Constitutionalism, human concerns, and the Dominican revolution of 1965

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CONSTITUTIONALISM, HUMAN CONCERNS, AND THE DOMINICAN REVOLUTION OF 1965

A Thesis
Presented to the
Department of History
and the
Faculty of the Graduate College
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In Partial Fulfillment
of the Requirements for the Degree
Master of Arts

by
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Graduate Committee

Name

Department

Chairman
PREFACE

I began this study with the intention of concentrating on the American military intervention in the Dominican Republic during the Dominican Revolution of 1965. I soon discovered that there already existed a vast body of literature on the intervention and on the events of the Revolution itself. Yet, most of the available material contained little background information and only an occasional, superficial examination of the underlying causes of the civil war. In addition, much of the writing reflected a strong preoccupation with the idea of constitutionalism as a cause of the Revolution. Such a preoccupation seemed strange indeed, in view of the fact that the Dominican constitutional tradition has been one of the most chaotic in all of Latin America. At this point, I became interested in determining whether or not constitutionalism had suddenly become a viable force in Dominican political life. I, therefore, decided to abandon my original idea of studying the intervention; and, instead, I began to examine early and recent Dominican constitutional history. Surprisingly, my research led me to discover some of the many societal tensions which were at the root of the 1965 crisis. My research also demonstrated that in the spring of 1965, despite the emphasis on constitutionalism, it was
human and social concerns, and not political ideology, which disposed Dominicans to resort to collective violence.

Many persons have helped me in this endeavor, but I especially want to thank Dr. Paul Beck for his helpful suggestions and patient assistance. Gratitude is also due Mrs. Betsy Laird, of the Inter-library Loan Office, for her many efforts on my behalf. I would also like to acknowledge my indebtedness to the Columbus Memorial Library of the Pan American Union in Washington, D.C.. The bibliographical material and the vast collection of Latin American books and periodicals at the Columbus Library were indispensable in the preparation of this study.

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INTRODUCTION

Since the early days of the Spanish conquest, Dominicans have lived with chaos, poverty and instability. Once the administrative head of the Spanish new world empire, Santo Domingo's initial prestige began to decline with the discovery of gold and silver in Mexico and Peru. Fewer than fifty years after its establishment, the little settlement at Santo Domingo found itself virtually abandoned. Even chroniclers did not bother to write anything about Santo Domingo's first 250 years. Few early records remain, and little is known except that the colony barely existed, and that only occasional attacks by pirates interrupted the monotony of life on the island.

From time to time, the English, Dutch, and French raided the colony. These raids, plus Spanish trade restrictions discouraged commerce and settlement. Even though the French part of the island flourished, the Spanish portion stagnated, sinking lower and lower. In 1794 Toussaint L'Overture and the French colonial forces drove the Spanish out of Saint Domingue. Finally, the Treaty of Basle in 1795 forced the Spanish cession of Santo Domingo, and the entire island then passed under French control.

As a result, many of the Spanish colonists began to emigrate to neighboring Puerto Rico, Cuba, and Venezuela.
Thus, began the first of many such migrations of prominent, white Spanish families. With them, also went most of the members of the Spanish religious orders. In the decade beginning 1795, Santo Domingo lost over one third of its population—the primary representatives of the country's wealth, education, and cultural tradition.\(^1\)

The Haitians dominated Santo Domingo until 1809 when the Spanish colonists revolted and voluntarily re-incorporated themselves into the Spanish Empire. Unfortunately, Spanish rule did not end oppression; the recovery of the Spanish throne by King Ferdinand VII ushered in another period of subjugation. In 1821, Santo Domingo again revolted, this time, against Spain; and the leader of the independence movement, Jose Nunez de Caceres, requested admittance into Simon Bolivar's newly formed Republic of Gran Colombia. Before the request could reach Bogota, Haiti's President, Jean Pierre Boyer, marched into Santo Domingo and forced the colony to submit to Haitian rule.

So began another period of degradation for the people of Santo Domingo, with many of them being killed or victimized by the occupation forces. When the Haitian government attempted to turn the entire island into a negro state, the remaining white Spanish families and the Catholic clergy began

\(^1\)Juan Bosch, *Trujillo: Causas de una tirania sin ejemplo* (Caracas: Libreria Las Novedades, 1959), p. 71.
to depart. Haitian authorities encouraged this exodus since emigration would leave the Haitians free to expropriate the property of white landowners and the Catholic Church hierarchy.

The Haitians occupied Santo Domingo from 1822 to 1844, and the long years of barbarous rule brought further decline and economic ruin. Santo Domingo remained a primitive, rural country which appeared to have been "by-passed by the mainstream of history." Everyone who could, left; those who remained fought among themselves. By the eve of independence, poverty, anarchy, and unrest had become endemic.

Not all Dominicans passively accepted Haitian rule. In 1838 Juan Pablo Duarte, Rosario Sánchez, and Ramón Mella founded the Trinitarios, a secret revolutionary organization working for liberation from the Haitians. On February 27, 1844, the Trinitarios easily overcame their Haitian oppressors and proclaimed the independence of the Dominican Republic.

The long struggle for independence had lasted almost fifty years, but the new republic was ill-prepared for self-rule. Dominicans had never accumulated the experience and skills required for dealing with their social and political problems. Steeped in poverty, most of the people were illiterate peasants who barely subsisted and who never exercised a voice in their government. Their leaders came from the upper classes; but they, too, were untrained and lacked any

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2Bosch, Trujillo: Causas, p. 70.
kind of administrative experience. Principally interested in personal power, the leaders grappled with each other and kept the country in a state of constant turmoil.

The political history of the entire nineteenth and most of the twentieth centuries was singularly divorced from issues of any kind. In its entire independent history, the single, most outstanding feature of Dominican politics has been the violence of political antagonism and the absence of differences of principle among the existing political parties. Personalities of the leaders, not ideology, dictated party divisions.

From 1844 to modern times, Dominican history has been a long record of the struggles of the caudillos who were "in" to retain their power, and those who were "out" to return to power. For almost a century, rival leaders and their followers fought back and forth across the countryside, scrambling for executive or local control. However, the parties were not unalterably composed of the same individuals. The leaders, as well as the rank and file, continually drifted from one group to another, with a constant shuffling and reshuffling of political alliances.

3 Latin Americans have a strong disposition for caudillos. The caudillo embodies the program of his political partisans; he is the platform of his party. This is what is called personalismo in Latin American Politics. See Charles E. Chapman, "The Age of the Caudillos: A Chapter in Hispanic American History," Hispanic American Historical Review, Vol. XII (August 1932), 281-300.
Confrontations between opposing sides had nothing to do with differences over public policy. In the early days of the Republic, it appeared that issues might be the basis for political alignments when the parties divided over the question of annexation or independence. The former Trinitarios, led by Duarte, initially held power and were intent on maintaining the country's independence. General Pedro Santana, the first President, continued to fear Haitian invasion; and, therefore, supported the idea of placing the republic under the protection of some major power. At first the annexationists were designated as "conservatives," and those supporting complete independence were called "liberals." This division based on issues lasted only a short time.

Following the exile of Duarte, parties seldom took clearly opposing positions. No designated group of men adhered permanently to any set views on the question of annexation. Instead, the party in power usually espoused the idea of annexation, while the opposition supported independence.

Before long, the annexationist party split, and Santana's followers became known as Santanistas. The other faction led by Colonel Buenaventura Baez were called Baecistas. Again nothing ideological distinguished the two new parties. Both groups were equally conservative, dictatorial and dedicated to the idea of a foreign protector. The Dominican people continued as before, never knowing anything of politics.
based on political dialogue.  

Governments continued to rise and fall with frequent regularity as the Republic alternated between periods of anarchy and despotism. Occasionally, liberal leaders appeared, briefly established new parties based on ideology, and even managed to gain control of the government. However, these well-intentioned governments never retained power long enough to make a lasting impact. Instead, the squabble for leadership continued as before with the two parties see-sawing in and out of power, only changing labels from time to time. The Rojos and Azules later replaced the Baecistas and the Santanistas, but only the names were altered.

For many years, Santana's fear of the Haitians persisted, and in 1861, he finally succeeded in proclaiming the re-incorporation of the Dominican Republic as a part of the Spanish dominions. By 1865, the War of Restoration once again gave the Dominican people their independence, but the restoration brought neither peace nor stability. For a time, from 1882 to 1889, the dictator, General Ulises Heureaux, put an end to disorder; but he also brought the republic to the brink of bankruptcy.

By the turn of the century financial mismanagement had become chronic, and the Dominican Republic was hopelessly in

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debt abroad. In 1905, when European creditors threatened to intervene in order to collect their debts, Theodore Roosevelt applied the famous Roosevelt Corollary and established a financial receivership. With precise efficiency, the United States agents proceeded to pay off the foreign bondholders and even created a treasury surplus. All went well until 1911 when the assassination of President Ramon Caceres again plunged the nation into financial and political chaos. The United States then attempted to restore order by intervening in the political affairs of the nation. When an anti-United States faction revolted against the existing government in May 1916, President Woodrow Wilson sent in the United States marines and completely occupied the nation.

Prior to the United States intervention, the style of politics in the Dominican Republic remained the same—only the names of the leaders varied. In the twentieth century, Juan Isidro Jimenez and Horacio Vasquez dominated the struggle for leadership. The earlier Rojos and Azules now became the Jimenistas and the Horacistas; and as before, they constantly changed groupings, moving back and forth from one party to another. Until the American occupation in 1916, politics followed the same rhythmic pattern—revolutions, declarations of support, battles, sieges of the capital, take-over, provisional government, some form of legitimizing election—followed by dissension, counter-revolution and a complete renewal of the cycle.
Constitutional history followed a parallel pattern. Despite elaborate constitutional provisions, constitutional processes never decided vital issues. Revolution and politics went hand in hand, and revolution became the accepted method of transferring power. Always the first act of a successful take-over was that of promulgating a new constitution in accordance with the ideas of the new leader. Each counter-revolution brought with it the abrogation of one constitution and the establishment of another. In less than a century of independence, from 1844 to the time of Trujillo's assassination in 1961, Dominicans promulgated twenty-seven constitutions and were governed by fifty presidents. In a certain period in the last third of the nineteenth century, eight constitutional texts were approved in eight consecutive years--1874 to 1881; three in the four years between 1865 and 1868. On three occasions--during the years 1854, 1858, and 1929--two constitutions were approved in the same year. Five times, constitutions previously abrogated were reinstated. Four presidents--Baez, Hereaux, Vasquez and Trujillo--promulgated more than one constitution during their terms. No constitution lasted more than ten years, but the most stable has been the first, that of 1844 which was modified in 1854.5

The number of constitutions is perhaps misleading because of the Dominican practice of promulgating new constitutions instead of enacting amendments. The Dominican essayist Pedro Henriquez Urena declares that the Dominican Republic has had only two constitutions—the liberal one of 1844 and the autocratic one of December 1854. The majority of the documents have been simple revisions of previous constitutions with little substantive change.

The various Dominican presidents have always carefully followed constitutional forms, while at the same time utterly disregarding the sanctity of the constitution. Sumner Welles, in *Naboth's Vineyard*, charges that "the twentieth century dawned in Santo Domingo without even the vestige of a tradition of constitutional government or practice." What, then, does constitutional tradition mean to the Dominican people? Was Welles correct in saying that to the average Dominican "constitutional government is but an empty phrase?" Does the Dominican nation attach any importance to a formalized constitutional order? Has the Dominican Constitution ever been real in the sense that it is a

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fundamental law under which people are governed and under which their liberties are safeguarded? Or is the Constitution merely nominal? Karl Lowenstein defines a nominal constitution as one which is "merely a declaration of constitutional intent, a blueprint which expects to become a reality in the future. Its habitat is in nations where Western constitutionalism is implanted into a colonial and/or agrarian feudal social structure."  

What is the reality of constitutionalism in the Dominican Republic?

Jesus de Galindez notes that in Latin America the people and their leaders instinctively revere the idea of a constitution, but seldom do they apply its principles in practice. Almost never is the constitution a basic document under which people are governed. Usually, it is a program of political action imposed by the predominant group. For this reason, it changes as frequently as governments come and go. The constitution is not permanent; instead, each new regime quickly writes into another constitution the methods and principles it cares to apply.  

In his article dealing with Latin American constitutions, J. L. Mecham asserts that Latin American

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10 Galindez, La Era de Trujillo, p. 189.
constitutional attitudes differ radically from those of Anglo America. To Anglo Americans the constitution is fundamental law and must be observed, while to Latin Americans, it is in most cases merely a declaration of ideals and objectives. To Anglo Americans, the constitution is sacrosanct, for Anglo Americans prescribe to the principle of government by law. To Latin Americans, the constitution is usually a useful and convenient guide and program which must bend to the principles of government by men.\(^{11}\)

Despite great discrepancies between constitutional principles and their application, Latin American nations still attach importance to a written formalized document. Constitutions serve a useful purpose since they describe the organization, structure and powers of the government, even though the constitution makers do not delude themselves that they are building upon achieved democracy. Even dictators feel the need to use constitutions to give an air of respectability to their regimes.

The reality of Dominican constitutionalism has been much the same as that of other Latin American countries. Early independence produced a constitution based on western political tradition, but in almost every case a caudillo emerged to carry on by force and authority what could not

be arranged by compromise and cooperation. Most of the time, the Dominican Constitution has been an instrument for the attainment of power and for the preservation of special interests. Sumner Welles declared that "instead of being regarded as a sacred charter of the peoples' liberties, the Constitution has been considered a ... source of advantage to legitimize the caudillo's power." Other times the nation's charter has been the written expression, in legal form, of that which has already been accomplished. Frequently the Constitution has been used for propaganda value. At times it has served as a statement of goals, but seldom has it been an instrument for the pursuit of happiness for all of the people.

Only after the assassination of the dictator, Rafael Leonidas Trujillo, did Dominicans begin to look at their Constitution in a different light. By 1962 a newly awakened populace began to view the Constitution as more than a mere statement of goals. After the election of Juan Bosch as President, many Dominicans, who had previously been excluded from the political decision-making processes, began to think of the 1963 Constitution as an instrument which, at long last, could fulfill their personal aspirations. Unfortunately, aspirations met frustrations when Juan Bosch and his

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12 Welles, Naboth's Vineyard, p. 904.
reform constitution were overthrown in September of 1963. In April 1965, the Dominican Republic erupted into bloody civil war. From the beginning, the rebels called themselves "constitutionalists" and the loyalists were called "anti-constitutionalists." The battle cry of the revolution was, "a return to constitutionalism with Juan Bosch and the Constitution of 1963."

After one hundred years of chaotic constitutional tradition, why were Dominicans suddenly willing to fight and die in the name of constitutionalism? Had the idea of a government based on fundamental law become a vital force in Dominican life?

To determine the answers to these questions, this work will briefly examine Dominican constitutional history and the role that constitutionalism has played in the past. This study will also deal with the Trujillo legacy, the rising expectations experienced by Dominicans after the dictator's assassination, and the influence of Juan Bosch on political attitudes. All of these facets of Dominican life have a direct bearing on the violence of April 1965.

It is also necessary to examine and compare the Constitutions of 1962 and 1963, along with the debates that centered around the draft Constitution of 1963. The enactment of the Constitution of 1963 polarized Dominican society, but it must be pointed out that the constitutional dispute was only one of many causes which contributed to the
ultimate breakdown of the Dominican society.

To truly understand the failure of constitutional government in the Dominican Republic, one must probe deeply to look for the root causes. It is necessary to consider the recurrent historical pattern of chaos, violence, and political and economic stagnation which have characterized Dominican life since before the days of independence. In addition, it is essential to keep in mind the destabilizing effects of earlier American interventions and the political bankruptcy bequeathed to Dominicans by the Trujillo dictatorship. Against this background of past failures, one must juxtapose the rising tide of expectations which Dominicans began to experience with the assassination of Trujillo.

In 1961, all Dominicans began to sense new possibilities ahead. During the Trujillo regime, much of the populace had been made to feel a part of the nation. In the presidential election of 1962, Juan Bosch further aroused the political consciousness of the masses; but, even more important, he instilled in them a feeling of hope. At the same time, those groups and individuals who had gained positions of power and wealth during the Trujillo era became acutely aware of their own vulnerability and were fearful of being displaced. The result was a situation in which fears clashed against rising hopes. These and other societal tensions manifested themselves as a struggle over the Constitution of 1963. In reality, however, the consti-
tutional dispute was merely a surface aspect of the deeper dissensions and fragmentation in the society. Most Dominicans knew nothing of constitutional concepts or ideological principles. Fundamentally, Dominicans contended with one another over basic human concerns. The deprived and excluded fought for improved social and economic benefits—a higher standard of living, opportunities for employment, a chance to educate their children. Opposing groups and individuals sought to gain personal power, to retain privileges, or to preserve social, political, and economic positions previously attained.

This study will attempt to examine these human concerns as well as the question of constitutionalism in order to determine the real sources of conflict in the Dominican Revolution.
CHAPTER I

DOMINICAN CONSTITUTIONS

Dominicans have lived under many constitutions. Colonial Spain initiated the constitutional process in 1812 when the Dominicans voluntarily rejoined the Spanish Empire. The Spanish Regency brought the Dominicans under the jurisdiction of the Constitution of Cadiz and granted the Dominicans representation in the Spanish Assembly. In 1814, the Spanish monarch, Ferdinand VII, regained the throne and immediately abrogated the Cadiz Constitution, ushering in an era of absolute rule and oppression for Spaniards and Dominicans alike.

When a revolution in Spain forced Ferdinand to restore the Constitution of 1812, the Dominican independence leader, Nunez de Caceres, seized the opportunity to proclaim the independence of "Spanish Haiti" on November 30, 1821. Caceres' Declaratory Act of December 1, 1821, outlining the provisional lines of the government he hoped to establish, reflected the influence of the "French Declaration of The Rights of Man."¹ Unfortunately, Dominican hopes for

independence were short-lived, and a few months later, Haitian armies once again marched across the Dominican border; thus, preventing the application of the Caceres document.

During the Haitian occupation from 1822 to 1844, Dominicans were governed under two Haitian constitutions. Several prominent Dominicans, among them Buenaventura Baez, served in the Haitian Assembly and participated in the Haitian Constituent Assembly of 1843. At the same time, however, Dominicans plotted to free themselves from Haitian rule.

In 1844, upon the proclamation of the independence of the Dominican Republic, a Constitutional Convention met at San Cristobal and drafted the first Constitution of the Republic, the Constitution of 1844. Fashioned along the lines of the United States Constitution, the Dominican charter divided the functions of government into the classic executive, legislative and judicial branches, and announced that the government would be unitary, civil and representative, and would follow the presidential form.

The document empowered the Senate and Chamber of Representatives to enact legislation and to pass legislation over an executive veto. The President, who was to serve a four year term, would be ineligible for re-election. The Constitution granted him broad administrative and appointive powers, and he was to be assisted by ministers chosen by him, but subject to interpolation by Congress and the Provincial Governors.
The Constitution proclaimed that Dominicans are born "free and equal as regards their rights," and that slavery would be abolished forever. An elaborate statement of human rights guaranteed individual personal liberties such as protection during arrest and trial, freedom of speech, press, assembly, and the right of petition. The document also guaranteed the inviolability of property, home, and correspondence.

Roman Catholicism was declared the state religion, but there would be no privileges or fueros (trials of religious personnel by special ecclesiastical courts), no ecclesiastical ownership of property nor civil collection of Church revenue.

The first Dominican charter also established the principle of free elementary education.

By almost any standard, the Constitution of San Cristobal was liberal. In the 19th century, all of the constitutions of Latin America reflected the influence of eighteenth and nineteenth century Western political tradition. Nevertheless, as Franklin J. Pichardo Franco points out in his book, _La Republica Dominicana, Clases, Crisis y Commandos_, in Latin America there was a basic difference. In

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2 _Brit. and For. St. Papers, 1865, Vol. XLVI._
"Dominica: Constitution of February 27, 1854," p. 1320. Note: This provision is the same in both the 1844 Constitution and the 1854 document. A complete copy of the original 1844 Constitution is not available.
the United States and Europe, this liberal spirit was the product of economic and social development and above all, the rise of the middle class. "In our country," Franco points out, "liberalism has always remained only a spirit and has never been tied to material reality."³

The Constitution of 1844 proclaimed popular sovereignty, but it did not provide for popular suffrage. As Franco points out, the first Constitution contained a subtle mechanism which prevented participation by the masses in the political life of the country. Voting requirements disenfranchised a large segment of the population by employing the complicated apparatus of an Electoral College composed of electors who were chosen by another body: The Primary Assembly. Article 160 of the Constitution stated that in order to vote in the Primary Assembly, an individual must be "a landed proprietor, public employee, officer in the army or navy, have a patent for the exercise of some profession or trade, be a professor of some science or liberal art, or be a renter of a farm in active cultivation."⁴

The Constitution gave to the Primary Assemblies the duty of choosing from each commune, the electors who would form the Electoral College of the province. Article 163 then

assigned to the Electoral College the function of electing the members of the Chamber of Representatives, the Chamber of the Senate, the members of the Court, and the President of the Republic. 5

Thus, from the very beginning, a small group of those who had been the most active participators in the fight for independence were able to defend the interests of their class and consolidate their power under the banner of the caudillo, Santana.

The first Primary Assembly had chosen Santana as the first President of the Republic. On the premise that such a power was necessary to defend the Republic against Haitian encroachment, Santana forced Article 210 upon the Convention. This article, which has since been a part of almost every Dominican Constitution, stated that during a war the President could declare a "state of siege," and he could freely organize the army, mobilize the national guard, suspend all constitutional guarantees and privileges, or take any measure necessary for the defense and security of the nation. The President could give all orders and decrees without authorization from any other governmental body.

Ten years later, liberal forces, not satisfied with the first document, set out to reform it. A lengthy preamble to the Constitution of February 27, 1854, explained the specific purposes of the new provisions.

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The new document eliminated Article 210, and in the preamble stated that in either war or peace the powers of the executive must always be exercised along constitutional lines. Further, the preamble emphasized that "having laid aside the almost dictatorial power conferred by Article 210, the Executive will apply to every social grievance the necessary remedy but must give Congress a detailed account of its proceedings."\(^6\)

The February 1854 document instituted the office of Vice-President with the specific purpose of providing continuity should the President die, resign, or be removed. "By this means the deplorable consequences of all mere temporary periods will be remedied, and the imminent dangers constantly threatening a headless . . . government will be averted."\(^7\) In this way the writers of the revised Charter hoped to make future de facto revolutions impossible.

