did not eliminate U.S. dominance over Cuba does not detract from its significance. For one thing, removal of U.S. influence was hardly the goal of the pro-imperialist faction. More importantly, Cubans saw a real difference between U.S. hegemonic domination and the de jure empire of Spain. They chose the former, and did so successfully, all while mitigating the symbolic attacks of annexationist rhetoric.
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