The February Constitution also re-organized the judiciary and made the Supreme Court more independent by stating that "no power of the State is competent ever to invalidate the decisions of this supreme tribunal . . . ."\(^8\)

The new constitution even attempted to infuse more vigor into local governing bodies by assigning special powers to the corporations exercising municipal authority. The

\(^{6}\text{Brit. & For. St. Papers, Vol. XLVI, p. 1317.}\)
\(^{7}\text{Ibid., p. 1316.}\)
\(^{8}\text{Ibid., p. 1317.}\)
writers of the document stated that they hoped that in this manner the "citizen would early acquire a political education."9

This new liberal document, with its high hopes, lived only a brief life; for when Santana returned to the presidency later that year, he imposed his autocratic Constitution of December 1, 1854. The Santana document sharply reduced individual rights, restricted the franchise even more, and made the Electoral College more indirect. It reduced the Congress to one house with no authority to enact laws without executive approval. Santana added another article which further facilitated the aggrandizement of executive power. Article 35 of the December Constitution empowered the President to take all necessary action to preserve the country not only in time of war, but also in time of emergency. In addition, the December document provided that constitutional amendments would be in the hands of a constitutional convention to be convoked, not by the Congress, but by the President.10

Thus began the pattern which has dominated Dominican constitutional life since independence. The two constitutions, the Constitution of San Cristobal of 1844, amended in February

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1854, and Santana's Constitution of December 1, 1854, became the basis for all future constitutions. Constitutions, like the caudillos, see-sawed in and out of existence, and Dominican constitutional history mirrored its political history: numerous interruptions in the constitutional life with the constant abrogation of one document and the re-instatement of another.

Though there were variations, the pattern always remained the same. Occasionally, liberal leaders succeeded in gaining power, at which time they proceeded to further liberalize the 1844 Constitution. Such was the Moca Constitution of February 19, 1858. This document instituted direct election by secret ballot, of all elective officials except the national Senators. This same charter abolished the death penalty for political crimes. As usual, the Moca Constitution lasted only a brief period though it was reinstated again on January 24, 1865 when Dominicans, for the last time, proclaimed their independence from Spain. The 1865 document introduced universal manhood suffrage and extended the secret ballot for all elective offices. This continued to be the basic liberal constitutional form until the American occupation in 1916. Later constitutions such as the one of March 24, 1874, while retaining Roman Catholicism as the official religion, established religious toleration. Subsequent

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constitutions added freedom of teaching and abolition of the death penalty to the bill of rights.

Such a recitation of liberal provisions might lead one to believe that Dominicans were governed by an enlightened fundamental law. The trend toward liberalization was not consistent; rather, it was alternately liberal and autocratic. Between the promulgation of the liberal documents, the autocratic Constitution of December 1854 was reinstated on September 27, 1858; April 19, 1866; April 23, 1868; and September 14, 1872. The Constitution of July 28, 1879 reduced individual rights, restricted the franchise and made the electoral system more indirect. The Constitution of November 23, 1881, once again empowered the president unilaterally to assume all constitutional authority in time of emergency. It militarized regional and local governments by providing for combined civil and military governors and local rule by an army commandant. This document did, however, retain most previously established rights, direct elections and universal manhood suffrage. The Constitution of November 15, 1887, differed only in that it reverted to indirect election. The Constitutions of June 12, 1896, and May 21, 1903, were all modeled on that of 1887.

The only substantial twentieth-century changes were found in the Constitutions of June 11, 1907, and February 22, 1908. Using the United States as a model, the 1908 document provided that the Congress be renewed in three parts, and
the Chamber of Deputies was to be renewed by one-half every two years. The 1908 document retained indirect election and abolished the vice-presidency.

By 1916, the American military occupation suspended all constitutional authority and placed Dominicans under martial rule. Upon withdrawal of the United States military forces ten years later, Dominicans once again wrote a new Constitution which was promulgated on June 13, 1924. It reinstated the vice-presidency and a direct electoral system, abolished the renewal of Congress in parts, and it disenfranchised members of the armed forces and the police. Subsequent constitutions remained essentially unaltered until the second Constitution of the Trujillo period.

Thus ended the first period of Dominican constitutionalism. Tracing and following its tortuous path is difficult indeed, but one certain pattern emerges—the pattern of constantly recurring instability. General Rafael Leonidas Trujillo was soon to impose order and end this pattern, but at an extremely high cost to the Dominican people.

**Constitutionalism Under Trujillo**

During the thirty years of the Trujillo dictatorship, the Constitution no longer remained the instrument of privilege and self-interest for caudillos and their followers. Instead the Constitution served only one person: General Trujillo. A look at constitutionalism under his dictatorship
will reveal the many ways in which Trujillo twisted the Dominican Constitution to serve his own ends.

In 1924, following the withdrawal of the American occupation, Horacio Vasquez was elected President and brought a few years of relative freedom and order to the Dominican Republic. In March 1930, the Vice-President, Rafael Estrella Urena, launched a revolution against Vasquez, who by that time was weak and ailing. General Trujillo, who now controlled the nation's army, refused to defend the Vasquez regime. Vasquez resigned, and Trujillo, pushing Urena aside, proclaimed himself a presidential candidate. On May 16, 1930, Trujillo won the Presidency without opposition.

Trujillo put an end to political disturbances, but continued the practice of promulgating new constitutions. He governed under four different documents, all of which were basically the same.\textsuperscript{12} His Constitution of June 19, 1934 did not visibly change the earlier 1924 document. On January 10, 1942, Trujillo enacted his second constitution which enfranchised women, eliminated the vice-presidency and broadened individual rights pertaining to social welfare. The Constitution of 1947, essentially a restatement of its predecessor, 

added more social welfare provisions, proclaimed freedom of education, and made primary instruction obligatory and subject to the supervision of the state.

The Constitution of 1955 further expanded welfare provisions; made it obligatory for illiterates to be educated; required the state to act for the improvement of housing and working conditions; and pledged state assistance to the dependent elderly and poor. The 1955 Constitution also prohibited the maintenance of programs or doctrines affiliated with Communism and praised Trujillo as "The Father of His Country."

Article 11 of the 1955 Constitution contained a new feature in the form of Concordat between the Holy See and the Dominican Republic "in accordance with the Law of God and the Catholic tradition of the Dominican Republic." Signed in 1954, the Concordat with the Vatican was held to govern Church-State relations, and it granted vast concessions to the Church.

On the surface, none of the Trujillo constitutions seemed ill-conceived. All continued to assert the principle of civil, republican, democratic and representative government. In appearance Trujillo governed the Dominican Republic constitutionally with a structure similar to any typical Western democracy. There was, however, no relationship between the written precepts and the practical realities.
Once in office, Trujillo established control over the entire governmental apparatus. First and foremost, he bolstered his control through the power of the armed forces. In addition, Trujillo used the Dominican Constitution as another of his principal vehicles for wielding autocratic authority.

Trujillo ruled absolutely, but always within a constitutional framework. Above all, he maintained the external forms of democratic rule and appeared to observe them meticulously. Trujillo followed the Constitution to the letter, but the letter was one thing and its daily application quite another. The Constitution was a façade which hid the excesses of his dictatorship and masked his absolutism. In the words of Jesus de Galindez, constitutionalism under Trujillo was a "parody."\(^{13}\)

Since 1844 when Santana added Article 210, almost all Dominican constitutions have granted wide emergency powers to the chief executive. Article 49 of the Constitution empowered the President, in case of disturbance of the public peace, to decree a state of siege and suspend individual rights.\(^{14}\) Nevertheless, it was not the authority to rule by decree which was the chief source of Trujillo's power. The

\(^{13}\)Galindez, La Era de Trujillo, p. 189.

\(^{14}\)The Constitution of 1949. Unless otherwise specified, all citations of the Trujillo constitutions will refer to the text of the 1949 document.
real mechanism of control during the Trujillo dictatorship was the façade of constitutional democracy which he adopted and presented to the outside world; while, at the same time, perverting all of the guarantees and safeguards set forth in the Dominican charter.

Numerous illustrations may be cited to demonstrate the ways in which Trujillo made the Constitution a vehicle for absolute control. For example, Title I of the Constitution states that the government is divided into three branches, each being independent in its respective functions. All of the functions are meticulously spelled out. In addition, all local and national officials were to be directly elected for a period of five years. This was the letter of the Constitution; the reality was another matter. Three branches, each independent of the other never existed during the Trujillo regime, nor was any official actually elected for a period of five years. Only the individual power of Trujillo existed—a power which he derived through his role as chief of the Partido Dominicano. It was through the party that Trujillo found his most effective machinery for the total domination of the Dominican political system.

Trujillo registered his Partido Dominicano with the Central Election Board on March 11, 1932, and the party statutes were the perfect vehicle for the manipulation of
Dominican society. Everything was concentrated in the hands of the Chief of the Party. The statutes established branches in every community and province. The Chief of the Party, directly or indirectly appointed all local, provincial or national officials. All decisions and nominations were subject to his approval. He named all paid employees, authorized all expenses and had legal authority to interpret the statutes as he wished.

The Partido Dominicano was not confined to a few important followers of Trujillo. It was a mass organization, and almost anyone who was important belonged. No one in public, professional, or business life could survive outside the party.

Moreover, in actual practice, the party became a part of the official government. The Chairman of its Central Committee served as one of the Secretaries of State. The expenses of the party and the cost of its programs were met by a flat 10 per cent deduction from paychecks of all members. If the members were employed by the government, the Treasury withheld the deductions.

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15 For the text of the statutes of the Partido Dominicano, see Jose F. Penson, El Partido Dominicano (Ciudad Trujillo: Imprenta Arte y Cine, 1958), pp. 68-74.

It was through this party machinery that Trujillo exercised his political power. But the key to understanding Trujillo's total centralization of authority is found in the Dominican Constitution itself. Article 16 of the Constitution states that

When vacancies of Senators or Deputies occur, they will be filled by the corresponding Chamber, which will choose the substitute from the panel presented by the appropriate organization of the political party to which the Senator or Deputy who gave rise to the vacancy belonged.

This provision fit in perfectly with Article 39 of the statutes of the Partido Dominicano. Here was Trujillo's most powerful weapon. Article 39 requires that "all elected officials deliver written but undated resignations to the Chief of the Party upon election."\(^{17}\)

The Partido Dominicano, of course, was the only party, and Trujillo was the Chief of that party. He kept those unsigned resignations in his desk. If a legislator or a judge or any other office-holder defied the party line, he could expect to wake up the next morning and read of his resignation in the newspaper. Trujillo applied this device to every elective and appointive office in the nation. No person or branch of government was independent. There was no guarantee that an elected official would serve out his constitutional term.

\(^{17}\) Franco, Crisis y Commandos, p. 153.
Legislators rubber stamped legislation, never attempting to oppose Trujillo's decisions. The Supreme Court, too, was theoretically an independent branch of the government and had the power of judicial review. Jesus de Galindez, though he states that he cannot give exact documentation, charges that Dominican tribunals did not dare to make decisions that criticized the constitutionality or the legality of laws approved by the Congress or actions taken by the government. The outward appearance of a co-equal three branched government was nothing more, argues Galindez, "than a masquerade covering an obedient court and congress."\(^{18}\) The key, of course, to this obedience was the unsigned resignation in accordance with the statutes of the Partido Dominicano.

In addition to nullifying the independence of the three branches of government, Trujillo perverted the Constitution in other ways. The Constitution provided for elections under the supervision of a Central Electoral Board and in accordance with the principles that the law and the Constitution indicated, but Trujillo falsified returns or manipulated them to further his own ends.

In addition, Trujillo did not hesitate to revise the Constitution to strengthen his personal economic powers or to give himself special powers for the benefit of his private

\(^{18}\text{Galindez, La Era de Trujillo, p. 199.}\)
or family affairs. In 1959 Trujillo added a modification to the 1955 Constitution, Article 107, which said that the property of persons who exercised the office of President or Vice-President, as well as their widows or heirs, shall have the highest protection of the State. In no case could the President or Vice-President be subject to prosecution, restrictions, expropriation or dispossession, total or partial, of any part of his public or private authority.19

And so, the mockery continued. For any meaningful provision of the Constitution, Trujillo used the technique of perverting the application to his ends. Though he placed little value on the precepts of the Constitution and never vacillated in modifying it to remove obstacles which stood in his way, he was always careful to give a constitutional appearance to even the most minimum details. The will of Trujillo was omnipotent but always artfully concealed under constitutional trappings. Such methods had a profound effect on the later political life of the Dominican people.

19 Franco, Crisis y Commandos, p. 156.
CHAPTER II

THE SETTING

"Pero un régimen politico no es un hecho aislado sino el fruto del arbol nacional. Es en las raices del arbol donde hay que buscar la razón de que el fruto sea sano o enfermo."  Juan Bosch

The Ghost of Trujillo

Thirty years of the Trujillo dictatorship reshaped the character of Dominican society and profoundly altered the socio-economic structure. These far-reaching changes brought with them a legacy which contributed in "a major way to the disorder, frustration and chaos of the post-Trujillo period and ultimately to the 1965 breakdown of the system into revolution and civil war."  

In order to understand why Trujillo was able to transform Dominican society, it is necessary to return to 1916 and the American military occupation which ended the

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1 Juan Bosch, Trujillo: Causas, p. 12. Translation: "A political regime is not an isolated fact, but the fruit of the national tree. One must look at the roots of the tree to determine whether the fruit will be healthy or diseased."

long period of caudillo politics. Several aspects of that period distinguish the history of the Dominican Republic from that of most other Latin American countries. It was these differences which help to account for the ease with which Trujillo came to dominate Dominican society. It is essential to note that at the time that the United States established military control in the Dominican Republic, the traditional triad of "oligarchy," "church," and "military" did not dominate Dominican society. Dominican social history differs from that of most Hispanic nations in that Spanish control and influence was neither continuous nor strong. In addition, the repeated large scale emigrations of important landholders and the Catholic clergy, plus the complete absence of a unified military force, prevented the consolidation of a ruling elite.

Examination will reveal that throughout its independent history, the Dominican Republic has lacked a powerful oligarchy. With the first Spanish withdrawal in 1795, many of the elite families began their series of emigrations from Santo Domingo. Successive Haitian occupations further diminished the Spanish population, and most of the important white families were either killed or fled. The exodus of these more prosperous and educated members of the society precluded the emergence of a group of large and powerful landowners. Furthermore, political disorders prevented the growth of commerce and industry as an alternative source of
wealth. In the nineteenth century a small group of prestigious families emerged at the top, but their influence was primarily social and did not rest on an economic base. Thus, the elite families were not wealthy or powerful; but were, instead, "insecure and unable to exert political control."³

In addition, the Church, though powerful had not been the strong well-entrenched force that it has been in other Latin American countries. It, too, had been weakened by the Spanish withdrawal in 1795. After 1822, Haitian occupation authorities deliberately tried to destroy what was left of the Church as an institution by expropriating property and deporting priests. Since that time, the Church had never regained its wealth or power.⁴

Last, and most significant, before the American occupation, the Dominican Republic had not developed a national


military institution. Shortly after the Spanish coloniza-
tion, the Haitians began their long occupation of Santo
Domingo. While neighboring countries fought their wars of
national independence, in Santo Domingo, rival bands and
their caudillos fought among themselves. When the Dominicans
finally prepared to oust the Haitians in 1844, Haitian
strength had declined to a low level; and it was not neces-
sary to muster a strong unified military force. With only
the help of the caudillos and their followers, the revolu-
tionaries easily overcame the Haitians. After independence,
the military chiefs once again split into small bands whose
members were loyal only to their respective leaders. 5

Hence, contrary to the accepted opinion in almost
every piece of writing on the Dominican Republic, a powerful
triad of oligarchy, church and military did not control
politics and the economy. Instead, as Abraham Lowenthal
insists, "the Dominican scene could be described as exactly
the reverse: an insecure grouping of elite families, a weak

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5 Marvin Goldwert, The Constabulary in the Dominican
Republic and Nicaragua: Progeny and Legacy of the United
States Intervention (Gainesville: University of Florida
Press, 1962); Luis F. Mejia, De Lilis a Trujillo: Historia
contemporanea de la Republica Dominicana (Caracas: 1944),
p. 147; Sumner Welles, Naboth's Vineyard; Max Henriques
Urena, Los Estados Unidos y la Republica dominicana: la
verdad de los hechos, comprobado por datos y documentos
oficiales (Havana: Imprenta El Siglo XX, 1919).
Thus, as Lowenthal points out, "a power vacuum existed which was filled by the continuous, virtually unchecked struggles of caudillos and their adherents." By 1916, the United States, fearing that its security and financial institutions were threatened, thought it necessary to intervene with a military occupation. This total intervention had a crucial bearing on the future history of the Dominican Republic and especially on Trujillo and the armed forces.

Attributing the turmoil to the lack of a national military institution, the United States set about organizing a non-partisan National Constabulary. Before the intervention,

6 This is the approach taken by Abraham Lowenthal in his essay, "The Dominican Republic: The Politics of Chaos." Lowenthal expresses his personal dissatisfaction with the available literature on the Dominican Republic. He explains that while working in the Dominican Republic as a Ford Foundation Training Associate from 1964 to 1966, he experienced first-hand many of the events others have discussed in print. Reading various published accounts, he found it difficult to match his own perceptions and those of Dominican friends with what he found in most of the available literature on the Dominican Republic.

Lowenthal also challenges the discussion of Latin American History in terms of the supposed triad of "oligarchy, church and military." He charges that this "conventional approach," which has been espoused by writers such as Frank Tannenbaum, Ten Keys to Latin America and James Bryce, South America: Observations and Impressions, is "being discarded bit by bit," as sociologists examine the area's history and current situation.

I wish to express my indebtedness to Lowenthal for this line of reasoning. This work will not attempt to support or refute Lowenthal's assertions in regard to other Latin American countries; however, my own research tends to support Lowenthal's opinion on the role of the "triad" in Dominican history.

7 Lowenthal, Politics of Chaos, p. 53.
the Dominican military establishments were fragmented and inept. Power was divided between the national government and the provincial governors and was easily accessible to the members of the warring political factions.

With the organization of the Constabulary, the United States introduced a new power factor into the politics of the Dominican Republic. United States officers of the intervention replaced the traditional elites in government, and provincial rulers were stripped of their military power. Enraged by such intervention, members of the elite refused to serve as officers, little realizing that they were forfeiting their already weakened political power. The United States military government found it necessary to call upon new social elements to fill the officer corp of the Constabulary. Representative of this social change was the middle-class officer, Rafael Leonidas Trujillo.8

The result of the United States intervention was the centralization, unification and modernization of the Dominican armed forces. By organizing a relatively stable institution in a society totally lacking in firmly-rooted institutions, the United States authorities helped make it possible for the head of the newly established military force, General Trujillo, to seize power and to retain control for thirty years.

8Trujillo's father was a small, not very successful, businessman.
In assessing the far-reaching effects of the American intervention, Marvin Goldwert, in his monograph on the Constabulary, asserts that

"... viewed in retrospect, the Constabulary policy represented a tragic simplification of the causes of Latin American instability and chronic militarism. The broad chasm between democratic forms and political and socio-economic realities in the Dominican Republic doomed the non-partisan constabulary from the outset."

The newly centralized, unified, and modernized Constabulary, after the withdrawal of the marines, quickly became converted into an instrument for the rise and consolidation of the dictatorship of Trujillo. This same military apparatus became the chief buttress of Trujillo's power and made it possible for him to maintain absolute and monolithic control.

Once in power, Trujillo's system of domination reached into every aspect of Dominican life. Howard Wiarda points out that Trujillo was not the typical caudillo. Instead he used the techniques of the modern totalitarian state. His near monopoly over national life allowed him to control the day-to-day existence of the entire population, and "in so controlling the Dominican society, he completely transformed its structure."\(^{10}\)

\(^{9}\)Goldwert, The Constabulary, p. vi.

\(^{10}\)Wiarda, Dictatorship and Development, p. 195.
No longer was the Dominican Republic a country ruled by regional caudillos squabbling over local spoils. Trujillo performed the function of a unifying dictator. Before 1930, the Dominican Republic was a collection of separate towns and villages immersed in local and personal political conflicts. Trujillo built roads, improved transportation, and modernized communication by creating a powerful radio network. At the same time, previously isolated elements were beginning to be uprooted, mobilized and organized. The entire society became more complex. Trujillo destroyed most of the old order, but as new groups arose, he kept them subjugated. No group or individual was ever allowed to wield any influence.

When Trujillo came to power, poverty and illiteracy were widespread; the economy was exclusively agricultural. Trujillo's rule began the transition to modernity and ended the country's semi-feudal order. Trujillo also performed the function of an economic nationalist. On behalf of himself or his family, he purchased foreign holdings and brought most of the national wealth into Dominican hands. He thereby transformed the pattern of the economy, and upon his death most of his personal holdings plus the holdings of the state became public patrimony. As a result of the assumption by the state of ownership of all the properties of the Trujillo family, the Dominican Republic in 1968 had a higher percentage of its Gross National Product in the public sector than
any country in the hemisphere except socialist Cuba. These holdings were tremendous and the stakes involved later became one of the chief sources of conflict during the Bosch regime and the Revolution of 1965.

Even though such economic activity was chiefly for his own ends, Trujillo brought capitalism and industrial development to the Dominican Republic. He began or expanded many industries, notably those concerned with producing flour, peanut oil, cement, paper and glass. Between 1936 and 1956, the industrial work force expanded four times; electric production multiplied fifteen times. The import-export pattern changed from regional to national. Santo Domingo became the commercial and financial administrative center of the country.

Industrialization brought rapid urbanization, an expansion of governmental activities, and the emergence of new social groups.

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1\textsuperscript{11} Lowenthal, \textit{Politics of Chaos}, p. 54.

1\textsuperscript{12} Official sources revealed that Trujillo's share of the national wealth had amounted to the following: bank deposits, 22%; money in circulation, 25%; sugar production, 63%; cement, 63%; paper, 73%; paint, 86%; cigarettes, 71%; milk, 85%; wheat and flour, 68%; plus the nation's only airline, its leading newspapers, and the three principal radio and television stations. \textit{Hispanic American Report}, XV:1114 (Events of December 1962).

1\textsuperscript{13} Figures taken from Dominican Government publication \textit{21 Años de Estadísticas Dominicanos} (Ciudad Trujillo 1957) show the industrial work force in 1936 to have been 20,301; in 1956 it was 75,000. Electricity production was 13.4 million KW in 1936; 204.5 million KW in 1956. The Dominican Republic's total population during this period barely doubled.
In fact, by the time of Trujillo's death, the Dominican power structure had been completely altered. The military was no longer the haven for the second sons of the elite. Because the elite had shunned the Constabulary, military officers were now coming from the middle rather than the upper classes. The old local leaders who decided policy and put presidents into office had long ago been subjugated by Trujillo. Moreover, Trujillo stripped the traditional elites of the remainder of their waning strength. Because the elites had excluded him from membership in their social clubs, Trujillo deliberately set out to destroy the power of the "first families." He expropriated much of the remaining property of the elites and forced them into exile or economic impotence. By 1961 the elites--about 5 per cent of the population--remained a closed social aristocracy, with local prestige but with no capacity for political action.

On the other hand, many of Trujillo's followers managed to accumulate great personal wealth or obtain high military or governmental positions. Thus, just below the traditional elites, there emerged an upper class of new rich, whose members held great economic and political power although they did not have distinguished family backgrounds. Many of the business community were recent immigrants.

Between the new rich and the lower classes, an embryonic middle sector began to develop. For the first time, increased agricultural production under Trujillo
generated enough income to support a commercial and professional class consisting of salaried urban clerks and department heads, white-collar workers, small business men, professionals, teachers, and lesser government officials.

The base of society continued to be the masses of poor, largely illiterate, peasants, sharecroppers, and day laborers. Slightly above them but still considered a part of the lower classes were those with jobs in industry or commerce, small tenant farmers, and owners of tiny plots of land. During the Trujillo regime, the lot of the lower classes remained unchanged except that many of the rural poor migrated to the cities, thereby creating an urban proletariat. 14

During the Trujillo era, Dominican society had changed and had become increasingly mobile. Nevertheless, though many had gained wealth and new social positions, not any person or group shared power with Trujillo. Political participation had expanded and Dominicans had been made to feel a part of the nation, but there were no organizations for their participation. Political parties other than Trujillo's had been forbidden. From 1930 to 1961 Trujillo exercised near absolute control over all aspects of the social, political,

military, economic, educational, and intellectual life. Because of the total control concentrated in his hands, Trujillo's death produced a complete vacuum.

No group institution or individual could begin to fill the void. Trujillo brought the Dominican Republic into the twentieth century, but he had never given Dominicans any experience in democratic methods and procedures. He had not provided even the most minimum institutional strength which might have facilitated an orderly transition after his death.

When John Bartlow Martin, the American Ambassador sent by the Kennedy Administration, arrived in the Dominican Republic in 1962, he summed up the situation when he said that

... there was simply nothing here to build upon—no government, no labor unions, no free civic association, no men experienced in government (they were dead, in jail, or in exile), no money, no work, no going economy, no civil service, no democratic traditions, nothing.15

The socio-economic groups of the country were deeply divided. The rural peasantry remained isolated, unorganized and inarticulate. The urban labor forces had not been permitted to form unions. Parties and interest associations were weak, and all sectors of the society competed to fill the leadership vacuum.

At the time of Trujillo's death, Max Frankel, writing in the *New York Times*, observed,

The 69 year-old Generalissimo, who ruled for thirty-one years, left more than a power vacuum in his capital. In the Dominican Republic he has left an ideological void, a people unaccustomed to governing themselves and unschooled in any political doctrine except the jungle doctrine that the strongest shall rule.¹⁶

Especially, Trujillo's method of observing forms while committing brutal and monstrous acts, his practice of raising men from obscurity to power and eliminating them in disgrace, had left a deeply engrained and all-persuasive negative attitude in the Dominican people and had a lasting effect on the conduct of Dominican politics. Following Trujillo's death, the people were cynical and skeptical about public activities. Abraham Lowenthal speculates that "perhaps the most corrupting effect of the Trujillo period on the Dominican policy has been the development of this set of attitudes."¹⁷ Building a democratic institutional structure based on trust and loyalty would be difficult indeed.

Such was the legacy that Trujillo bequeathed to the Dominican people.

Hunger and Hope

"Since I am so poor, I need a house and some money, because I am suffering terrible hunger. There are days when we don't even eat at all . . . ."\(^{18}\)

Paradoxically, at the same time that Dominicans were growing increasingly skeptical, the death of Trujillo brought a wave of optimism, and Dominicans began to experience a rising tide of expectations. By 1962 they began to identify the attainment of their social and economic aspirations with the fulfillment of political values expressed in their many constitutions.

Throughout their troubled history, the Dominican people and leaders held fast to the ideals expressed in their charters although fulfillment had not once been achieved. The tragic history of continuous failure and frustration had left the Dominican people disappointed; but despite their unfruitful experiences, they gave no thought to replacing their values with radically different substitutes. Few Dominicans understood democracy and the institutions through which it actually worked, but all seemed to be aware of the benefits it had brought to the people of the United States. They believed deeply that the establishment of democracy in

their own country would somehow alleviate the poverty, privation and stagnation in their own society.

This attitude is dramatically demonstrated in the results of Lloyd Free's public opinion survey taken in April 1962. In answer to the question:

We are clearly entering a new era in our country's history in which there will be an opportunity to choose a new governmental system and a way of life . . . is there any country which comes to mind in this connection . . . which has a political system and a way of life that you admire and would like to see followed?

sixty-five per cent answered that they wanted a system modeled on that of the United States.19

The extent to which Dominicans equated political values with social and economic aspirations can also be seen in Free's survey. When asked "What really matters in your own life and what are your wishes and hopes for the future?" seventy-two per cent wanted an improved standard of living for self or family, sufficient money to live better or to live decently; make ends meet and to have relief from poverty and want. When asked about their chief worries, seventy-six per cent mentioned deterioration or inadequate standard of living, poverty, etc.20

Whether expressed as aspirations or as fears, these lists of personal preoccupations demonstrate the potential

19Free, Attitudes, p. 3.
20Ibid., pp. 7-8.
appeal of political platforms or programs having to do with housing, landownership, employment, public health, and education. The figures show that of all the issues, the greatest in the mind of most Dominicans was that of improved living standards. But even more significant was the fact that Dominicans identified improved living standards not only as a personal but as a national problem. Free felt that this indicated that the "revolution in rising expectations had taken hold in the Dominican Republic in a form which had political meaning for the society as a whole." The Dominicans appeared to view economic betterment as a national political problem to be solved by the Dominican government. Free believed that "this high degree of political awareness in itself, constituted a potentially explosive factor in an already surcharged situation." 21

Free suggested that even more fraught with danger were the answers to questions asking Dominicans to rate themselves on a ladder in regard to where they thought they personally stood five years ago, in 1962, and where they would stand in the future. According to the answers given, clearly the Dominicans as a whole had no sense whatever of personal progress from past to present. Irrespective of the factor of the lack of personal progress, all socio-economic groups felt that they were badly off. The lowest personal rating that

the polltakers had ever recorded was a 4.6 among Brazilians. The Dominicans rated themselves at 1.6. ²²

Mr. Free speculated that perhaps the intensity of frustration was the result of earlier widespread expectations that the overthrow of Trujillo would usher in the "era of the promised land." The writers of the survey indicated in strong language that

whatever all the factors may be, we feel confident in alleging that an extremely serious situation of popular discontent and frustration, fraught with a dangerous potential for upheaval, exists in the Dominican Republic. Never have we seen the danger signal so unmistakably clear. ²³

Nevertheless the survey also showed that there still appeared to be hope for the future as evidenced by the optimism of most of the participants.

One of those who sensed the popular frustration, but still felt optimistic about the future, was Juan Bosch, who had recently returned to the Dominican Republic to participate in the elections of 1962. It would be impossible to discuss constitutional government in the Dominican Republic in 1962 and 1963 without also discussing Juan Bosch.

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²³Ibid., p. 17.
Juan Bosch's election to the presidency in 1962 precipitated an irrepressible conflict which began with the drafting of his reform Constitution of 1963.

When Bosch arrived in the Dominican Republic in 1961 shortly after the May 30 assassination of Trujillo, Joaquim Balaguer still retained his post as President, the same position he held during the Trujillo regime. Freed from Trujillo's control, Balaguer tried to build popular support by reducing the price of basic goods, increasing freedom of expression, allowing formation of opposition parties and permitting exiled leaders to return. Nevertheless, he was unable to maintain support and resigned after a few months. A seven man Council of State (Consejo de Estado), which was to serve as an interim government, replaced Balaguer.

On September 16, 1962, the Council of State enacted a new constitution which remained in effect until the promulgation of Bosch's 1963 Constitution. Transitory provisions of the 1962 document called for national elections to be held on December 20, 1962. Those provisions also instructed the Council to call for the election of representatives to a Constitutional Revisionary Assembly and provided that
candidates elected to the National Congress would also serve as delegates to the Assembly.

Most of the provisions of the September 1962 Constitution were identical to those in the last Trujillo Constitution except that the praise of Trujillo and the prohibition against Communism had been omitted. The Concordat between Church and State was left in tact. The only substantial changes dealt with new additions to the social welfare and human rights sections. Among these was the right to expropriate Trujillo property.¹

In mechanics and formal pronouncements, the 1962 Constitution appeared to be adequate. However, in the period following the fall of the dictatorship, many Dominicans looked upon the Constitution as a reminder and a symbol of the Trujillo tyranny. That document brought to mind not only the Trujillo constitutional abuses, but also the terror, corruption and oppression of the entire Trujillo era. These connotations soon became a source of growing resentment. Moreover, in the minds of many people, the 1962 Constitution was identified with the Council of State, a moderately conservative business oriented group. This group was closely associated with the National Civic Union Party (Union Nacional Civica) (UNC) to which most of the Council members belonged.

¹The Constitution of the Dominican Republic, 1962 (Washington, D.C.: The Pan American Union, 1964) Title 2, sec. 9. This article will be discussed more fully in the next chapter.
The Council of State was not a reactionary group controlled by the oligarchy as some maintained. It had initiated a good many reforms though it had avoided basic reforms which might change the status quo or the economic, political, or social order. Nonetheless, those who wanted active reform disdained the Council as being oligarchic and Trujillista. Others merely felt that the Council had not moved fast enough in this time of rising demands. Thus, a good many reform groups and individuals placed the blame for lack of reform on the Constitution of 1962. Perhaps, more than any other person, Juan Bosch was responsible for the new demand for constitutional change.

To understand the conflicts that developed around the Constitutions of 1962 and 1963, it is necessary to understand the role played by Juan Bosch and his Partido Revolucionario Dominicano (Revolutionary Dominican Party) (PRD).

Juan Bosch was fifty-three years old when he returned to the Dominican Republic after 26 years of exile. A writer and political scientist, who was largely self educated, Bosch was born in La Vega, the son of a Catalonian builder and a Puerto Rican mother. In his early years, he had made some effort to come to terms with Trujillo, but after 1937, he went into exile, actively opposing the dictator. He spent some of his time in Costa Rica, Venezuela, Puerto Rico and the United States. During 19 years of his exile he lived in Cuba, but he left in 1960, convinced that Fidel Castro had
betrayed the Cuban Revolution. While in Cuba in 1939, Bosch founded the Partido Revolucionario Dominicano (PRD).

The PRD was a non-Communist leftist organization based on the same ideology as the Cuban Revolutionary Party (Auténtico), the Acción Democratica of Venezuela, and the Popular Party of Puerto Rico. These were parties appealing to large dispossessed masses with promises of greater participation in the economic and social life of the country, greater freedom from internal dictatorships, and independence from imperialistic international control.\(^2\)

Bosch believed that the PRD could solve many of his country's difficulties. Fiercely proud of his Dominican nationality and imbued with a deep love of country, Bosch often brooded over his nation's problems. In his book, Unfinished Experiment, he described his feelings:

My poor country— from its first day of life as a republic, it had a multitude of political leaders who dedicated their capacity and strength to looking for a mother country to which to surrender our independence . . . . I suffered in my living flesh . . . . In my infancy, I had seen lowered from public buildings the Dominican flag in order to hoist in its place the flag of North America, and no one could imagine what that meant to my little soul of seven years . . . . The man of today comes pre-figured in the child of yesterday . . . . I can be sure that at the age of ten I felt ashamed that Santana, who annexed the Republic to Spain in 1863, and Baez, who wanted to surrender to the United States were Dominicans . . . . As I passed

through those years, that pain and that shame were converted into a Dominican passion. When I was called to be the leader of a political party, I took good care to always conduct myself as a Dominican who had pride in his nationality.3

Upon his return to the Dominican Republic, Bosch was determined not only to make his PRD a force in Dominican politics, but also to educate the masses and to communicate to them his pride in the Dominican nation.

Returning to participate in the elections of 1962, Bosch arrived at an auspicious moment. Free elections in the Dominican Republic were an unprecedented event. Since 1844, in thirty-two presidential elections, only four were free, and only two were conducted by direct popular vote.4 Great expectations were in the air!

Prior to the election campaign, Bosch and his PRD were practically unknown. The Union Civica Nacional (UNC) and the Fourteenth of June Movement (1J4) had captured most of the interest of the politically minded. The UNC was the party in power after the ouster of Balaguer, and many of its members had been closely connected with Trujillo. The Fourteenth of June Movement was composed of young, strongly nationalistic revolutionaries who had operated underground

3Juan Bosch, The Unfinished Experiment (New York: Frederick A. Praeger, 1965), p. 162. This book was first published in Mexico in 1964 under the title Crisis de la Democracia de America in La Republica Dominicana.

4Moreno, Barrios, p. 17.
since Trujillo's suppression of the Castro-supported invasion of the Dominican Republic in 1959. These two divergent parties often cooperated with each other. By 1962, however, the two parties split, and the UNC became the party of the right. As late as 1962, the UNC was alleged to have harbored some members of the Communist party. The 1J4 became the party of the extreme left although most of its members were from the upper middle class.

When Bosch became the candidate of the PRD, he took a completely new approach to Dominican politics. Directing his attention to the masses, he discussed problems on a national level. Bosch believed that his chief task was that of developing a political awareness among the lower classes. The PRD immediately set out to build a party organization. The leaders devoted themselves to setting up committees in rural areas and urban neighborhoods, municipalities and provinces. They also spoke on the radio and organized rallies.

Slowly and patiently, Bosch himself tried to educate the people by talking to them almost every day on the radio. Using simple language they could understand, he tried to instruct them in the ways of democracy and the rule of law.

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6 Bosch, Unfinished Experiment, p. 72.
He talked to them about such things as: What is democracy, and how does it function? What are the economic problems of the Dominican Republic? How is Dominican society organized?

"In speaking of democracy," Bosch wrote in his book, "I explained what a constitution is and what laws are, how the separate powers of the government function and are interrelated, how and why people vote, and what a political party is." Bosch also spoke to them about economic problems—such things as balance of payments, foreign exchange, the difference between foreign and domestic markets.

In talking to them about the organization of Dominican society, he told them that the masses were and always had been subjugated by a minority. He used the term "tutompotes," a Dominican colloquialism meaning "big shot," to describe the upper class. For this, he was often accused of inciting class conflicts.

Above all, Bosch emphasized that he and the PRD wanted to be not a party of distinguished people, but rather a party of the great popular masses; and from the first he and the PRD went after the masses. In describing his approach, he said that

7Bosch, Unfinished Experiment, p. 85.
8Ibid., p. 78.
... it would have been foolish to have tried to win over the people with money. There was not enough money in the world to give each of them what they needed. But it was not foolish to convince them that they had the right to be given the opportunity to obtain what they need.

The PRD's slogans of "Dignity against Money" and "Land and Dignity" attracted the intellectual and the landless peasant alike. At the same time, according to Bosch's book, the PRD gained more and more people from the lower-middle class. "Our strategy was to go out after the masses . . . who also pulled in a sizable part of the lower stratum of the lower middle class. And in the wake of the latter would come a few of the middle stratum."\(^9\)

No one doubted that Bosch's strategy had worked. His electoral sweep was tremendous. The official vote showed that he had received 619,491 votes out of a total of 1,054,944 cast—58 per cent. His opponent Viriato Fiallo of the UNC received 317,327 votes—30.08 per cent. The Social Christian candidate who came in third polled only 5.8 per cent of the total.\(^11\)

After the election the American Ambassador, John Bartlow Martin, wrote that

\(\ldots\) clearly, Bosch's mandate was overwhelming. He had the votes of the campesinos, of the displaced campesinos in the cities . . . of

\(^9\) Bosch, Unfinished Experiment, p. 78.

\(^10\) Ibid., p. 74.

\(^11\) Martin, Overtaken By Events, p. 306.
Trujillistas, of Castro/Communists who had been urged by the party not to vote in the election and of the relatives of soldiers and the police—of nearly everyone. In my opinion, the vote showed the existence in this Republic of a deep and powerful revolutionary current.¹²

These people wanted a better life, and Bosch somehow convinced them he would give it to them. But from the beginning, Bosch excited controversy. The London Times described Bosch as "the type of President the country needs, free of jingoism, anxious to attract foreign investment, serious about land reforms."¹³

Ambassador Martin, despite a close friendship with Bosch, often worried about Bosch's ability to govern the country. In speaking of Bosch's personality, Martin said that Bosch was brilliant but unstable and reckless, that he was complicated and moody, a "concealed man with few friends . . . arrogant and vain and streaked with martyrdom." Martin asserted that "throughout his tenure Bosch feared plots dark as the inside of a cave. His was a dark and conspiratorial mind," a quality which Martin thought might be essential to a man trying to survive exile and politics but not necessarily helpful to a President.¹⁴

¹² Martin, Overtaken By Events, p. 306.
¹⁴ Martin, Overtaken By Events, p. 344.
Dan Kurzman, a newspaper man who reported the Civil War of 1965, viewed Bosch from a different point of view when he noted that

Not even his best friends derived comfort from his tendency to react emotionally and sometimes irrationally to situations requiring coolness and a tough skin . . . . But if Bosch lacked a tolerant spirit, he did not vent his intolerance in violence, force, or dictatorship. He refused to let his bitterness and prejudice dilute his moral convictions or sway him from the path of democracy.¹⁵

It must be emphasized that Bosch's temperament was typically Dominican. J. B. Hernandez, writing in the Dominican newspaper El Carribe, said that "if anyone from Alaska asked me to define our national temperament, I would answer one word: tropical. Our manner of being is like the weather and atmosphere that surrounds our island."¹⁶

Ambassador Martin, himself, admitted that "vanity, pride, posturing, rigidity, hopelessly grandiose dreams, volitility and instability, an almost child like refusal to assume responsibility: these were flaws in Bosch's character as they were flaws in the Dominican character."¹⁷

¹⁷Martin, Overtaken By Events, p. 716.
At the same time that the Dominicans elected Bosch as president, they also selected the members of a Revisionary Constitutional Assembly. According to the law that governed the election, the new Congressmen would also make up the Revisionary Assembly. If that body had not completed its task by February 27, 1963, their alternates would serve in the Chamber of Deputies until the Congressmen had finished the revision of the Constitution. In January 1963, the first free assembly in thirty-three years met to write a new constitution.

Although the banner of Bosch's movement was political democracy, in his campaign he had emphasized a program of social and economic reform. He pledged a revolution, but a peaceful one; therefore, it appeared almost certain that the Constitution would be revolutionary. Speaking to the people in a homecoming speech, Bosch declared that "the people voted for a democratic revolution" and that this revolution cannot be given to them if "we do not have a revolutionary Constitution." Again and again he emphasized this same approach. "The Dominican Republic is forging a new image. . . . This national image must be engraved now in their Constitution. . . ."

The delegates to the Revisionary Assembly, predominately PRD members, interpreted their victory as a mandate to carry out Bosch's reforms.

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18 Martin, Overtaken By Events, p. 325.
CHAPTER IV

THE CONSTITUTIONS OF 1962 and 1963

The Constitutional Revisionary Assembly completed its work on April 29, 1963. United States Supreme Court Justice William O. Douglas assisted in the preparation of the new Dominican fundamental law. The 1963 document embodied many of the principles of previous documents, and in regard to mechanics and organization of government, the 1962 and 1963 Constitutions did not differ fundamentally.

As in most earlier constitutions, both announce that the government is essentially civil, republican, democratic, and representative; and that the government is divided into legislative, executive, and judicial branches. These three branches are independent in the exercise of their respective functions.1

Both the 1962 and the 1963 Constitutions expressly state that sovereignty resides inherently in the Dominican people, and both documents are explicit on the principle of non-intervention.

The 1962 Constitution provides for a President and a Vice-President elected every four years by direct vote. The President cannot immediately be re-elected. The President is Commander of the armed forces. The enumerated powers of the President include appointing and removing cabinet and sub-cabinet officials, promulgating laws and regulations, ensuring collection of revenues, declaring a state of siege and also declaring a state of national emergency in case of grave danger when Congress is not in session. He is also empowered to make contracts, control the armed forces, defend the country, prohibit entry of and expel undesirable aliens, and grant pardons. The President and Vice-President may not resign except before the National Congress.

The powers of the Executive under the 1963 Constitution do not differ substantially from those of the 1962 Constitution except that under the 1962 document, the functioning of the ministries is regulated by law; whereas, under the later one, this power is given to the Executive.

The 1962 Constitution provides for a Senate and a Chamber of Deputies elected by direct vote every four years, with alternates for Senators and Deputies. Exclusive powers of the Senate include electing judges of the Supreme Court and of inferior courts and trying impeachments. The Chamber of Deputies has the sole power to impeach public officials. The Chamber and Senate constitute the National Assembly, which is largely ceremonial in that each chamber operates
independently of the other. Both constitutions empower the Congress to levy taxes, approve or reject the budget, create or abolish political divisions, declare a state of siege or national emergency, create or abolish the courts, approve or reject requests for extraordinary expenditure, grant loans, and approve or reject treaties. The Congress also has the power to interpellate ministers on authorization of the President, approve and reject contracts submitted by the President and legislate on all matters not within the competence of another branch of the government or contrary to the Constitution.

Regarding congressional powers, the 1963 Constitution differs only in that the Congress is specifically empowered to refuse to authorize loans made by the executive power against the credit of the nation. In addition, Congress may interpellate ministers on its own authority, and may authorize or refuse to authorize the alienation of real property by municipal governments.

The 1962 Constitution establishes a Supreme Court of at least seven justices, the Chief Justice to be named by the Senate. Its exclusive jurisdictions include actions involving the President and Vice-President, members of the Congress, ministers, judges, and diplomats; hearing appeals of causation; and acting as ultimate court of appeal.

The 1963 Constitution differs only in that it provides for nine Supreme Court Justices. Other provisions
regarding the Supreme Court are virtually unchanged.

The 1962 Constitution provides that laws contrary to it are null and void and forbids retroactive effects of laws unless favorable.

Both the 1962 and 1963 Constitutions divide the country into municipalities and the National District. There are no provincial legislatures, and the governors are appointed by the President. Both constitutions provide for popular election of the municipal councils, which in theory have some degree of autonomy; but both the 1962 and 1963 documents provide that autonomy might be restricted by statute.

Both the 1962 and 1963 documents provide that the Constitution may be amended if a proposal is presented in the Congress, supported by one-third of the members of either chamber or if it is submitted by the executive power. A law declaring the need for amendment must be passed by a two-thirds vote in each chamber.

It is evident that the newly completed 1963 Constitution did not alter the form of government nor the organizational pattern of its institutions. Indeed, in mechanics, the 1963 document did not differ fundamentally from that of 1962 or any other previous Dominican charter. Moreover, with a few exceptions, most of the individual rights in both the 1962 and 1963 Constitutions are the same as those which Dominicans began to include as far back as
1844 in their first Constitution.

The 1962 Constitution guarantees freedom of conscience and worship; freedom of association; and freedom of expression without censorship, with the latter right subject to penalties for persons who threaten the honor of individuals, the social order, or the public peace. Also guaranteed are freedom from arbitrary imprisonment, double jeopardy, and self-incrimination. The 1963 Constitution has an amplified list of individual rights including freedom of belief and conscience, association, speech, movement within and without the Republic, and access to the courts. The 1963 Constitution also forbids military arrest and imprisonment and deportation.

Dominican constitutions often make religious pronouncements. Earlier, Trujillo established a Concordat with the Holy See, which was continued in the 1962 Constitution:

"TITLE III

Concordat"

Article 11. Relations between the Church and the State are regulated by the Concordat between the Holy See and the Dominican Republic, in accordance with the law of God and the Catholic tradition of the Dominican Republic.

The 1963 Constitution makes no mention of the Concordat.

In addition to organizing the government and enumerating individual rights, both constitutions did not ignore the social role of the government. Both the 1962 and 1963 Constitutions expanded social welfare pronouncements.
When the Council of State enacted the Constitution of 1962, the Council enlarged the already existing social welfare section of the Trujillo document. Trujillo had introduced several provisions based on the assumption that the government should regulate social and economic affairs in an effort to achieve social justice. But, of course, to Trujillo, constitutions were mere façades; therefore, he was never concerned with implementing his welfare provisions.

The Council of State recognized that it is the duty of the state to promote social welfare, but in the 1962 Constitution the role of the state is generally passive. Primary stress is on the role of the individual. The preface to the Human Rights section of the 1962 Constitution announces the aims of the state, but not the extent to which the government will participate in achieving those aims. However, the words "maintenance," "protection," "improve himself," indicate the general philosophy of the 1962 Constitution.

"TITLE II

Human Rights"

Article 8. The effective protection of the rights of the human being and the creation and maintenance of the means which will permit him to improve himself [Italics mine] progressively within a system of individual liberty and social justice, compatible with public order, the general well-being and the rights of all, are recognized as the principal aims of the State. In order to guarantee the accomplishment of these aims the following standards are set:
The 1962 Constitution affirms freedom of work and encourages the establishment of proper working conditions, but there is no definite commitment to go beyond minimum protections.

Article 8.

(3) Freedom of work. The law shall, as required by the general interest, establish the maximum working day, days of rest and vacations, minimum wages and salaries and their forms of payment, social security, the participation of nationals in all work, and in general all provisions for State protection and assistance for workers that may be considered necessary.

The 1962 Constitution deals with a number of other economic rights, all of which support the idea of social security as a protection against unemployment, sickness, disability, and old age. The 1962 document also offers paternalistic protection to the elderly and assistance to the poor:

Article 8.

(15) The State shall continue the progressive development of social security so that one day every person shall enjoy adequate protection against unemployment, sickness, disability, and old age.

(16) The State shall offer its protection and assistance to old people in a manner determined by law, in order that their health shall be preserved and their well-being ensured.

(17) The State shall offer social assistance to the poor. This attention shall consist of food, clothing, and insofar as possible, adequate housing.
The Human Rights section of the 1962 Constitution affirms the right of freedom of enterprise and prohibits private monopolies:

**Article 8.**

(4) Freedom of enterprise. Monopolies may be established only in favor of the State or State institutions. The creation and organization of these monopolies shall be done by decree-law of the executive power.

The 1962 Constitution contains a provision protecting the right to own property. This is the original Trujillo provision, modified in 1962 to give the state the right to use confiscated Trujillo property to "repair the moral and material damage" done by the dictatorship. This section also establishes procedures for agrarian reform:

**Article 8.**

(9) The right to own property. This, however, may be taken over for a duly justified reason of public benefit or social interest, and after fair compensation. In cases of public disaster compensation need not be paid in advance. A general confiscation of property is prohibited, except as punishment of persons guilty of treason or espionage in behalf of an enemy during a time of legitimate defense against a foreign state or guilty of abuse or usurpation of power or of any public functions for purposes of enriching themselves or others. In these last cases the property acquired by the State through confiscation ordered by law will have first priority as means of repairing the moral and material damage caused by the usurpation or abuse of power or public function. The law may establish special procedures for acquisition by the State of areas or portions of rural lands that may be needed for introducing and developing adequate systems or agrarian reforms, in which case the same law shall regulate the form of indemnity or compensation.
Continuing a principle established in earlier Dominican constituitions, the 1962 document declares it is the duty of the state to guarantee free, compulsory elementary education:

**Article 8.**

(6) Freedom of education. Elementary education shall be compulsory for children of school age and for all those who for diverse reasons have not previously been able to enjoy this right. It is hereby declared a duty of the State to furnish a basic education to all inhabitants of the national territory and to take the necessary steps to eliminate or prevent the reappearance of illiteracy. Both elementary education and the education offered in vocational, art, commercial, manual arts, and home economics schools shall be free. These duties of the State presume on the part of persons inhabiting the territory of the Republic the correlative obligation of attending the educational institutions of the country in order to acquire at least an elementary education. The State shall strive for the widest possible dissemination of science and culture, thus adequately facilitating all persons to benefit from the results of scientific progress.

The 1962 document takes a special interest in the family and announces broad protection for mothers and children. The state also encourages the establishment of the family homestead:

**Article 8.**

(14) With the aim of strengthening its stability and well-being, its moral, religious, and cultural life, the family shall receive the broadest possible protection from the State. The law shall provide the necessary means for protecting maternity and, in particular, mothers, during a reasonable period before and after childbirth. One of the principal
objectives of the social policy of the State is declared to be the constant reduction of infant mortality and a sound development of children. The establishment of the family "homestead" (bien de familia) is also declared to be of high social interest. The State shall encourage family savings and the establishment of credit, producer, distribution, and consumer cooperatives and any others that may be useful.

In addition, the Constitution of 1962 provides for property agreements between husband and wife. However, the 1962 document does not mention divorce:

**Article 8.**

(19) Husband and wife may freely arrive at their marriage agreements or elect any system adopted by law, which shall always establish the system of separation of property and prescribe what shall govern in the absence of special provisions, the following characteristics being understood to be inherent in this system of separation of property: (a) that each spouse shall retain the ownership, administration, enjoyment, and free disposition of his or her property; (b) that any renunciation by the wife of the right to recover the administration of her property which she had entrusted to her husband is void; and (c) if after ten years of a marriage under separation of property, one of the spouses dies, his or her creditors, heirs, legatees, or successors may not, for any reason, initiate any action against the surviving spouse for the restitution or return of property.

When the Revisionary Assembly met, they incorporated most of the preceding welfare pronouncements into the new 1963 document; but in addition, to expanding social rights, the 1963 Constitution directs the state toward a stronger, affirmative role. Juan Bosch had charged the Assembly with the task of writing a revolutionary constitution. To the
majority of the delegates to the Assembly, the existing 1962 Constitution had not gone far enough. A comparison of the social welfare provisions of the two constitutions will reveal sharp philosophical differences. It was these differences which led to the overthrow of the Bosch government in September of 1963 and ultimately became a contributing cause of violent conflict in the Revolution of 1965.

Though both the 1962 and 1963 documents affirm human rights and the dignity of man, the 1963 Constitution does not conceive of these rights as limited to the individual but considers them as social and economic in their ramifications. Human rights are affirmed by stressing social goals and their implementation. In the 1963 document, emphasis is always on the state as the agent who will guarantee social rights. Moreover, not only must the state take a larger role in using its positive powers, the 1963 Constitution explicitly requires that the government exercise its responsibility. The 1963 Constitution specifically charges the state to use its power, not merely to promote, but to guarantee the welfare of society and the individual.

Primarily the 1962 Constitution concerns itself with the organization of government, while the 1963 document concentrates on the organization of society. The basic divergence in the two constitutions lies in the attitude of each toward the way in which society should be organized and to the degree of authority given to the state for carrying out the
nation's goals. In this respect, a wide gap exists between the two documents.

Dominicans have written twenty-seven constitutions, all of them basically the same; but the 1963 Revisionary Assembly created a constitution which differs radically from all earlier documents. Although unchanged in mechanical forms, the philosophic content is a wide departure from all previous Dominican charters. By adopting a completely new attitude toward the role of the state, the Assembly created a totally new constitution. Even the format and arrangement had been altered. In all previous constitutions, the opening statement customarily begins with a description of the nation and its government. The 1963 document opens with a statement of "Fundamental Principles" and four pages of social welfare declarations, each one stressing the rights of society over the rights of property and the individual. Even the order is significant. Those articles dealing with the right to work, to social security, to organize and conduct strikes are followed, rather than preceded, by the rights of initiative and property. Above all, the 1963 Constitution outlines goals for society and makes sweeping proposals for social change.

To understand and evaluate the disputes which later arose over the Constitution of 1963, it is necessary to look at the controversial portions. The 1963 Constitution begins with a statement of fundamental principles which set the tone
for the entire document. Throughout, the emphasis is always on such words as "guarantee," "Public Power," "social needs," and "duty of the state." At once the 1963 Constitution declares its aims:

"FUNDAMENTAL PRINCIPLES"

Article 1. The basic ends of Public Power are:
(a) to protect human dignity and promote and guarantee its respect;

(b) to work toward the elimination of the obstacles of the social and economic order which limit the equality and the liberty of Dominicans and which oppose the development of human personality and the effective participation of all in the political, economic, and social organization of the country.

The 1963 Constitution establishes a new attitude of the state toward the function of work, when it announces that the principal existence of the Dominican nation is in work:

Article 2.

The existence of the Dominican nation is principally in work. Work is declared to be the primary base of its social, political, and economic organization and it is established as the inevitable obligation of all Dominicans. Therefore:

(a) The right of work is recognized for all persons, and the State is obligated to promote and guarantee the conditions which are indispensable for making the exercise of this right effective.

(b) It is the duty of every citizen to develop, through his own selection and his own abilities, an activity or function that contributes to the material and spiritual progress of the nation.
(c) Mendicity and vagrancy, and any other social vices which are opposed to the consecration of work as a fundamental principle of the existence of the nation, is declared a public calamity.

The 1963 Constitution proclaims the right of private initiative, but makes it clear that such a right must be subordinate to the public good.

Article 3. Freedom of private initiative is declared. Nevertheless, it cannot be exercised to the prejudice of human liberty, dignity or security. The law will determine the measures and controls necessary to insure a complete compatibility between private economic effectiveness and social interests.

Article 4. For the general norm, property must serve the progress and welfare of society.

In the announcement of fundamental principles, public officials are prohibited from using their positions for personal gain:

Article 5. It is declared a crime against the people to remove public funds, take advantage of positions inside the organization of the State, its dependencies, or its autonomous entities, or to obtain illegal economic advantages for personal gain.

It is also a crime for persons in the same position to deliberately distribute economic advantages to his associates, family, friends, and relatives.

The same law shall be applied to accomplices. The law requires restriction of illicit appropriations.²

²All provisions which are basically the same as those in the 1962 Constitution or which are non-controversial have been omitted from this analysis.
**Article 9.** The laws are not retroactive.

In pronouncements on work, the 1963 Constitution differs widely from earlier charters. The 1963 document does not merely emphasize the promotion of work by the state, but instead announces the guarantee of work itself. In addition, the Constitution recognizes the right of workers to participate in the benefits of industry:

"ECONOMIC AND ETHICAL SOCIO RELATIONS

Section I

OF WORK"

**Article 13.** All forms of work are under the supervision and protection of the State. The principal duty of the State is to occupy itself with the formation of workers organizations.

**Article 14.** People who are disabled or untrained for work have the right of education or rehabilitation. The State will assist the disabled in providing that which is necessary for subsistence.

**Article 15.** Union organization is unrestricted with the provision that the unions are democratically organized and that they be registered in the local and central offices of the Department of Labor.

In contractual arrangements between management and workers of the same enterprise, and always when dealing with unions of equal nature, where there is more than one union, the State will only recognize the one affiliated with the majority of workers.

**Article 16.** The government is dedicated to freedom of work and shall establish according to the general interest maximum hours, days of rest and vacation, wages, social security—in general all the benefits of the protection which the State considers necessary or useful for the benefit of work. [This is basically the same as Article 8 of Section 3 of the 1962 Constitution.]
Article 17. Equal pay for equal work regardless of age, sex or station.

Article 18. The State recognizes the right and the duty of workers to collaborate with businesses in the form and according to the limits established by law in order to elevate the workers socially and economically and also to respond to the necessities of production.

Article 19. In every enterprise (industrial, agricultural, commercial or mining) the workers have the right to participate in the benefits of the enterprise, recognizing the legitimate interests of the management and the other factors of production.

The law will fix the limits and form of this participation.

Article 20. The law recognizes the right of workers to strike and management to suspend work (lockouts), except in public service. Rules for regulating strikes and lockouts shall be set down by law in conformity with the interest of workers and management and social necessities and national security.

Article 21. The rights and benefits established by this section in favor of workers as well as those made by law cannot be abrogated.

In the 1963 Constitution the use and retention of property are conditioned by the social good. The 1963 document allows the right of property; but allows the state, in the interest of the public good, to expropriate if there is fair compensation:

Article 22. The State recognizes and guarantees the right of property: Since the ends of property must serve progress and benefit the welfare of society, expropriation shall take place in the cause of the social interest by virtue of proceedings that shall be organized by law.

To fix the indemnification, the State shall keep in mind the interest of society on the one
hand and the interest of the proprietors on the other.

Indemnification in litigation shall be decided by the courts in conformity with the law which shall keep in mind the preceding paragraph. In such cases, the State shall take possession of the property without waiting for the decision of the courts. In cases of adjudication and forced sale, the State shall acquire the property or the value representing the property within the norms fixed by law, and measures shall be adopted for reverting the property if necessary to the persons expropriated.

The 1963 Constitution limits ownership of excessively large (latifundio) or small (minifundio) landholdings. The state also reserves the right to decide who should own land. Neither corporations nor foreigners may freely acquire land.

Article 23. Possession of excessive land by persons or private entities is declared contrary to the collective interest. Consequently, latifundios are prohibited regardless of the form in which they originated.

The law will fix the minimum size of land that a proprietor, whether an individual or an entity, can possess, keeping in mind ecological, economic and social factors.

Corporations cannot acquire property in land unless it is to be directed to the widening, enlargement, and promotion of the welfare of the populace or for the installation of industrial plants and commercial establishments in conformity with legal regulations. These entities may, in rural zones, acquire the lands necessary for factories and improvements.

Exempt, as the law shall determine, from this provision are credit institutions which can acquire property in land which has been given as a guarantee of its credits, also cooperatives because of the high socio-economic ends which they pursue. The law may establish other exemptions as necessary.
Article 24. Minifundio is declared uneconomic and anti-social. The law will determine what it understands minifundio to be and will dictate the measures necessary to reach integration and economic unity.

Article 25. Only Dominican individuals have the right to acquire property in land. Nevertheless, the Congress may authorize the acquisition of lands in urban zones for foreigners when it is in the national interest.

The law shall regulate the renting of land to people or corporations who are not Dominicans.

The resources of the subsoil and of the sub-marine platform belong to the State, no matter who, nationals or foreigners, has concession of their exploitation. The property of underground mines is inalienable.

The 1962 Constitution encourages the establishment of the family homestead, but the 1963 Constitution contains far wider provisions relating to the right of every Dominican to own a comfortable, sanitary home. Not only does the 1963 charter prohibit seizure of the home from creditors, but it also announces that the state will assist those who do not have the necessary resources.

Article 26. Each Dominican family should possess his own residence, comfortable and clean, and in the event of the lack of necessary economic resources they shall be distributed by the State with the cooperation of the beneficiaries in accordance with their earnings and economic possibilities, all in accordance with plans made by competent agencies.

The family cannot be deprived of the family home. The family home is inalienable and not subject to seizure.

Article 27. The law will determine the extension, composition, and value of family estates which shall be inalienable...
The 1963 Constitution also provides for the use of state lands and the division of excessive landholdings for the purpose of agrarian reform. The state recognizes that the establishment of the family homestead in land is in the highest public interest:

**Article 28.** Each rural family which does not have sufficient land has the right to be given the same, with the size and parcels of land being proportioned according to the conditions of the land, and of the necessities and capacity to work, and also giving to them the adequate means of assuring economic and social progress of the community.

The State will assist the agrarian institutions, associations or unions to assure that those who cultivate the land will reach the highest standard of living possible.

Consequent with this principle and for the ends proposed, it is declared that the dedication of lands of the State to the plans for agrarian reform, and the division of lands which exceed maximum limits prescribed by the law and the sale of these lands to the farmers, is declared to be in the highest social interest. If there is a lack of purchasers, the State will acquire the land previously divided for later transfer to the farmers.

**Article 29.** The State will encourage the creation of cooperatives.

An extensive section in the 1963 Constitution deals with monopolies and announces that anyone attempting to limit or eliminate competition will be penalized:

"Section III
OF THE SOCIAL ECONOMY"

**Article 30.** Monopolies in favor of private individuals are prohibited. The following will be prosecuted according to the law:

(a) Those who are dedicated to the monopoly or
concentration of articles of necessary consumption with the purpose of causing a rise in prices of the articles.

(b) Anyone who manipulates industrial distributors, merchants or managers of public services with the intent to fix prices above normal, divide the markets, negate a commercial pact, or link the sale or rent of a product with another, or by whatever mode limit or impede the free traffic of industry, internal or external commerce, or public services.

(c) Anyone who directly or indirectly discriminates in pricing among producers or sellers of equal category in external or internal commerce, when such discrimination has the effect of limiting the free intercourse or creating a total or impartial monopoly.

Anyone engaged in manipulation or creation of combinations which are prejudicial to the public and, one social class, or the collective interest.

The 1963 Constitution also charges the state with assisting rural and urban cooperatives and guaranteeing a just price for agricultural produce:

Article 31. It is the duty of the State to guarantee to farmers a sure and advantageous market. So that those interested in their own initiative shall receive the most beneficial price, the State will be responsible for obtaining a suitable price for agricultural products.

The following provision became extremely controversial because the state announced that property owners whose land appreciated because of public works must cede the profit to the state:

Article 32. In cases in which the value of land or property increases, and the increase has been produced without private effort or capital and only because of the action of the State, the proprietors shall cede the benefits to the State according to proportions established by law.
Article 34. The State will authorize whatever is necessary to create free ports and zones and to offer related exemptions that favor the development of the industry of the country.

Special mention is also given to education in the 1963 Constitution. The state will not only guarantee free elementary education, but will provide gratuitous secondary education as well. The Constitution proclaims "Freedom of Teaching," and places the school system under the supervision of the state. In addition, the state will give special protection to the teaching profession:

"Section IV
OF EDUCATION AND CULTURE"

Article 35. The right of all Dominicans to education is recognized and the State is obligated to take all necessary measures to guarantee the complete exercise of this right. . . .

Article 37. Freedom of teaching is guaranteed and science is proclaimed as the basic fundamental of education. The State shall have in its charge the organization, inspection and supervision of the school system, in order to procure the achievement of the social ends of the culture and for the best intellectual, moral and physical formation of those being educated.

Article 38. Because of its social transcendance, teaching is raised to a public function. Therefore the Public Powers are responsible for the elevation of the standard of living of each teacher and the distribution of means necessary for the perfection of his knowledge in order to protect and safeguard his dignity so that he can dedicate himself to the exercise of his elevated mission without economic, moral, religious or political pressures.

Article 39. The State will give to all the inhabitants free primary and secondary education. Primary education is obligatory for all residents in the country of school age.
Article 40. The State will strive to dispense the highest university, professional, vocational and technical teaching to workers and farmers.

Recognizing the duty of the state to safeguard the social development of the family, the 1963 Constitution provides special protection for maternity, and assumes responsibility for neglected children. All children are equal before the law whether born in or out of wedlock. The Constitution recognizes common-law marriage and allows dissolution of marriages (divorce) by mutual consent or on demand by either party:

"Section V
OF THE FAMILY"

Article 41. The Public Powers shall promote through adequate economic measures, the formalization and stabilization of the family and its consummate ends.

Article 42. The State will offer special protection to marriage and the family, to the pregnant woman and to maternity and to the child from its birth until its complete development.

Article 43. Children without distinction shall enjoy the same opportunities of social, spiritual and physical development.

Article 44. The father and the mother have the obligation of feeding, educating and instructing their children, and the children to respect and assist the parents.

Article 45. The State will protect children from abandonment or moral or material exploitation.

Article 46. Matrimony is recognized as the legal foundation of the family and it is declared that matrimony presupposes an absolute equality of rights for both the members, including financial arrangements.
Article 47. The married women shall enjoy all civil legal rights. For disposition of immovable property and community property, both members of the union must give consent.

Article 48. No matter what its nature, legal state, or condition, the marriage may be dissolved with the accord of both members or by the demand of either one of the two, in the manner and for the causes established by law.

The law will determine in which situations unions between persons with the capacity to contract marriage can for reasons of equity and social interest grant economic arrangements similar to those of marriage.

Article 49. It is prohibited for public officials to expedite certifications indicating whether the child is born in or out of wedlock and in general all qualifications relative to the nature, and character of the filiation except that which the law establishes.

Section VI of Part I of the 1963 Constitution deals with health. Many of these provisions are the same as those included in the 1962 document and none are controversial. The remainder of the 1963 Constitution, Part II, deals with the organization of the government.

Upon examination, it becomes obvious that the 1963 Constitution makes a definite effort to anchor human rights to the "welfare state." Throughout, the 1963 Constitution clearly proclaims that the state is committed to a policy of regulating for the good of society by exercising the positive powers of government. Henceforth, state and private resources would be allocated to public needs.
The recurrent use of such concepts as "public vs. private interests"; "social good"; "property must serve the progress and welfare of society"; "the primary duty of the state is to concern itself with the training of workers and improvement of their skills" -- all such concepts emphasize the idea of the state as a positive force. The PRD Assembly had created a "blueprint for a welfare state." The contest over whether or not the "blueprint" would be accepted was yet to come.

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CHAPTER V

CONFLICT

Juan Bosch had pledged a revolutionary constitution, and plainly, the Revisionary Assembly had written one. The comprehensive nature of the welfare program of the 1963 Constitution indicated a deliberate policy of social and economic reform which emphasized the power of the state to intervene in the economy on behalf of the welfare of the general society. Here was an attempt by Bosch and the PRD to fulfill their campaign promises to bring a better life to those Dominicans who had long been excluded from the fruits of the economy.

Nevertheless, not everyone agreed with the goals and ideals set forth in the Constitution. A 101 gun salute accompanied the promulgation of the Constitution on April 29, 1963, but the entire nation did not rejoice and applaud the work of the Revisionary Assembly. Though the elections had given Bosch overwhelming support, some sectors of the society viewed his victory with misgivings—although uneasy, they waited. It was not long before apprehension became intense anxiety, especially among members of the property-owning classes.

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Only a few weeks earlier, great optimism had swept the nation as the Revisionary Assembly prepared to meet. The independent daily, El Carribe, expressed many of the Dominican hopes for the future:

On the Constitutional Assembly which will meet in a week depends the orientation of the institutional life of the Dominican Republic. We are about to initiate one of the most important accomplishments in our contemporary history. This is the first constituent assembly in decades truly elected by the people.¹

From the beginning, the newspapers reported the activities of the Assembly and printed detailed descriptions of each projected provision. With each new revelation, isolated but unorganized opposition began to appear. On January 29, while the Assembly deliberated, El Carribe prematurely leaked a copy of the draft Constitution. Its publication sent shock waves through much of the business and landholding community. Some of the provisions frightened religious groups as well. As the text of draft reached the public, reaction came immediately.²

The American Ambassador, John Martin, attending a party a few evenings later, spoke with some of the members of the outgoing Council of State, with whom the Ambassador enjoyed a cordial relationship. The conversation, as

¹El Carribe (Santo Domingo), Dec. 19, p. 6.
²The text of the draft Constitution is in El Carribe, January 29, p. 10. Translations of the draft and passages from El Carribe are by the present writer.
reported in the Ambassador's book, catalogs most of the fears in the minds of those who later rejected the 1963 Constitution:

... President Bonnelly, Donny Reid, and Tony Imbert took me aside into a little room and demanded indignantly to know what I thought of the new draft Constitution. President Bonnelly ... declared it was a "Communist Constitution" and would ruin the Republic. As a lawyer, he said the Constitution was loosely drawn. It would frighten away investment. It did not protect property rights ... It authorized expropriation of property without compensation ... It forbade foreign persons and all corporations from owning property. It said property must serve the needs of the masses ... It prohibited latifundio, but left it to Congress to define latifundio. It legalized concubinage and made divorce easy, it "rudely" infringed the Dominican tradition that the man was the head of the family by declaring the sexes equal, did not guarantee civil liberties, and did not consecrate the Vatican Concordat.

Imbert joined in vociferously. So did Reid. The country was a keg of dynamite with a short, burning fuse. Throughout the conversation flowed venom against the new regime.

President Bonnelly agreed—the people were ignorant and needed to be educated to own land and to participate in business and in government.3

When Ambassador Martin tried to placate them, saying that he did not think Bosch and the PRD intended to turn the country into a Communist state, Imbert interrupted saying, "There is already one Communist state in the Americas because the U.S. did not believe Castro would go Communist."4

3Martin, Overtaken by Events, p. 316.
4Ibid., p. 317.
Ambassador Martin told the group that the United States was determined there would not be another "Fidel" in the Caribbean and pointed out that they were discussing a mere draft. However, Imbert and the others made it absolutely clear that they did not intend to "sit by and hand the country over to the Communists."  

The opposition did not confine itself to private denunciations behind closed doors. As the Assembly debated in its chambers, the public debated in the home, on the radio, and in the newspapers. Most of the attacks came before the promulgation, during the time the Assembly deliberated. Practically all of the principal arguments arose during that period. After enactment, severe criticism continued, but most of the denouncements were a repetition of previously stated objections. Almost every day, from January through April, the newspapers reported the proceedings of the revisionary body. In addition the newspapers printed editorials expressing their own views; not all were critical. Perhaps most significant, newspapers such as El Carribe and El Listin Diario carried numerous paid advertisements sponsored by various interest groups, voicing disapproval of specific portions of the draft Constitution and appealing for revisions. Some advertisements covered as many as two full pages.

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5 Martin, Overtaken by Events, p. 317.
Always the critics attacked the social welfare provisions. Articles pertaining to the right of property, private initiative, worker-employer relations, latifundios, education, pronouncements concerning marriage, divorce, and illegitimate children elicited the most controversy.

Some of the differences were resolved during the debates; but, for the most part, the substantive content of the document remained unaltered. When the Assembly did make changes, such revisions usually consisted of rewording or elimination of a word, phrase, or a sentence.

A look at the most controversial portions of the draft Constitution, the discussions that centered around them, and the provisions in their final form shows a revealing picture of the basic conflicts revolving around the Constitution of 1963.

Perhaps one of the most emotionally charged provisions was that pertaining to private initiative. Article 11 of the draft Constitution states that

Private economic initiative is declared free. Nevertheless the same cannot be exercised when it opposes the national utility or when it prejudices the human security, liberty, and dignity.

The law will provide the necessary measures and controls in order to obtain complete compatibility between public economic activity and private or social interests.

After weeks of bitter debate and denouncements, the Assembly made some minor changes in the wording. Nevertheless, the principle remained the same. In the final 1963
Constitution, Article 11 became Articles 3 and 4 and continued to affirm that "property must serve the progress and welfare of society."

The pronouncement that the right of property is subject to the social function made leading businessmen jittery about the new Constitution. They feared it would abolish private property, and they especially condemned Article 24 of the draft Constitution which declared that

The state protects and guarantees the enjoyment of property and establishes as the general norm that property must serve progress and the welfare of society at the same time. For that reason expropriation may take place in the cause of the general interest by virtue of the law, that at the same time fixes corresponding conditions and indemnification.

On the day following the publication of the draft Constitution, El Carribe, in an editorial, said that there is no doubt that the draft Constitution is establishing a series of truly revolutionary principles.

We must admit that these provisions might be beneficial for the Dominican people, but if we analyze the Constitution objectively, we must admit other aspects of the changes may result in the stagnation and regression of the economic development of the country.6

The next day a headline on the front page of El Carribe announced that "The Commercial Institutions are Viewing the Proposed Constitution with Anxiety." The article referred to a statement by the Chamber of Commerce of the

National District, the Association of Industries of the Republic and the Confederation of Owners of the Republic claiming that "the new Constitution ignores the rights of owners and includes provisions, which if adopted, will completely destroy the incipient national economy." It will cause private initiative to totally disappear and will completely discourage investment in stocks of new businesses. 7

Shortly afterwards, El Carribe ran another front page story summarizing the arguments of the Dominican Association of Landowners and Farm Owners. The association criticized the projected Constitution, saying that the national riches and production would decrease considerably. It would cause domestic capital to liquidate itself and foreign capital would become more difficult to obtain. The Association members feared that businesses of every kind would begin to disappear. Elsewhere a two page advertisement printed the objections in full. 8

On the other hand, the editorial page of El Carribe carried an article entitled "Objections Must Be Constructive" in which Dr. Rafael Richiez Savinon defended the PRD position on property. Using philosophical arguments, Dr. Savinon asserted that "a new attitude toward property is inevitable as a consequence of the evolution under which the right of

7El Carribe, Jan. 31, p. 1; full text, p. 2.
8Ibid., Feb. 10, p. 1; full text, p. 10.
property has been altered." He argued that the new theory toward property comes as a result of progressive and revolutionary legal theory. According to Savinon, property can no longer be consigned to the notion of absolute rights because the right of property is not only a function of rights but is also a social function. He declared that the French civil legal expert, Josserand, had signified that under the social and economic pressure that has occurred in the course of this century, the dogma of absolute property has been exposed to hard scrutiny. Its exercise has been humanized and is seen in terms of social ends. "The notion of the right of property has repeatedly suffered limitations imposed by the collective necessities of society. Now the private interest must cede to public good."9

Another article of the draft Constitution dealing with the "collective necessities of society" provoked more stern disapproval. Article 25 of the draft declares:

For the ends of collective exploitation and for the benefit of the people, the Public Power can legislate in the sense of converting the property into collective or economically collective property by virtue of the law which declares its expropriation and the value of the corresponding indemnification of the land soil, the subsoil, the natural resources and measures of protection. In this case methods for proceedings established in the section on expropriation will apply.

9El Carriba, Feb. 18, p. 8.
Here was a call for expropriation of private property containing natural resources. Both Articles 24 and 25 became the object of adverse criticism from various social, economic and political groups as well as the organs of the press. *El Carribe* warned that "in the final editing, proposals 24 and 25 may produce serious repercussions in the Dominican society, especially because of the obscurity of the articles." The editor suggested modifications which would clarify Articles 24 and 25 and also clarify the sense and make the provisions more adaptable to "the democratic system and the traditions of Dominican society."  

*El Carribe* also asserted that "The right of property is essential in a democratic regime. It will be a great error if they do not put that sentiment into the document. The final text should read that 'the state protects and guarantees the right of property.'" The Assembly listened but only partially acceded to demands for revision.

In its final form Article 24 became Article 22 of the 1963 Constitution, with only the most minor changes.

**Article 22.** The State recognizes and guarantees the right of property: Since the ends of property must serve progress and benefit the welfare of society, expropriation shall take place in the course of the social interest by virtue of proceedings that shall be organized by law.

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10 *El Carribe*, March 20, p. 6.

The Assembly did, however, make one concession pertaining to indemnification when property is taken before adjudication is completed. The final form of Paragraph 2, Article 22 provides that the property may revert to the original owner if the court decides in his favor.

In the case of Article 25, pressure brought some results. The Assembly made a definite change and eliminated most of Article 25 of the draft. The remainder was incorporated into the second paragraph of Article 25 of the final document, which said that "The resources of the subsoil and the submarine platform . . . and buried minerals belong to the state and are inalienable." Though perhaps implied, no specific mention is made of deliberate expropriation for converting natural resources into collective property.

Above all, the draft Constitution shocked landowners by prohibiting latifundio (large landholdings). Article 27 of the drafts states that "latifundio is completely prohibited. The State will dictate the disposition of the excess land."

Angry critics especially focused attention on this attempt of the Constitution to break up large landholdings. Advertisements again appeared in the newspapers. A paid advertisement by the First National Convention of The Men of Industry reflected much of the typical concern:

The primary need for improving our socio-economic structure is the right of property to be solidly maintained with all of its attributes.
We agree that land distribution is a basic goal for all of us, but we recognize that such programs do not justify injustice for some in order to get justice for others.¹²

And repeating what many other groups had been reiterating, the advertisement contended that in order to have economic reforms, strong and adequate measures for promoting economic free enterprise must be created.

In the same statement, the Men of Industry also proposed a solution, suggesting the creation of an Agrarian National Bank financed by the state, international organizations and private individuals who would then provide funds for those among whom the land would be divided. The Association proposed that the Bank hold mortgages, guarantee payments and designate a just price for the legitimate previous owners of land. The Men of Industry ended by urging that the Assembly safeguard the right of freedom of initiative.¹³

From time to time, El Carribe continued to allow space for those who desired to defend the Constitution. On February 6, Dr. Armando Gonzales Tamayo, the Vice-President elect of the Republic, declared that "the charter of the Dominican Republic will be a revolutionary constitution which will transform the general structure of the country and by so

¹²*El Carribe*, Feb. 16, p. 4.
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doing would prevent the country from falling into Communist hands.  

Upon returning to Santo Domingo to prepare for his inauguration, President Bosch, in a two hour and forty-five minute improvised speech berated the opposition for its attacks, and asserted that "the Constitution was proposing measures to terminate the exploitation of the poor." El Carribe gave full front page coverage to Bosch's remarks.

On February 21, El Carribe allowed Angel Miolan, president of the PRD, front page space to reply to criticism of the draft Constitution. Miolan declared that "the proposed Constitution is the legal and juridic materialization of what shall constitute a peaceful revolution in our history." He said that it was most natural that interests which have traditionally oppressed the people should feel uneasy and attribute to the document more gravity than it really deserves. This criticism he charged is "nothing more than criticism of the defeated— inventions of children." He indicated that the Assembly wanted time to clear up these "ridiculous" inventions and added that the draft Constitution was only a basis for discussion. Miolan added that the projected Constitution should have been confined to the privacy of the Assembly chambers, and that the reporters had created

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14 El Carribe, Feb. 6, p. 6.
"a tempest in a teapot."*16

Most of the arguments by the proponents did not placate critics; the debate continued. A provision stipulating who could own land became another area of dispute. Paragraph III of Article 27 in the draft declares that "corporations cannot acquire property in land." In addition, Article 28 of the draft announces that aliens cannot own land:

Only Dominican individuals, naturalized or by birth, have the right to acquire land... and obtain concessions... Nevertheless the nation may grant the right to foreigners who have Dominican children... if they agree to allow the profits to remain in the nation.

Paragraph I. Individuals or corporations who are not Dominicans may rent land and property for a period of fifty years.

Commenting on Article 28, two days after the release of the draft, El Carribe in an editorial said that "perhaps the spirit of the article is to avoid latifundios, but there is no doubt that this constitutional principle will bring with it an anti-legal situation since corporations have the legal attributes of physical persons." The editor argued that no text can discriminate against either without affecting "the cement" of the legal structure of Dominican society. The newspaper also criticized the imprecisions and vague statements of Article 28, and appealed to the Assembly to

16 El Carribe, Feb. 18, p. 1.
hold public hearings, to appoint commissions to study the Constitution. Nevertheless, in concluding, the editorial said, "We are not opposed to all of the proposals of the Constitution." 17

Article 28 later became Article 24 of the 1963 Constitution and differed only in the wording of the first paragraph, which stated that "Congress may authorize within the law and in the national interest, the renting of lands in urban zones to foreigners." Also, in the final 1963 document, specific time limitations on leases are omitted saying only that "the law will regulate the renting of land."

Perhaps, more than anything else, the section on work frightened business management. Referring to Article 2 of the draft which stated that "the existence of the nation is in work," the Association of Landowners and Farm Owners charged that "it was a preposterous statement ignoring all of the factors of work." The organization suggested that the Constitution was trying to organize the nation for the benefit of only one class—labor. As an example, they cited Article 14 of the draft which recognizes the "right of unions to initiate the formation of laws in regard to labor matters." The Association suggested that this article be eliminated since it was unnecessary. "If not eliminated, at least, it should be made certain that all economic classes have the

17 El Carribe, Jan. 30, p. 9.
The Chamber of Commerce and its associated groups also voiced their objections. They agreed that it was truly necessary to create social justice but asserted that the country also needed justice which, in its extreme forms, did not abrogate the legal rights of capital. "The prosperity of the working class," they contended, "is directly related to the success of business. If business must comply with obligations that produce their ruin, it is certain this will gravely affect the entire working class." 19

In the case of Article 14, critics succeeded. The Assembly completely eliminated Article 14, and no vestige of it remains.

The opposition was not so successful in its bid to change other provisions relating to workers. The proposal to recognize only one union in a plant, particularly alienated employers. Article 13 of the draft declares:

Parallel unions in one center of work are prohibited, be it federation or confederation. The State will not recognize more than one union and that will be the one with which the majority is affiliated.

Businessmen charged that Article 13 was dedicated only to workers and not to management. Some held it tanta-

18 El Carribe, Feb. 1, p. 1; full text, p. 10.
mount to constitutional authorization of a single centralized union.

Bosch defended the provisions of Article 13:

The authors of this controversial provision had no intention of establishing a single centralized union. Each union was free to affiliate with whichever central body it felt would best further its interest. The wording merely intended to prevent the creation of company unions, by which bosses could organize a union favorable to their interests and preclude the organization of a union that would genuinely respond to the needs of the majority of the workers. 20

Although Article 13 aroused bitter disapproval, in its final form nothing was fundamentally changed. It became Article 15 in the 1963 Constitution:

In contractual relations between owners and workers of the same enterprise and always when dealing with unions of equal nature . . . , the State will only recognize the one which is affiliated with the majority of workers.

Even more distasteful to owners was the provision of Article 15 in the draft, stating that the State recognizes the right of workers to collaborate with business in the form and according to that established by law in order to elevate work socially, economically, and also to respond to the necessities of production.

The Association of Landowners and Farm Owners criticized Article 15, charging that what is meant by collaboration is not clear, and that the provision gives the workers the right to intervene in the direction of businesses. "This

20 Bosch, Unfinished Experiment, p. 130.
interference," they charged, "will prejudice not only the worker but the whole national economy." The Association recommended the elimination of Article 15 or at least that it be consigned to a simple declaration of principle such as "it is the right of the worker to collaborate with industries."\(^{21}\)

In defending Article 15, Dr. Savinon in *El Carribe* pointed out that "collaboration" in the article did not refer to individuals but to labor groups and contended that the final part of the article indicated that collaboration would be regulated.\(^{22}\)

In the final Constitution Article 15 became Article 18 and except for the addition of one word, "duty," the provision on the right of workers to collaborate remained the same. Thus, the amended portion read, "the right and duty to collaborate."

This small addition satisfied some of the critics. *El Carribe* applauded the Assembly for changing Article 15, and said that the public had feared that the Constitution was recognizing the right of workers to interfere in the administration and direction of business. The editors said that by changing the wording, the Assembly had allowed the "democratic spirit to triumph."\(^{23}\)

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Nevertheless, most capitalists continued to worry, especially about the pronouncements which said that workers had a right to share in the profits of industry and agriculture as in Article 16 of the draft:

In any agricultural, industrial, commercial or mining enterprise, the workers shall have the right to participate in the benefits of the same, recognizing the legitimate interest of management and other factors of production.

The laws, decrees and resolutions of the Minister of Labor shall fix the limits and form of this participation.

The Association of Landowners and Farm Owners charged that the Constitution made the Minister of Labor an economic dictator.24 The Chamber of Commerce and its allied groups agreed that workers have a legitimate right to participate in the benefits of business, but they argued that the form and limit should not be established by laws and decrees but by the particular circumstances of each business. They also suggested that it would be better if the Constitution said that participation in benefits should be made by collective pacts or agreements.25

Defending the PRD position, Dr. Savinon in El Carribe asserted that allowing workers to participate in benefits creates an incentive in the work force since workers cannot participate if there are no profits.26

24 El Carribe, Feb. 1, p. 10.
For many weeks discussions on work continued, with opponents alternating between recriminations and supplications. When the debates had ended and Article 16 became Article 19 of the final 1963 Constitution, only minor changes were visible. Article 16 incorporated all of the wording of the draft provisions, and affirmed the right of workers to participate in the benefits of industry. Only one small change was made; Article 19 stated that the "law" and not the minister of labor "would fix the limits and form of participation."

It is evident that rights of property and private initiative became a serious source of friction during the months the Revisionary Assembly met. Most businessmen and landowners were not opposed to a certain amount of regulation of the economy by the government, but they were not willing to accept the all encompassing interference which they saw in the PRD Constitution. Those who opposed the 1963 Constitution, especially, believed that it would stifle the economy and free enterprise. El Carribe summarizes the typical objections of those who were against the new document:

Social justice based on a weak economy is counter-productive. The greatest responsibility of the Assembly is to write a charter that will assure rapid economic expansion of the country and guarantee the rights of citizens to act within the structure of social justice and at the same time guarantee respect for all fundamental human rights.27

It should be pointed out that disagreements over the Constitution were not confined to economic principles. A great many Dominicans were equally disturbed by certain precepts of the section on education. Article 19 of the draft especially provoked consternation among religious leaders. Article 19 became a source of dispute since it stated that

In an absolute manner the school system is subject to the organization and supervision of the State.

In private establishments only the parents, tutors and those in charge of the education of the child have the right to decide whether or not to teach religious principles.

Article 19 raised a furor among the clergy, but in addition it caused confusion as to what the article intended to do. Because of the way in which the text was written, the purpose was not clear. The clergy demanded addition of "Freedom of Teaching." A paradox resulted because some people believed that adding the statement "Freedom of Teaching" would allow religious schools while others believed "Freedom of Teaching" would permit only lay schools. El Carribe proposed that Article 19 should expressly say that teaching in official schools should be lay, leaving to the parents and teachers the right to decide whether or not a child should be instructed in religion in the private schools. 28

28 El Carribe, Mar. 1, p. 6.
Despite the confusion, the Church took a definite stand demanding that "Freedom of Teaching" be added to pronouncements on education. The newspapers were filled with advertisements by groups such as the Catholic Dominican Institutions, The Committee of Dominican Christians, and The National Union of Catholic High Schools of the Dominican Republic, all imploring the Assembly to add "Freedom of Teaching" and to expressly state that parents have a right to choose the education of their children.29

Not only Catholics, but Protestant groups debated the educational provisions. A large advertisement sponsored by the Committee of Schools for the Dominican Evangelical Church appeared in El Carribe. This group, too, solicited the Assembly, requesting the inclusion of a statement saying that "the Dominican people must have freedom of teaching."30

A short time later, El Carribe began to take a stronger position asserting that freedom to teach is a natural right of all men; and, therefore, El Carribe "radically opposes the monopoly by the State which proposes that private schools may not operate unless they conform absolutely to requirements prescribed by the state." The editor accused the Assembly of trying to establish one system in the whole nation, obliging parents against "their sacred right" to give their children only the kind of education the state prescribed.

"We are not demanding the religious school, we are demanding the private, the democratic school whether it be lay, Catholic or Protestant." ^1

Not everyone opposed Article 19. The Student Christian Movement in an advertisement criticized the move to change Article 19, saying that certain sectors are in favor of violating the principles of human rights. The students group argued that the existing religious teaching in the public schools constituted discrimination for those who had other beliefs. It created problems and would convert the schools into a scene of constant religious debate. The students also stated that teaching religion had always signified mutual obligation between Church and State which, in effect, did away with the separation of both. The student group urged that the Assembly "consecrate lay teaching in public schools as a method of guaranteeing liberty to all in religious matters." ^2

The Assembly acquiesced to some of the wishes of its critics. Some changes were made in the education section. In its final form Article 19 became Article 37 which stated that

Freedom of teaching is guaranteed, and science is proclaimed as the basic fundamental of education. The state shall have in its charge the organization,

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^1 El Carribe, Mar. 7, p. 8.
^2 Ibid., Mar. 3, p. 4. Note: Other publications record similar patterns of debate.
inspection and supervision of the school system, in order to procure the achievement of the social ends of the culture and for the best intellectual, moral and physical formation of those being educated.

The final wording did not completely satisfy the Roman Catholic Church since the Church objected to the statement that "science is the basic fundamental of education."

Sharp clashes also developed over several provisions relating to the family. Many Dominicans, especially the Roman Catholic Church, condemned the pronouncements which recognized common law marriages and protected children born out of wedlock. Many critics also severely rebuked the assembly for legalizing divorce.

Jottin Curry, in an article "Divorce in the Constitution of the PRD", criticized the provision which recognizes all classes of marriage, legal or not. Moreover, Jottin said that he could see no reason for granting property rights to extra-marital relationships. Jottin suggested that such "delicate subjects" as divorce, common law marriage, and illegitimate children should not be material for a constitution but should be legislated instead.33

After the long and bitter denunciations, the Assembly revised some of the wording, but most of the provisions of the section dealing with the family were incorporated into the final document without any visible change.

33 El Carribe, Feb. 12, p. 16.
On April 25th, 1963, the Dominican Episcopate sent an official statement to President Bosch, expressing alarm at the presence in the Constitution of "ideologies against Christ and human beings and their rights." The Episcopate argued that the new constitution would foster agitation and terrorism and would bring moral, social, and ideological chaos—and finally "slavery." The Church suggested that the unrest which was prevalent in the country would disappear if the members of the Revisionary Assembly would decide to revise the ambiguous and confused articles of the Constitution; or if the Assembly would submit the Constitution to a popular referendum.  

The Episcopate deplored the failure of the 1963 Constitution to recognize the Concordat between the Holy See and the Dominican Republic. The Church suggested that such action ignores the "concrete historic Catholic situation of the Dominican people." The Episcopate also denounced the Constitution for its "lack of respect for the sacred rights" of Roman Catholic marriages, and condemned the provision for divorce. 

The Church refused to send an official representative to the promulgation ceremonies. Bosch argued that "this was

35 Ibid.
a gesture of rebellion condemned by the Church itself, since the Church maintains as doctrine respect for legally established institutions and governments.\textsuperscript{36}

Attacking the Constitution from a different point of view, some jurists even suggested that the Constitution of 1963 was invalid because it was a product of a Revisionary Assembly and not a Constituent Assembly. They argued that since the Assembly had not merely revised the Constitution but had written another one, the 1963 document was void.\textsuperscript{37}

So, the debates continued; tensions increased. Each proposal brought a barrage of criticism from those Dominicans who considered the Constitution of 1963 a threat to their economic and social interests.

\textsuperscript{36} Bosch, \textit{Unfinished Experiment}, p. 129.

\textsuperscript{37} Brugal, \textit{Tragedia}, p. 36.
CHAPTER VI

COUP

As the members of the Revisionary Assembly neared the conclusion of their labors, polarization widened. Official enactment of the new Constitution did not bring harmony to the Dominican Republic. Although the PRD dominated Assembly accepted some criticisms and modified a few objectionable articles, none of the revisions altered the original character of the 1963 Constitution. Moreover, minor modifications failed to placate the bitter resentments that had emerged during the past months. When the Assembly had finished its work, much of Bosch's earlier moderate support had dissipated.

Criticism increased rapidly after the promulgation of the new charter. As soon as Bosch's reform program began to materialize, opposition intensified. It was not long before disapproval of the Constitution became intertwined with fears of Communism, and the 1963 Constitution became a rallying point around which to gather forces opposing Bosch's programs. Whether imagined or real, those in high political and economic positions feared that Bosch would lead them down the road to Communism. Reforms in the areas of landholding, taxation, and church and state relations provoked a steady
stream of charges that Bosch was soft on Communism.

Bosch was accused of harboring Communists when he allowed twenty political exiles to return, among them Maximo Lopez Molina who was deported in 1962 after his formation of the pro-Castro Dominican People's Party. Others charged that Bosch had allowed Communists to infiltrate the government. Dr. Viriato Fiallo, the leader of the Union Civica Nacional (UCN), accused Bosch of placing Communists in key government positions and letting them use the schools and government buildings for their political indoctrination. Fiallo publicly demanded a clear and definite statement of Bosch's position toward the Communist ideology.

Charges of Communism were not confined to those made by Dominicans. Armistead Selden, Jr., the United States Democratic Congressman from Alabama and chairman of the U.S. House of Representatives subcommittee on Latin American affairs, told the House of Representatives on May 31, 1963, that Communist subversive penetration in the Dominican Republic "apparently is not being effectively countered by the new Dominican Government." On the same day, President Bosch accused Representative Selden of trying to "dictate the best

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2 Centro de Ensenanza de las Fuerza Armadas, Libro Blanco (CEAF), pp. 147-53, in Moreno, Barrios in Arms, p. 18.

3 On Record, p. 9.
way" to run the Dominican Government.4

Some United States journalists also joined in the indictments against Bosch. In a story datelined Miami, Jules Du Bois of the Chicago Tribune and Scrips Howard Chain, wrote:

A Communist takeover of the Dominican Republic is nearing hard reality with extraordinary speed. President Juan Bosch . . . appears to be neatly laying out the carpet for the Reds.5

Hendrix wrote many such articles and most of them were reproduced in El Carribe and El Listin Diaro. Such accusations disturbed the American Ambassador, John Martin, who was trying desperately to bolster the Bosch government. Martin expressed his apprehension, "Clearly my effort to win support for Bosch had failed, at least in some newspapers. Now our influence was wholly negative—we could do little but keep telling everybody we supported the constitutionally elected President."6

In defending himself Bosch described the article by Hendrix as "tattle picked up in saloons" and challenged Hendrix to substantiate his charges with one single fact.7

A reporter in the Christian Science Monitor defended Bosch, saying that

4On Record, p. 110.
5Martin, Overtaken by Events, p. 50.
6Ibid., p. 510.
7Hispanic American Report, XVI, No. 5 (Events of May 1963), p. 463.
Mr. Bosch is merely trying to push through the "social transformations" called for in the Alliance for Progress. They say projected reforms and the President's refusal to come out publicly against communism gave the traditional ruling classes and conservative opposition an excuse to sound alarms about the government's ideological orientation.8

Bosch was also severely criticized for permitting Dominicans to travel to Cuba. After the first group departed, Bosch wanted to put a restriction on all new passports, forbidding such travel, but there was no law he could use to enforce this restriction. Moreover, Article 73 of the Constitution specifically permitted freedom of transit.

By July 1963, the opposition tried to create the impression of massive reaction of the populace against the policies of the government. Huge "Christian Affirmation" rallies were organized all over the country. Truckloads of peasants were transported to the city to demonstrate against the Communists and Bosch's government. The radio, the newspapers, the talk on the streets were full of "Christian Demonstrations."9

Ambassador Martin, sensing danger, talked to Bosch and told him that though he agreed that the extreme right had gone too far, especially with the "Christian Affirmation," the fact remained that Bosch was in trouble because of his handling of the Communist problem and suggested that Bosch

8Christian Science Monitor, June 1, 1963.
9Moreno, Barrios, p. 19.
punish Cuban travellers. When Bosch protested that the Constitution prohibited such action, Martin answered: "Let the courts decide that. Do it anyway."¹⁰

Before long, not only enemies but also former supporters began to display signs of disaffection with Bosch. In the elections Bosch and his PRD pledged economic and social reform. The Bosch government had made some improvements in the economy. By the end of April the government budget was in balance; gold reserves, which earlier had plummeted, were being maintained. The national debt had been reduced from $94 million to $15 million; and net reserves at the Central Bank had tripled.¹¹ The economic picture indeed looked brighter; yet many Dominicans grumbled about the austerity which made such gains possible. In addition, Bosch's much promised economic development program had failed to materialize; the promised large scale land reform plan did not take place. The plan stalled when large landowners who had been dispossessed of their lands flocked to the courts, leaving much of the land for reform tied up in litigation. Workers, too, became dissatisfied as unemployment persisted, and some workers became wary of Bosch's proposal to combine unions into a single labor alliance.

¹⁰ Martin, Overtaken by Events, p. 504.
¹¹ Hispanic American Report, XVI, No. 6 (Events of June, 1963), p. 572.
From the first Bosch's biggest handicap was the lack of experienced and able people to help him run the government. Scarcity of trained professional and technical personnel prevented Bosch and his American collaborators from making visible headway in economic development projects.

Many of Bosch's critics accused him of inefficiency and political incompetence. There were some grounds for such charges, but neither inefficiency nor the disastrous legacy of the Trujillo era were the sole obstacles to progress. The long years of neglect and misrule had left problems common to most underdeveloped countries: lack of managerial personnel, inadequate capital, and little or no political consensus or institutional continuity. From the outset Bosch's goals and ideals were thwarted by the political, social, and economic realities of a country with widespread illiteracy, rampant unemployment, and stifling poverty amidst abundant resources. But perhaps the most fundamental yet intangible problem of the Bosch administration was the lack of a sense of civic responsibility. "No segment of the community seemed willing to subordinate its personal claims to the national good." 12

By the end of July Bosch began to meet further resistance when the Congress modified the Law of Public

Confiscation originally passed under the Council of State. This law expropriated property owned by the Trujillo family and other Trujillistas. According to Article 9 of the 1962 Constitution, the judiciary had been designated as the sole tribunal for this procedure. Now the Congress designated itself to act as the tribunal.\textsuperscript{13}

Property owners became further alarmed, when the PRD-dominated Congress attempted, though unsuccessfully, to pass a law by which the Minister of Public Properties could seize any land or property which had been illicitly acquired by public officials through the use of their public position. The law also applied to property acquired by a third person who had profited from his relationship with a public official. In addition, the new law placed the burden of proof of innocence upon the accused.\textsuperscript{14} Article 5 of the 1963 Constitution contained the enabling provision for the law. Since almost everyone who owned property could not have acquired it without at least passive cooperation with Trujillo, owners feared that the law would permit confiscation of any property. This law frightened them much more than any constitutional provisions providing for expropriation.

By early September, talk of confiscation filled the newspapers and airwaves. Attempts to alter the confiscation

\textsuperscript{13}Martin, Overtaken by Events, p. 509.
\textsuperscript{14}Ibid., p. 495.
laws infuriated property owners. The editors of *El Carribe* described as monstrous the Congress's proposition to put the burden of proof on the accused in matters of confiscation. *El Carribe* pointed out that it has always been a universal law that a person is innocent until proven guilty. "We are not saying that Bosch will be the same as Castro, but we are saying that once converted into law, the project of the confiscation will cause all capital and property to be at the mercy of political caprices. . . ."  

In the words of *El Carribe*, "The political ambient continued to boil all during September." Tensions mounted daily as headlines announced new friction between the government and its critics. Each day another group renounced the project of confiscation. The Association of Dominican Lawyers charged that the system would violate a series of juridic and constitutional principles. At the same time, right-wing Senators urged that the Constitution be amended to make Communism illegal.

While businessmen and former supporters of Trujillo accused Bosch of surrendering to the Communists, the far left also attacked the Bosch government. The Fourteenth of June (1J4) accused the Bosch government of capitulating to the

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16 Ibid., Sept. 11, p. 1.  
forces of "Yankee Imperialism." The 1J4 charged that the country was in a grave economic crisis brought about by the oligarchy, the landowners, merchants, and American imperialists. Members of the 1J4 accused those groups of using their economic power to discredit the government and cry Communist danger in order that the "Trujillista military could justify calling a state of emergency." The 1J4 asserted that Bosch had betrayed the popular masses while doing nothing to improve the economic development of the country.18

To add to Bosch's problems, some of the more powerful factions of the armed forces had joined the landowners, businessmen, and the Church in openly opposing the Bosch government. The 1963 Constitution had not changed the constitutional status of the armed forces. Bosch had not attempted to make drastic changes or reforms in the military. He made no effort to reduce their size or to reorganize them. In general, he refrained from tampering with the armed forces for fear that his government would be immediately overthrown. He did, however, curtail some of the top-level military graft. Though Bosch in his book claimed such curtailment as a major reason for his overthrow, most observers contended that it was not.19

18 El Carribe, Sept. 3, p. 15.
19 See Donald A. Allan, "Santo Domingo: The Empty Showcase," The Reporter, XXIX (December 5, 1963), 30; Bosch, Unfinished Experiment, pp. 184-85.
One issue, however, united all the military officers who opposed Bosch: this was the issue of growing Communist influence in his government. Howard J. Wiarda, in his article, "The Politics of Civil Military Relations in the Dominican Republic," asserts that for the officers, Communism was neither an ideological, economic nor imperialistic system, but only meant, as they recalled the case of the Cuban revolution, "destruction of the armed forces and death to the officers." Wiarda believed that it "mattered little that there were few Communists or Fidelistas in the country, and that they were disorganized and badly split; what was important was that the armed forces believed otherwise." 20

Despite the growing tensions and fears of Communism in the armed forces, Bosch did not take any action against either the ultra-leftists or the military. Bosch continued to reiterate that he would not preside over a dictatorship. Bosch was determined to be the antithesis of Trujillo and to keep the country completely free from persecution of any kind unless sanctioned by law. This helped to speed his downfall. Bosch hated Communism, but he refused to deprive the Communists of their constitutional rights. In addition, he felt that Communists in the open were less dangerous than

Communists underground.\textsuperscript{21} As Wiarda noted, "While the stand might have been laudable from an idealistic point of view, politically it proved disastrous." Wiarda believed that Bosch was probably correct in his assessment of the weak Communist position in the country, but that he was mistaken in not recognizing the issue as a political matter which "lofty principles could not decide."\textsuperscript{22}

On the evening of September 24, 1963, a group of armed forces leaders, headed by Brigadier General Elias Wessin y Wessin demanded, for the last time, that Bosch do something to curb Communist activity. Bosch refused to comply with their demands. At 2:30 A.M., on September 25, General Wessin placed Bosch under arrest and detained him in the National Palace. General Wessin and his group then took over the government.

In a statement announcing the coup, a communique blamed the government for not taking a firm stand on the issue of Communism despite the clear warning given by the military. The communique also indicated that the new government would "respect the rights of the individual and of associations, especially the right to private property and free enterprise,  


\textsuperscript{22}Wiarda, "Politics of Civil Military Relations," p. 480.
so that commerce, industry and banks, free from fears of confiscation could contribute to the development of the country."\(^{23}\)

After the coup the military officers immediately dissolved Congress, abrogated the 1963 Constitution and re-instated the Constitution of 1962.

CHAPTER VII

THE REVOLUTION

On September 26, the day after the coup, military leaders installed a three man civilian junta, a Triumvirate, headed by Donald Reid Cabral. As his first official act, Reid announced the deportation of former president, Juan Bosch.

Six hours after the coup, the United States suspended diplomatic relations and ordered the immediate withdrawal of all military and economic aid personnel except the peace corps. Washington also announced a freeze on economic assistance funds.¹

In the five years since the assassination of Trujillo, the United States had committed itself to a wide range of instruments of power and influence to ensure a democratic regime in the Dominican Republic. The Kennedy administration injected massive doses of economic aid in the form of millions of American dollars and technical personnel.² President

¹U.S., Congress, Senate, Committee on Foreign Relations, Background Information Relating to the Dominican Republic, 89th Congress, 1st Sess., October 18, 1965, Doc. III, 73.

²For the year 1963, the United States spent 53.5 million dollars. U.S. Congress, Senate, Senator Morse discussing recent events in the Dominican Republic, 89th Cong., 1st Sess., June 8, 1965, Congressional Record, p. 12769.
John Kennedy had hoped to make the Dominican Republic a "Showcase for Democracy" under the Alliance for Progress, but the swift overthrow of the constitutionally elected President, Juan Bosch, shattered many of the illusions of the Kennedy Administration.

The State Department publicly condemned the military coup, and the United States continued its diplomatic, economic, and military boycott through October and November of 1963. On November 27, shortly after Reid announced plans for presidential elections in July, 1965, the new Johnson administration extended diplomatic recognition to the Triumvirate government. President Johnson immediately resumed the United States aid program, and during the next sixteen months, the United States and the International Monetary Fund poured nearly 60 million dollars worth of grants and loans into the Dominican Republic. Nevertheless, such aid did little to alleviate the steadily worsening situation.

In the aftermath of the coup, political and economic conditions deteriorated rapidly. While Trujillo controlled the nation, he held foreign importations and wages within strict bounds. After Trujillo's death, salaries tripled;

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purchasing power increased; and imports rose from 69.5 million in 1961 to 200 million in 1964. The foreign debt rose to alarming heights and completely destroyed the balance of trade.  

To add to Reid's difficulties, corruption, always a problem, now ran rampant throughout the nation, especially in the armed forces. The armed forces and the National Police conducted a contraband operation, selling forbidden imported goods to the public. One such enterprise, the Canteen Company of the National Police, openly advertised its wares in the newspapers. Armed forces abuse of the commissary privileges reached such an extreme that the Merchants Association of Sellers of Vehicles and Household Effects in Santo Domingo complained that the armed forces technical services were importing home appliances, duty free, and publicly selling them in direct competition with merchants.  

The Reid government had inherited many of its problems, and despite strenuous efforts, Reid made only limited progress in improving conditions in the nation. Reid, a member of the old landholding elite, genuinely desired social change and even began a successful program of agrarian reform. Although

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scrupulously honest, Reid was never popular; and, ironically, his steps to overhaul the ruined economy and eliminate corruption ultimately led to his overthrow. 7

To alleviate the balance of payment problem and to bolster the economy, Reid imposed a strict austerity program. He also took measures directed at eliminating corruption in the armed forces. Reid adopted a system of rotating top commands in an attempt to lessen the authority of the military leaders. He imposed a freeze on promotions and demoted some of the worst offenders who were engaged in corrupt operations. Reid's actions antagonized the strongest senior forces in the military and did nothing to placate the younger officers, who were impatient with Reid because he did not move fast enough in cleaning up graft and corruption. Reid's slowness in retiring senior officers to make way for promotions based on merit also disappointed junior officers.

At the same time, unemployment reached alarming proportions. As strikes became a common occurrence, Reid suspended civil liberties. Conditions in Santo Domingo grew more chaotic. After the overthrow of Bosch, prospects for the nation had been gloomy; now they were bleak. Everywhere,

in all sectors of the society, frustrations increased. To many Dominicans, there seemed to be no visible hope of alleviation through peaceful, non-violent means. For one reason or another, almost everyone in the country seemed anxious to remove Reid. Rumors of intrigues and plots for a counter-coup circulated freely all around the nation.

Indeed, shortly after the overthrow of Bosch, Rafael Molina Urena, speaker of the House under Bosch, began to organize a civilian movement aimed at restoring the Constitution of 1963 and returning Bosch to the presidency. With the help of former members of the PRD, Urena gained adherents from small groups of upper and middle class intellectuals and professionals in Santo Domingo and Santiago. These new supporters were significant because a good many were dissidents from the conservative Union Civic Nacional (UCN) and other political parties which had previously opposed Bosch. Leaders from organized labor also joined Urena when it became apparent that Bosch's overthrow was a severe setback for the free labor movement in the Dominican Republic. 8

In January 1965, leaders of the PRD and the Social Christian Revolutionary Party (PRSC) met in Puerto Rico and signed the "Pacto de Rio Piedras," which formally agreed to "build a common front to re-establish constitutional order

8 For a list of labor leaders and former Bosch opponents who joined Urena's organization, see Moreno, Barrios, pp. 22-24. Also see "Participants in the Dominican Crisis" in the Appendix.
and to attempt to bring a democratic solution to the problems of the country." This pact was highly publicized in *El Listín Diario* and *El Carribe* through paid advertisements signed by 2000 people, most of them professionals and intellectuals.  

On March 16 the Central Committee of the Popular Socialist Party (PSP) issued a manifesto calling for the return of Juan Bosch and the restoration of the 1963 Constitution. Because of this manifesto, Bosch has been accused of conspiring with the Communists. According to Ambassador Martin, there is no evidence that Bosch's PRD ever sought the support of any of the three Marxist parties operating in the country; and on many occasions Bosch openly rejected the support of the Communists. As Ambassador Martin pointed out in his book, "Bosch could hardly be blamed if they [Communists] decided to support his PRD-Social Christian movement."  

At the same time that Urena began his civilian organization, a group of young military officers, many of middle class extraction, began to organize a movement against the Reid government. Most of these younger officers had been trained in military academies at home or in the United States or the Canal Zone. Ironically, two important leaders, Colonel

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Francisco Deno Caamano and Colonel Rafael Fernando Domingues, were sons of Trujillo's most hated generals;\textsuperscript{11} and Caamano was one of those who participated in the coup which deposed Bosch in 1963. At the time of his overthrow, Bosch claimed to have supporters in the armed forces, particularly among enlisted men and lower and middle grade officers.\textsuperscript{12} By the fall of 1964, a large number of younger officers from the Army, Air Force, Navy, and National Police had joined the pro-Bosch revolutionary movement.

At the end of 1964, four different groups were plotting to overthrow the government: The PRD civilian group; the military group organized by Domingues; and a grassroots movement among rank and file of the army, headed by Captain Pena Taveras. Another group organized by Colonel Neit Niva Seijas of the San Cristobal military installation, proposed to bring back former President Balaguer. Seijas' group had among its followers high-ranking officers, including some generals.\textsuperscript{13}

By the spring of 1965, rumors of plots and conspiracies proliferated. Reid was aware of the intrigues against him, but did not expect trouble until late May or early June.

\textsuperscript{11} Moreno, Barrios, p. 25.  
\textsuperscript{12} Martin, Overtaken by Events, p. 644.  
\textsuperscript{13} Moreno, Barrios, p. 26; Martin, Overtaken by Events, p. 644.
Unknown to Reid, Bosch's civilian supporters and some younger officers of the armed forces had scheduled a revolt for April 26, 1965. But on the morning of April 24, Reid took steps to prevent future difficulties within the armed forces. He sent his Chief of Staff, General Rivera Cuesta, to arrest six would-be conspirators. General Cuesta ordered Captain Mario Peno Taveras to assist in the arrest, but Taveras was himself one of the leaders plotting against Reid. Instead of following orders, Taveras arrested Cuesta and freed the prisoners. Taveras's action prematurely triggered the uprising. The remainder of the disaffected middle grade junior officers now declared themselves in revolt against the Reid government and set the coup in motion by seizing the 27th of February Military Camp.14

Early that same afternoon, a group of civilians took over the two radio stations in Santo Domingo.15 Pena Gomez of the PRD announced that the Reid government had been overthrown, and Gomez then appealed to the people to give the rebels their support. From the slums of Santo Domingo, thousands of Dominicans poured into the streets and celebrated.

14 Moreno, Barrios, p. 27.

The rebellion had taken everyone by surprise, especially the members of the various Communist parties\textsuperscript{16} and the American Embassy. Members of the American legation had no inkling of an immediate revolt. On Saturday, April 24th, the Embassy was almost deserted. Ambassador W. Tapley Bennett, Jr. was in Washington on a routine trip and had taken the weekend to visit his mother in Georgia. The American Naval Attache was on a dove-shooting trip with General Antonio Barrera Imbert. Air Attache, Colonel Thomas Fishburn was playing golf with General of the Air Force, Juan de los Santos Cespedes. Eleven of the thirteen members of the Military Advisory and Assistance Mission were spending the weekend at a conference in Panama. Until Ambassador Bennett returned, Charge d'Affairs, William Connett, who had been in the country six months, was in charge of the Embassy. Actively working with Connett was Second Secretary Arthur Breisky.

By Sunday, April 25th, the situation in Santo Domingo became increasingly confused. Reid appealed to the generals at San Isidro for support but could only rally about 400 troops. When General Elias Wessin y Wessin and the other senior officers of the armed forces refused to come to Reid's aid, Reid announced his resignation and went into hiding.\textsuperscript{17}


\textsuperscript{17} Wessin Testimony, p. 213.
Upon the resignation of Reid, the leaders of the revolt followed Bosch's instructions and swore in Molina Urena as provisional President. According to the 1963 Constitution, Urena was constitutionally next in line for the presidency since he had been the speaker of the House under Bosch.

By this time the revolt, which began as a classic coup, became a mass uprising. However, once under way, it was apparent that the officers involved had differing objectives. The junior element of the armed forces demanded a restoration of the 1963 Constitution and the return of Bosch as President. They also supported the installation of a provisional government with Urena as President until Bosch could return from exile. The opposing group, mostly top-ranking officers, refused to accept Bosch's return and insisted on the formation of a military junta. Here the two factions came into open conflict; for while sentiment ran high against the Reid regime, there was no consensus of what should take its place.

Most of the junior officers supported Bosch and the Constitution of 1963; a few favored the 1963 Constitution, but not Bosch. Some of the older military officers favored the return of former President Balaguer. Still others were against Reid because of his efforts to reform the armed
forces, but they also opposed Bosch. 18 Among the staunchest supporters of the military junta, there were senior officers who later claimed that they had supported Reid's removal because they "believed his ouster would bring free elections and a return to constitutional government." They refused, however, to even consider the return of the 1963 Constitution and Bosch. 19 It was this wide divergence of objectives among the military officers which finally split the armed forces.

No matter what the reason, divisions within the military continued to widen, and at this point, everyone could agree on only one thing: The situation had become highly confused. When the rebels and the representatives of the senior generals sat down at the conference table on Sunday, April 25, to discuss a settlement, Colonel Hernando Ramírez, speaking for the rebel leadership made one point perfectly clear to Colonel Pedro B. Benoit, the negotiator for the generals: the principle of the return to the Constitution of 1963 with Bosch as President was not negotiable. 20


20 Moreno, Barrios, p. 28.

A note about terminology: From the beginning, the rebels called themselves "constitutionalist" and referred to the loyalists as "anti-constitutionalists." The terms rebels
Outside, the young people chanted, "Juan Bo Presidente," but inside the negotiations reached an impasse. The senior element of the armed forces remained adamant. Pro-Bosch forces, equally determined, insisted on an immediate provisional government with Urena as President until Bosch could return from exile. Pro-Bosch army officers prevailed, but the senior officers refused to comply, declaring that they would attack the rebels unless a military junta were installed to prepare for national elections in September. 21

Around five o'clock on April 25th, as the constitutionalist President, Molina Urena, was officially being sworn in, General Wessin's pro-junta forces began strafing the National Palace. Outraged by the air attacks, pro-constitutionalist civilians began looting and firing on the National Police. The people from the slums poured into the streets. Rebels, who had previously broken into the arsenal of the 27th of February Camp, trucked arms and ammunition into downtown Santo Domingo and began distributing rifles and machine guns to civilians. The uprising now became a civil war. The distribution of arms to civilians was a key element in

21 Wessin Testimony, p. 209.
transforming the nature of the rebellion. It was at this point that pro-junta forces began to charge that the movement had been taken over by Communists.22

In the first hours, hundreds were killed, especially in fire fighting between the two groups. As General Wessin advanced into the city, the rebels dug in behind barricades in the Ciudad Nueva section of the city. Fighting remained indecisive.

On April 26th, Wessin's anti-rebel forces, which earlier had been badly disunited and disorganized, again began to move against the rebels. The Dominican Air Force bombed and machine-gunned various rebel held installations. Rebel distribution of arms to civilians continued, and the morning of April 27th saw a complete breakdown of law and order.

At 12:40 P.M., that same Tuesday, April 27, Ambassador Tapley Bennett arrived in Santo Domingo. During the early part of the day, pro-junta forces seemed to be making progress against the rebels but encountered heavier resistance than they had anticipated. By afternoon, junta forces had lost their earlier momentum, and the situation in the city became increasingly tense and confused. The police were no longer effective and junta forces, tired and disorganized, began to crumble. Nevertheless, Wessin's forces continued to move toward the city.

22 Wessin Testimony, p. 209.
Already on the 27th, about 2000 people were reported dead. Late in the afternoon, as the tanks from San Isidro advanced upon the city, a group of rebel officers came to the United States Embassy to appeal to Ambassador Bennett to mediate. There are conflicting reports about what was actually said that afternoon. The rebels insist that the Ambassador refused to mediate and suggested total surrender instead. Bennett claims to have said that the United States was neutral and could not interfere. He told the rebels that he did not have the authority to mediate, and that the matter should be settled by "Dominicans talking to Dominicans."^23

At first, the rebels appeared to be shaken by Bennett's statements. Urena and a few others, who were completely demoralized by the recent fighting and the Ambassador's refusal to assist in the negotiations, took asylum in a foreign embassy. At this point, Ambassador Bennett assumed that the rebel movement had collapsed and that the uprising was over. He advised Washington to that effect. The next day, American newspapers printed stories announcing that the Dominican Revolution had sputtered out.

Unknown to Bennett, most of the rebel military leaders and a number of civilians had decided to return to the battlefield. Outraged and feeling there was no other door open to

them, the remaining rebel leaders launched a counter-attack. By seven o'clock the rebels, under the leadership of Colonel Caamano and Colonel Montes Arache, regained full control of the fighting. That same night the rebels reorganized their leadership cadres. Colonel Caamano, who earlier had been appointed by Urena as Chief of Operations, now became the highest ranking rebel officer with full responsibility for the movement. With the reorganization, a number of civilian leaders who had joined the revolution in the last two days began to emerge in important leadership roles. Many of them had a high degree of organizational abilities, and some had military guerrilla experience. Their participation gave the rebel movement new organizational expertise, but also tinged its political goals with a high degree of radicalism since most of these men could be considered to be to the left of the original rebel leaders. The regular army officers insisted, however, that they always maintained control of their leadership positions. Nelson Goodsell of the *Christian Science Monitor* was in Santo Domingo during the first days of the civil war, and he noted that "while there are Communists in their midst, top rebel command is in the hands of non-Communist elements who fiercely proclaim opposition to Communism."  

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The next day Caamano appointed Montes Arache, Minister of Defense and Hector Aristy, Minister of the Presidency. From then on, Caamano and Aristy worked as a team. From the start the rebels emphasized the fact that they wanted to return to a legitimate constitutional situation. On May 3, the Dominican National Assembly gathered in Ciudad Nueva in emergency session and elected Caamano constitutional President according to article 105 of the 1963 Constitution, by a vote of 49 out of 58 votes.25

On Wednesday, April 28, Ambassador Bennett sent an emissary to San Isidro and found the loyalist commanders in disarray, discouraged, and disorganized. Colonel Pedro B. Benoit informed the American emissary that "the loyalist troops could not protect United States lives," and Benoit emphasized that he thought Americans were in danger. By noon Colonel Arturo Despradel, of the National Police, told Bennett the same thing. Around one or two in the afternoon Bennett reported Benoit's views to the State Department by telephone and sent Despradel's statements by cable. Bennett also reported that despite the disorder of the Wessin forces, loyalists were ready to resume attack. Meanwhile, another loyalist leader, General de los Santos, urgently requested fifty walkie-talkies. Ambassador Bennett recommended that

they be provided, saying that "he regretted having to turn to a military solution for a political crisis, but that now with all responsible rebels in hiding or asylum, the struggle had developed into one between the Castro Communists and the loyalists."26

At noon that same Wednesday, Radio San Isidro announced the formation of a military junta, headed by Colonel Benoit. Benoit then telephoned the Embassy to request U.S. aid in "restoring peace." Bennett cabled the oral request to Washington at 3:16 P.M., but said that he did not believe the situation at that time warranted a landing by marines.27

At 3:30 P.M. Benoit formally requested aid to "put down the rebellion which was directed by Communists armed to convert the country into another Cuba."28 The second request was in writing, but made no mention of protecting American lives.

At 5:30 P.M. President Johnson received another urgent cable from Bennett saying that the situation had deteriorated rapidly, and that the police could no longer protect the evacuation of Americans. Bennett also informed Washington

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27 Martin, Overtaken by Events, p. 655.

28 Ibid., p. 656.
that the Generals at San Isidro were dejected, and that the Embassy team unanimously believed the time had come to land the marines.29

Johnson called in Congressional leaders, and at 8:40 P.M. went on the radio to declare that the United States was sending American marines to protect Americans and other nationals who were in danger.

President Johnson quickly summoned former Ambassador John Martin from his home in Connecticut and sent him as a special emissary to the Dominican Republic. Martin arrived on the morning of April 30th, the same day that the Papal Nuncio, Emanuele Clarizio, succeeded in obtaining a cease-fire from the contending factions. By this time, United States troops had created an "International Security Zone" around the American and other foreign embassies.

Upon arrival in Santo Domingo, Martin made contact with Colonel Caamano in the rebel zone and then went immediately to see his old acquaintance, General Antonio Barrera Imbert. Martin spent seventeen days in Santo Domingo trying to negotiate a settlement and helping to set up the Government of National Reconstruction, headed by General Imbert.30


Forty-eight hours after his arrival, Martin made up his mind about the Revolution. On May 2, Martin held a press conference, and declared that the Revolution had been taken over by Communists. That same night in Washington, President Johnson on nationwide radio and television announced that he and his State Department advisors were convinced that the Revolution was in Communist hands. As President Johnson told the nation:

The revolutionary movement took a tragic turn. Communist leaders, many of them trained in Cuba, seeing a chance to increase disorder, to gain a foothold, joined the revolution. They took increasing control. And what began as a popular democratic revolution, committed to democracy and social justice, very shortly moved and was taken over and really seized and placed into the hands of a band of Communist conspirators.

The American nations cannot, must not, and will not permit the establishment of another Communist government in the Western Hemisphere.31

That same evening, marines, who had been waiting on the nearby carrier, Boxer, poured into Santo Domingo. Before the Americans withdrew, 22,000 marines had landed on the troubled Caribbean island.

The arrival of the United States marines quickly halted the actual fighting. A few days later, an Inter-American Peace force, hastily organized by the Organization of American States, arrived in Santo Domingo and joined the

Despite a cease-fire agreement and intervention by troops of the United States and the Organization of American States, sporadic fighting continued throughout the summer. General Imbert and supporters of the National Reconstruction government declared that the constitutionalists were Communist-dominated. The constitutionalists called Imbert's adherents reactionary. Each faction accused the other of atrocities, and claimed that it would have achieved military victory if the United States intervention had not occurred.

Negotiations conducted by the Papal Nuncio and officials of the Organization of American States, the United Nations, and the United States continued throughout the summer. These joint efforts finally produced a settlement, and Hector Garcia Godoy became the Provisional President of the Provisional Government on September 3, 1965.

Thousands of words have been written about the American intervention and whether it was justified; whether it was legal; whether it tipped the balance in favor of one side or another; and whether the Revolution had been taken over by the Communists. The testimony of a number of participants and observers show sharply differing views on all of these questions, but especially on the question of Communist infiltration and control. Most parties involved, even impartial

observers, seem unable to agree on the "facts." The emotion­
ally charged nature of the conflict seems to have made
a clearcut assessment almost impossible. Moreover, the
majority of reporters and analysts did not arrive in the
Dominican Republic until several days after the uprising was
under way. As one observer noted, "In a very real sense, the
historical record of the Dominican revolt remains beclouded,
and certain key questions . . . probably will never be re-
solved. 33

On one thing, however, all observers could agree: The
conflict took on a completely different character after the
American intervention. What had begun as a domestic upheaval
took on international and hemispheric proportions. But it is
not the purpose of this study, to make conclusions about the
American intervention or whether or not the Revolution had
been taken over by the Communists. This work will confine
itself to examining the issue of constitutionalism and its
role in the Revolution.

33Richard R. Fagen, et al, Political Power in Latin
America: Seven Confrontations (Englewood Cliffs, New Jersey:
CHAPTER VIII

HUMAN CONCERNS

An uprising in a tiny island in the Caribbean now became a matter for international concern—an event fraught with world-wide implications. But for the average person in Santo Domingo, the Revolution continued to be a matter of simple human concerns. In the first hours of the civil war, when participants chose one side or another, they were primarily motivated by personal goals and desires. Most Dominicans were not preoccupied with world affairs or political ideology. In most cases, they considered their involvement in terms of opportunities for a better future—jobs, housing, self-advancement; or in terms of gaining power or preserving privileges and position.

Much of the current writing on the April violence accepts the standard view that the Revolution was simply a popular uprising against oligarchic-military rule, an outgrowth of a widespread desire among the Dominican people for a return to constitutional, reformist government under Bosch.¹ Many of the proponents of this view place particular emphasis

¹See La Nacion, the official constitutionalist newspaper, May 8, May 11, 1965.
on the constitutional struggle as the overriding cause of the Revolution. Such an approach is an over-simplification of a confrontation of considerably more complexity.

It is true that in the early hours of the Revolution the rebels adopted the battle cry of "constitutionalism and the return of Juan Bosch" and began to call themselves constitutionalists. It is also true that such a slogan forced Dominicans to take a stand for or against a particular constitution. The Constitutions of 1962 and 1963 were legal and formal expressions of two different ways of life, two different value systems, and two different conceptions of the way in which society should be organized. To the rebels, the Constitution of 1963 and its proposals for a welfare state promised a fulfillment of personal and national goals. On the other hand, those who supported the Constitution of 1962 saw the Bosch document as a stumbling block to the achievement of their own goals. Above all, the anti-constitutionalists viewed the 1963 Constitution as a threat to their previously attained social, economic, and political positions.

In general, most Dominicans who took a stand in favor of one side or another, made their decisions on the basis of

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2 Howard J. Wiarda, "Contemporary Constitutions and Constitutionalism: The Dominican Republic," Law and Society Review, II (June 1968), p. 401. This writer rejects Wiarda's emphasis, but this is not to discredit the excellent work done by Wiarda in his many studies on the Dominican Republic.
whether they rejected or accepted the principles of the Bosch Constitution. Nevertheless, it must be made perfectly clear that constitutional issues alone did not decide all alignments. At the time of the April uprising, societal divisions ran deep and wide, not only among the various classes, among political parties, and among interest groups; but also there was division and fragmentation within these groups. Much of the fragmentation may be directly traced to the chaotic and turbulent Dominican past. The Dominican Revolution was more than a mere struggle to restore the Constitution of 1963. Actually, the Revolution was fought on two levels. In one respect it was a fight for constitutional government and an attempt to bring the deprived masses into the life of the nation. But on the other hand, the Revolution may be viewed as a struggle for personal advancement or power on the part of individuals and groups within the society. As such, the uprising must be viewed in the context of the old Dominican pattern of constantly changing political alliances.

Perhaps the key characteristic of recent Dominican politics has been the predominance of a very direct, virtually naked, confrontation among groups in conflict. The tactics employed by each group since 1961 have tended toward increasingly undisguised and unrefined displays of power, directed more often at replacing the government than at forcing it to take specific action.³

All through Dominican history, the country has lacked institutional means by which groups might present their demands and obtain satisfaction. In the Dominican Republic "Force has always been the arbiter." The Revolution was one more chapter in the long struggle of the "ins" against the "outs," and the bloody civil war was the culmination of the long years of constantly recurring turmoil.  

And so, not everyone committed himself to the rebel or loyalist cause because he supported or opposed certain constitutional precepts. Although in many cases the principles of the Constitution of 1963 were of paramount importance, some participants made their commitments on the basis of what would best promote their efforts to retain or gain personal power.

To make such distinctions, is not to minimize the role of constitutionalism. Constitutionalism was important because it became a rallying ground for mobilizing forces behind one group or another, and in that respect, played a vital role. It is, therefore, useful to look at the various sectors of Dominican society to see how they aligned themselves vis a vis the Constitution. At the same time, every effort will be made to point out the instances in which the struggle for power was the dominating factor. Hopefully, such an examination of the tensions and attitudes in Dominican society should result in a better understanding of the nature of the uprising.

Lowenthal, Politics of Chaos, p. 49.
How did the various social sectors and interest groups fit into the overall pattern of the Revolution? It has often been suggested that the rebels were fighting against oligarchic rule. Bosch, himself, in the official constitutionalist newspaper, *La Nación*, said, "The Revolution is an episode in the fight of the Dominican people to overcome the will of the . . . oligarchic minority." But there have been conflicting opinions as to the actual role of the oligarchy in Dominican society as well as in the Revolution itself.

Abraham Lowenthal, who lived and studied in the Dominican Republic from 1964 to 1966, noted that mention of the oligarchy would suggest "a coherent, hereditary elite of large landowners who tightly controlled economic and political power." Such an oligarchy would be expected to be reactionary in outlook and firmly opposed to social change. Lowenthal contends that in the Dominican Republic, there is no such coherent group. There is a small group of families de primera (first families) who have been prominent in Dominican society for several generations. Nevertheless, the elite constitutes a very small percentage of the population, not more than a hundred families. Moreover, Trujillo kept most of them "atomized and without an independent power base" during his domination.

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5 *La Nación*, May 11, 1965, p. 3.
In addition, this upper stratum does not form a plutocracy, nor does it control the economy. Even in the context of an extremely poor country, this most oligarchic group is not wealthy. Most of the principal sources of wealth in the Dominican Republic became the property of the state after the confiscation of the Trujillo holdings. The remainder of wealth is either in the hands of foreigners or recent immigrants.

Neither is the oligarchy politically powerful; for, in general it has abstained from politics. The elite has often been pictured as a monolithic, anti-reform oligarchy, but Howard J. Wiarda in a reassessment of Dominican society after the Revolution, observed that rather the elite was "a loose coalition of individuals, families, and organizations which on some issues gave the appearance of working as a unified group." 8

Ambassador Martin, upon his arrival in the Dominican Republic in 1962, was of the opinion that most of the members of the oligarchy were "beyond any question the ablest, best educated people in the Republic." Martin described them as being "realistic at their worst and favoring justice at their best." Martin added that it may seem odd "that a liberal Democrat like myself should come to consider the Dominican

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oligarchy as one of the really hopeful groups in the Republic."

In fact, many of the elite did not actively oppose Bosch, and some even protested his overthrow publicly when few Dominicans did. A number of oligarchs and their friends, such as Marco Cabral and Carlos Alberto Ricart, the publisher of *El Listin Diario*, openly opposed the coup in 1963.10

The important thing to remember about the oligarchy is that, in general, it does not dominate politics and prefers to remain aloof in provincial Santiago, avoiding the political atmosphere of Santo Domingo.11

In the Dominican Republic, of the various monied groups, perhaps the new rich of the upper middle class come closest to playing the role of an oligarchy. Composing the social stratum immediately below the elite, most of the new rich achieved their position through political and economic force rather than ancestry. The new rich are found in high military posts, high level and middle level political posts, and above all in business. Most of those in important political and military positions ascended the social ladder during the Trujillo regime; the new rich of the business community are recent Spanish, Syrian, or Lebanese immigrants


10 Ibid., p. 715.

whose fortunes have been made in the past forty years. It is this small group of new rich, rather than the traditional oligarchy, who run the country. This same group has a considerable influence over the Church, educational institutions, the judiciary, and the military and police establishment. These members of the upper middle class especially felt themselves threatened by Bosch's social welfare program in 1963. In 1963 Bosch did not try to depose the older power structure but tried to implement a reform program by means of his welfare oriented Constitution. When the Bosch government embarked upon specific reforms and moved beyond minimal adjustments to the system, cries of protest arose from the property-owning groups. When the new rich, business-property-owning elements banded together with some sectors of the military and overthrew the Bosch regime, they declared that they were ousting Bosch because he was leading the nation toward Communism. Fundamentally, however, it was the social welfare pronouncements of the 1963 Constitution which actually triggered their opposition. Polarization of Dominican society began with the publication of the draft Constitution of 1963. The fissure widened in the eighteen months following the coup, but no one had attempted to conciliate the abrasive issues which had precipitated the coup. The same conflicts which divided Dominicans in 1963 continued to be present and

unresolved in 1965. There was no reason to believe that those members of the upper-middle class who had opposed Bosch and his program in 1963 would be willing to accept him in 1965. Thus, the new rich of the upper middle class continued to give strong support to the loyalist anti-Bosch forces.

On the other hand, alignments in favor or against the rebels cut sharply across the urban middle class. The middle class is bounded by the new rich at the top and the lower class at the bottom. This range includes a variety of different groups, each trying to attain the symbols of status that differentiate it from the next lower class. This sector is small and politically divided, consisting mostly of small businessmen and white collar workers with education but no economic independence. 13

The most significant aspect in regard to the middle class is the generational split. This cleavage between parents and sons intersected all classes, but especially that of the urban middle class. Even before the Revolution, a split between the young and the old began to emerge. After the death of Trujillo, many adults who had lived under the dictatorship refrained from political activity, perhaps because of cynicism or, perhaps because of their sense of guilt at having passively cooperated with Trujillo. As a result, most students broke politically with their parents

whom they saw as discredited by their acquiescence to Trujillo's rule.

Many of the middle class youth were intensely nationalistic and desired to revenge themselves for the compromises of their fathers. Especially, the urban educated youth hoped to achieve social progress after the death of Trujillo, and they committed themselves to creating a new social order based on social justice and progress.14

In 1962, the youth thought the prospects for their country had improved. Their personal and national aspirations for the future were high. Nevertheless, while hopes were high, material and political conditions in the nation deteriorated. After President Bosch was overthrown, frustration of social and personal aspirations among youth was universal. By the time of the overthrow of Reid, students' hopes were substantially disappointed.

Bryant Wedge, who made a psychological survey of Dominican youth immediately following the Revolution, observed that by spring of 1965 Dominican students were strongly motivated toward anger. Thus, the direct action of the military forces in shooting and bombing the rebels on April 25, clearly precipitated violent response. Faced with a direct threat, students who had not anticipated participation in violence suddenly sought and accepted weapons. "Frustration

had brought them to protest, fear ensured its violent form."\(^15\)

In April of 1965, the young in the Dominican Republic mobilized for the first time and played an active and significant part in the Revolution. About 20 per cent of the educated middle class youth actively participated on the side of the rebels, and it was the youth who provided the main support of the constitutionalist movement. Almost without exception, the young supported the social welfare program of the Constitution of 1963, but not all of them supported Bosch himself.\(^16\)

One interest group, not nearly so cohesive, was the Catholic Church. In 1963 Bosch blamed the upper middle class, the military, and the Church for his downfall. At the time of the promulgation of the 1963 Constitution, the Church officially expressed its disapproval of the Constitution in a formal statement by the Dominican Episcopate. In fact, in 1963, the Church actively worked against Bosch's administration. In 1965, however, the Church took a less overt stand. The official hierarchy did not attack either side but appealed for

\(^15\) Bryant Wedge, "The Case Study of Student Political Violence: Brazil 1964 and Dominican Republic 1965," *World Politics*, XXI (January 1969), pp. 192-97. Wedge's observations are drawn from dialogic interviews with students in their normal surroundings, recording 132 interviews and 32 group interviews involving 653 students, five months after the outbreak of violence. Wedge's research was under the auspices of the Center for International Studies at Princeton University.

peace, and later endorsed the U.S. formula for a government of "national unity with broad popular support." In general the Church rallied behind the forces of the loyalists, but it cannot be stated flatly that the Church totally mobilized against the rebels. In fact, conflict over the Revolution widened already existing divisions within the Church. It is true that most of the Church hierarchy were hostile to the constitutionalists. Nevertheless, a distinction must be made between the universal Church on the one hand—officially represented by the Papal Nuncio and unofficially by the younger clergy, most of them foreigners trained in the United States and Europe—and the local Church, represented by the bishops and the local clergy. The first group actively tried to find solutions for the crisis, and the Papal Nuncio, Emmanuel Clarizio, worked diligently to get a cease fire agreement. In addition, the Nuncio and others close to him distributed food and generally assisted both sides. Some of the lesser clergy even moved into the rebel zone after the older, more conservative priests departed, and some actively shared the rebels' hardships.

It must be pointed out that even before the Revolution, some changes had been taking place in the hierarchy. Some of the younger and more liberal administrators showed evidence


of being influenced by the progressive movement begun by Pope John XXIII. Nevertheless, most clerics viewed Bosch's social welfare program as a danger to the established order. In addition, a strong and vocal minority, particularly Jesuits who had been expelled from Cuba, portrayed Bosch as a Marxist-Leninist and Communist sympathizer. The majority of the Church hierarchy supported this anti-Communist sentiment, fearing that a rebel victory would mean a loss of Church power. Officially, the Church remained uncommitted; unofficially and covertly, the Church hierarchy favored the loyalists, while many of the lesser clergy favored the rebels. 

Constitutionalism and the struggle for power played equal roles in motivating members of the armed forces. Traditionally, the military structure has looked upon itself as the protector of the established order and as the nation's strongest bulwark against the Communist threat. The Dominican military has been pictured as a monolithic force which always aligned itself with the oligarchy and the Church against the masses.

During the thirty years of the Trujillo dictatorship, the military helped to maintain a system of government which gave members of the armed forces a privileged position in

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20 Moreno, Barrios, p. 162.
society; and, indeed, the military was a monolithic force which helped to impose the will of the dictator on the people. When the dictatorship ended, the military continued to refuse to subordinate itself to civilian authority and, instead, attempted to use its power to perpetuate its monopoly of political life. Nevertheless, the death of Trujillo, the ouster of the Trujillo family, and the exile of many Trujillista officers deprived the armed forces of their leadership. Thus, a power vacuum resulted. This lack of leadership ushered in a return to competition similar to that of the old days before the Constabulary; except that the contemporary struggle was not between rival bands, but was within the armed forces themselves.

Meanwhile, Bosch's reform administration threatened to dissipate the dominance of the military. Interpreting the 1963 Constitution as a menace to its prerogatives, the military hierarchy linked itself with civilian groups and staged the coup which ousted Bosch. This action created a fissure in the ranks of the already divided military structure. Many of the junior officers and younger enlisted men, as well, came from the lower classes and approved of the reforms introduced by Bosch. They felt a great affinity for civilian leaders who were demanding social justice and the abolition of excessive privilege.

Following the overthrow of Bosch, constant strife continued and caused frequent shifts of key military
personnel, with the firing or reinstatement of officers and enlisted men, the exile of some, and the return of others. While some of the junior officers truly desired reform, others wrangled for power and a chance at the spoils. The old familiar pattern returned with politics in the Dominican Republic, especially within the military structure, resembling a "kaleidoscope of constantly shifting groups of 'outs' against equally temporary alignments of 'ins,' but with very little consistency with respect to program or ideology."  

Within the armed forces, there was a constant shuffling and reshuffling of alliances. During the years following the assassination of Trujillo, various military figures appear again and again in different combinations. In the Dominican Republic, switching loyalties or political positions has always borne little cost. 

Thus, in the Revolution of 1965, the struggle for power was as important as the struggle for social justice. Many officers fought to restore constitutionalism, but just


\[22\] Further amplification regarding the shifting of alliances in the military would require a separate essay. To mention a few: The brothers Rodrigues Echavarria, the cousins Montas Guerrero, Belisario, Peguero, Fransisco Caamano, Deno, Fernandez Domingues, Francisco Rivera Caminero, Neit Nivar Seijas, Pedro Benoit, Elias Wessin y Wessin, and many others constantly changed groupings. For documentation, see the biographies of the armed forces leaders in their own publications, Avance and Revista de las Fuerzas Armadas.
as many of them fought for reinstatement into the armed forces from which they had been fired, or to maintain and continue privileges they had always enjoyed. Whether for reasons of power or ideology, by the time of Reid's overthrow, division was plainly visible in the armed forces. The ultimate split occurred, however, over the question of the Constitution of 1963 and the return of Juan Bosch.

Perhaps, the least divided and fragmented sector of Dominican society was that of the lower class urban proletariat. It was among these urban masses that a strong cohesion was most visible. Juan Bosch and the PRD had awakened the political consciousness of the masses, and it was among them and their leaders that an ideological frame could be detected. In the case of the urban masses, the slogan, calling for "a return to the Constitution of 1963 with Juan Bosch," played an important role in mobilizing mass opinion in favor of the rebels.

The organization of the rebels consisted of about 3000 regulars who had participated in the initial uprising and 4000 irregulars, who organized as commando groups and became a part of the paramilitary organization. Among the urban masses only a small number actively participated, but in the barrios altos (slums) it is estimated that approximately

23 Moreno, Sociological Aspects, p. 122.
200,000, about 80 to 90 per cent, favored the constitutionalist ideals.\textsuperscript{24}

Valuable insight into the rebel psychology may be found in the research of Jose A. Moreno, a teacher and former theological student who had been doing field research for his doctoral program at Cornell University. Moreno was in the Dominican Republic in April 1965 when the violence erupted, and he experienced, first hand, the events of the uprising. Moreno changed the original subject of his dissertation and began studying the sociological aspects of the Revolution. In describing his research, Moreno speaks of the methods he used in trying to obtain unbiased information:

For four months I lived with the rebels, sharing their feelings, anxieties, prejudices, fears and desires. I tried to put my mind into the minds of the rebels to grasp the ideological process that was taking place. I was aware that my work as a participant observer had linked me emotionally and ideologically to the rebel group. For this reason I decided through my interviews to build as broad a picture as possible, by meeting and interviewing the leaders of both factions, civilians and military. To check the accuracy I used not one, but several independent sources of information. I was placed in a position to check doubtful information and verify its accuracy.\textsuperscript{25}

Moreno drove back and forth through the city, and for the first two weeks of the war, he lived in the barrios altos (slums). He spent many hours interviewing top leaders, visiting residents in their barrios, and talking with the

\textsuperscript{24}Moreno, \textit{Sociological Aspects}, p. 122.

\textsuperscript{25}\textit{Ibid.}, p. 12.
commando boys in the parks or at their machine gun nests. Roughly speaking, he came in contact with thousands of people from all social classes, strata, groups, occupations, educational levels, and religious denominations. He attempted to discover specific traits which would differentiate the rebels from the loyalists. It is significant that in his findings, Moreno observed that two social characteristics were constantly present in the rebel group, but were rarely found among the loyalists: a certain ideological frame and a deep feeling of alienation.

In defining the term "ideological frame," Moreno pointed out that generally "an ideological frame may be understood . . . to mean a set of ideas, values, and beliefs which define society in general, what goals it seeks and which means should be used in preference to others." To further clarify his meaning, Moreno indicated that these beliefs are closely related, but by no means identical to, official party doctrines. Ideological frame here refers to the non-cognitive, political, economic, and sociological concepts found in the "rhetoric of the masses."^26

To discover what motivated the masses to choose the side of the rebels, Moreno visited with them in their shacks, ate with them, and helped provide food and medical attention. All the while, he tried to discover why they favored the

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^26 Moreno, Barrios, p. 86; p. 98.
constitutionalists. In simple words, these people clearly told him that they supported the Revolution because "they had suffered too much under the Trujillo regime with its corrupt police and military" and because "the rich had always had too much while the poor had had too little." They indicated that they thought that by ending the abuses of the past the Revolution could bring a change for the better. The people in the barrios also approved of the Revolution because it promised a return of Bosch to power. They indicated that they liked Bosch because "he spoke their language and did not steal."  

To properly understand the attitude of the masses toward Bosch, it must be made clear that in the Dominican Republic, formal ideological conviction has a minor place in practical affairs. When groups and parties are mobilized for social action, the base for such action is likely to be formed around a strong personality. To gain wide support, a leader must address himself to the predominately illiterate sectors of the population and must appear as a man they can trust and one who will be able to further their interests. Although many Dominicans reiterated again and again that they were willing to fight for Bosch and the Constitution of 1963, very few of them knew what was written in either the Constitution of 1962 or that of 1963. The masses knew nothing

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27 Moreno, Barrios, p. 89.
of formal pronouncements, and few, if any, could articulate the differences between the two documents. In fact, for the masses, such concepts as constitutionalism, freedom, and human rights did not mean anything. The masses never thought of themselves as fighting to restore a formal document or legal principles. Even most of the more educated leaders were not able to think in terms of intellectualized concepts or doctrines. In the minds of the masses, constitutionalism was merely a label for something which promised greater participation in government, a higher standard of living, and the hope of alleviating the deep feelings of powerlessness and frustration. Most Dominicans could only think of the Constitution in terms of fulfillment of simple human concerns at the level of everyday existence. For the masses, it was not democracy or freedom, but housing, jobs, and an education. Moreover, these promises could not seem real to them unless they were embodied in the person of a leader who could actually implement their goals. The only honest government the proletariat had ever known, and the only one which had promised them a future was that headed by Bosch. Therefore, the masses rallied to the support of Juan Bosch.

Moreno, in his talks and interviews with rebel leaders, as well as with the masses in their barrios, observed that the men involved in the fighting often expressed feelings of helplessness and powerlessness. Bryant Wedge
in his surveys of Dominican youth noted similar findings. More than anything else, the participants expressed frustration and fear that their personal goals would never be achieved. The rebels were especially disappointed because they believed that fair competition was not the regular channel for social mobility. Above all, many individuals felt that they were not a part of the political processes, and that they were powerless to change the institutions that tied them to the social system. Therefore, they believed that by ending the abuses of the past, the Revolution meant a change for the better. And most of them believed that the best way to achieve that change was with Bosch and the Constitution of 1963. It should be pointed out that in the case of the youth, they supported the return of Bosch as a symbol of legality, but Bosch personally was often the object of careful critical judgment.

It seems clear that among the urban masses, constitutionalism played a significant role and directed many rebels toward forming some sort of ideological conviction, whether articulated or implied. Because they believed the return of the Constitution of 1963 and Bosch promised a better life,

28 See supra note 14 of this chapter.
29 Moreno, Barrios, p. 126.
the masses, either actively or passively, rallied behind the rebels.

Those who joined the rebel cause were a cross section of the nation: intellectuals, professionals, younger military officers, young people of almost every class, the urban lower classes, and some of the rank and file of the Catholic clergy. Opposed to the rebels were the regular armed forces, the Church hierarchy, some elements of the middle class, and most of the new rich of the upper strata of the middle class. In general, the oligarchy did not mobilize itself for or against the Revolution, but many of them helped others to prepare for it.31

In the process of trying to determine what made participants fight, one discovers that certain themes recur. It appears that some goals and beliefs were widely held on both sides. Most Dominicans agreed that there was a need for more widespread participation of all classes of the people in the life of the country. Most Dominicans also agreed that there was a need to remove the old Trujillista power structure from political and economic power. Almost everyone on both sides stressed the need to return to constitutionality, but did not agree on which constitution should prevail. Rebels and loyalists alike agreed that there should be a more just distribution of the economic and cultural wealth of the

31 Moreno, Barrios, p. 126.
nation but disagreed about priorities and methods for implement­
ing national goals.

Both factions agreed that freedom, work, health, and education were worthy long term goals, but each side differed in its ideas about the means of achieving those aims. As has been previously stated, not everyone joined the revolution to fight for constitutional issues. Nevertheless, for those who did, the real conflicts came over social justice and the role of the state in guaranteeing that justice. Moreover, these were the same conflicts that had provoked violent dis­cord in 1963. Primarily, disputes centered around the concepts of "rights vs. privileges," "property rights vs. the social good," and "private vs. state economic development." In addition, constitutionalists and anti-constitutionalists disagreed on the causes of economic deprivation and the necessary means to eliminate it.

The loyalists seemed to place special emphasis on the assumption that if the individual is industrious and capable, he will get an education and work. The loyalists declared that "those who don't succeed fail because they are neither industrious nor able." The loyalists also believed that the state should be essentially passive, and that it should merely guarantee the freedom to work, to be educated, and to receive assistance when disabled. Any more positive steps would be an infringement on individual rights. 32

32 Moreno, Barrios, p. 111.
The rebels, on the other hand, believed that the function of the state is to guarantee a job, welfare, and education. Rebels believed that an individual cannot be free unless he has employment and a decent standard of living. They believed that the only way to achieve these goals is through positive action by the state. As one of their leaders said, "Let us guarantee the deprived, uneducated masses not freedom to work and to educate themselves, but rather let us guarantee them work and education . . . not bread and medicine but social security and health."  

Emotional conflicts also raged over the questions of "private property vs. the social good," and "private vs. state development" of economic resources. Again and again, property owners reiterated that they did not oppose social justice, but that social justice must not eliminate property rights. Property owners believed that the Constitution of 1963 deliberately ignored their vested interests.  

Another source of conflict, the problem of private vs. state economic development was unique in the Dominican Republic. There was no need to nationalize any industries and utilities or expropriate foreign holdings since the state

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33 See articles 1 through 24; 35 through 40 in the Constitution of 1963. Also see La Nacion, May 8, May 11; also Bosch, Unfinished Experiment, p. 131.

34 Moreno, Barrios, p. 11.

35 See debates in Chapter V of this work.
already owned most of these resources. After the assassina-

tion of Trujillo, most of the best land, power plants, 
transportation, utilities, sugar mills, and some commercial 
enterprises reverted to the state. Nevertheless, cleavages 
arose over how to develop these resources in a way which 
would best serve the nation economically. The loyalists 
believed that only the private sector had the knowledge and 
expertise to do the job. The rebels were not concerned about 
who should develop the resources, but were concerned about 
who should share in the profits. Both sides attributed evil 
motives to the other's position.

It is evident that in regard to constitutional issues, 
attitudes on both sides had not changed since 1963. Basically, 
the two constitutions embodied two different philosophies. To 
the constitutionalists, the 1963 Constitution represented 
social change in the form of greater participation of all 
classes of people in the cultural, economic, and political 
life of the country.

To the anti-constitutionalists, only the 1962 Con-
stitution symbolized peace and stability and protection of 
the rights of property. Loyalists saw the 1963 Constitution 
not only as lawless and godless, but also they viewed it as 
the instrument which would deprive them of their privileges 
and position. Above all, the loyalists saw the 1963 Consti-
tution and Bosch as a direct threat to their survival.
On a simpler level, Dominicans viewed the two consti-
tutions in terms of human concerns. The masses were concerned
with employment, education, housing, and a chance to enjoy
the fruits of their society. The loyalists were concerned
with power and position, but above all, they wanted to pre-
serve that which they had already attained.
CHAPTER IX

CONCLUSION

Most of the literature about the 1965 Revolution shows a strong preoccupation with the words constitutionalism and democracy. Yet, such writing fails to convey that it was human and not political concerns which were responsible for the ultimate breakdown in Dominican society.

In Hadley Cantril's study, The Pattern of Human Concerns, he asserts that the concerns of people are patterned according to the phases of development they are in, in other words, the stage of social and political organization of a nation.¹

According to Cantril, there are several phases of development. In the first stage, which is the slumbering stage, people are still unaware of their problems or are too depressed to have many ambitions for themselves. In the second stage people awaken and become aware of new potentialities and acquire new purposes and aspirations. It is in this phase that people become psychologically mobilized and begin


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to learn what they want out of life. At the same time, it is during the second phase that people also begin to acquire new frustrations. Cantril says that his data has continuously shown that "frustration and worry are the other side of the coin of hope." As a backward people learns that new satisfactions are available, they goad themselves to be rid of their old constraints.²

Cantril notes that there is likely to be an interim period of relative social chaos, irresponsibility and lack of discipline following the breakdown of established loyalties, institutions, and controls. Old group allegiances and the appearance of old symbols are weakened. There may be few if any roots in the past to which people can cling. Cantril observes that

When such psychological moorings and the ties that bind are temporarily lost, it may take considerable time before any new and commonly shared significances can become articulated and accepted and organized into some institutional form. The transformation of a people is not always easy.³

In phase three, the people become aware of the means to realize their goals and begin to perceive the possibility of achieving them. In this period the people must have faith that their visions will come true, or the vision of a bright future will give way to despair. This is the stage when the

²Cantril, Human Concerns, p. 304.
³Ibid.
political situation in a country is a precarious one, especially "if a parliamentary government stemming from a politically inexperienced people is trying to cope with the situation." Such was the stage in which the Dominicans found themselves just after the assassination of Trujillo and before the overthrow of Bosch.

Frustration and discontent are bearable as long as faith is in some way confirmed. However, impatience is likely to be the greatest when the goal is "just around the corner." Cantril says that it is at this stage that the system will crack or fall.5

The Dominican people were underdeveloped and inexperienced in political organization. Through the dramatic leadership of Juan Bosch, the great mass of the Dominican populace not only gained an awareness of their new potentialities, but also became engendered with the faith that their aspirations would be fulfilled.

To the average Dominican, constitutional government did not mean the promise of idealistic democracy, nor did the average person think of constitutional government in terms of social reform. Cantril's studies revealed that people in the underdeveloped world today are rather unconcerned about political freedom. Instead they primarily concern themselves

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4Cantril, Human Concerns, p. 305.
5Ibid., p. 306.
with such things as a decent standard of living and the hopes for a congenial family life in the foreseeable future.\(^6\)

After the death of Trujillo, all Dominicans from the wealthiest to those in the lowest-socio-economic brackets, both urban and rural, were sensing new possibilities ahead. All of their hopes and fears, regardless of economic status, were found to revolve around the idea of well-being defined in terms of a decent standard of living, jobs, education, and opportunities for their children.\(^7\)

Bosch was well aware of the high rate of expectations; indeed, he helped create the new awareness. Nevertheless, Bosch was not realistic in his assessment of the ability of underdeveloped Dominicans to cope with popular government. Here was a people with no political experience suddenly awakened to the possibilities of a better life under the banner of democracy. The means for achieving these goals lay just ahead in the Constitution of 1963. Unfortunately, Dominicans, as well as North Americans who were aiding Dominicans, failed to understand that a political system of government such as democracy cannot be exported and superimposed on a politically underdeveloped nation. Bosch and his American advisors failed to comprehend the magnitude of the task they had assigned themselves. Failing to understand the

\(^6\)Cantril, Human Concerns, p. 305.

\(^7\)Lloyd Free, Attitudes. Also see Chapter II, page 47 of this work.
realities of Dominican political life, the idealistic Bosch tried to bring democracy and govern under his new constitution. It was precisely at this point that Bosch met with strong opposition from those who had previously wielded social, political, and economic power. Perhaps, Bosch might have succeeded if there had been more time to educate the populace, or if he had proceeded more slowly in demanding revolutionary change. But Bosch relentlessly pressed for improvement and reform, and moved at a pace faster than those at the top of Dominican society were willing to accept.

Bosch's strong welfare program antagonized those who might otherwise have supported some form of constitutional authority. Those who opposed Bosch used the Constitution of 1963 as a rallying point around which to muster their forces. When those same forces overthrew Bosch, the reason given was his softness toward Communism. Those people truly feared Communism (whether or not the threat was real), and the 1963 Constitution increased their fears. These groups did not necessarily oppose all government intervention, but they did reject the all-embracing social welfare program of the 1963 Constitution. Bosch's opponents could only view his program as a threat to their "sacred rights." Thus, the more powerful sectors of society refused to yield to the new contenders for power. Given Bosch's program, and the long tradition of unstable constitutional practices, in September 1963 civilians joined the military in performing the action which had always
been an integral part of Dominican Constitutional tradition: They reverted to the age-old Dominican habit of solving disagreements by revolution instead of through legal, responsible means.

In the past such an unscheduled transfer of power would have met little resistance, but by 1963 the Dominican Republic was no longer the same nation. After the death of Trujillo, for the first time, the people had been made to feel a part of the nation. Political participation had expanded dramatically. Political awareness had increased as well. Added to this was the sudden rise in the level of expectations.

Bryant Wedge, in his survey of Dominican youth, concluded that one of the most firmly established experimentally and clinically validated propositions in psychological study of behavior is its frustration-aggression hypothesis:

Experimental animals and men become angry when their goal seeking purposes are interfered with; aggressive behavior appears to be an innate response to such frustration. Among men, common social purposes may be more or less widely shared in societies; interference with the realization of these purposes constitutes collective frustration and results in angry effects that are expressed in aggression toward the frustrating agent. . . . When the frustrating agent is perceived as a political authority . . . the outcome is a psychological predisposition toward political violence. 8

In the months before the Revolution of April 1965 Dominicans were disappointed in their hopes for their country

and themselves. As material and political conditions in the nation deteriorated, personal frustrations mounted. Dominicans were exceedingly pessimistic about their own positions and their hopes for the nation. In his study, Wedge suggests that anger is greatest when there are fewer non-violent means for satisfying valued goals: "The extreme case is when all channels of response are blocked, when the frustrated and angry man's back is to the wall. The likelihood of violent response is expected to rise when opportunities for value fulfillment are narrowed."9

As studies by Cantril also reveal, when a populace is awakened and improvement and reforms are not sooner or later accommodated, impatience and frustration are likely to turn to violence.

In the spring of 1965 the Dominican Republic was a tinder box filled with a long record of chaos and instability, with a legacy of political and economic bankruptcy, with personal hopes clashing against fears. Rising expectations and human concerns lit the sparks. Frustration then ignited the flames which burst into the tragic Dominican conflagration.

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APPENDIX 1

PARTICIPANTS IN THE DOMINICAN CRISIS

Aristy, Hector — Former associate of Imbert and Amiama Tio. Sided with the rebels at the outbreak of the revolt and soon became one of its most important leaders. Appointed by Caamaño as minister of the presidency. Highly influential. Later ambassador to UNESCO.

Baez Acosta, Jose — Helped in the hospitals in the rebel zone during the revolution. Later mayor of Santo Domingo.

Balaguer, Joaquin — Scholar and politician. Served as president under Trujillo and the Council of State in 1962. Ousted from the presidency. Lived in exile in New York. His Reformista Party has large support in the countryside. Some of his followers organized a coup against the Triumvirate. His party won the 1966 elections, and he became president.


Bosch, Juan. — Mastermind of the revolution. Could not return to Santo Domingo until the end of the revolution. Presidential candidate in the 1966 elections. Later he was in self-imposed exile in Spain.
Breisky, Arthur — Second Secretary in the U.S. Embassy. Took a very active role in the first days of the crisis.

Caamaño Deno, Francisco — Army colonel who became the leader of the rebel forces and was elected constitutional president on May 3, 1965.

Campagna, Aníbal -- Former UCN deputy. Sided with the rebels to defend the return to a constitutional government. Appointed president of the Senate.

Casals, P. Manuel -- Young politician from Santiago. Participated in the government of the Triumvirate, but later resigned. Sided with rebels and tried to stir the revolt in Santiago.

Cedeno Valdés, Arevalo -- UCN deputy who became independent after the overthrow of Bosch. Sided with rebels. Appointed president of the Congress. Died of a heart attack during the revolution.

Clarizio, Msgr. Emmanuele -- Papal Nuncio in Santo Domingo. Managed to have rebels and loyalists sign the first cease-fire agreement. Became the target of the extreme right, whose members accused him of being a communist.

Connett, William -- Charge d'affaires taking the place of the U.S. ambassador during the first four days of the revolt. Sent the first reports of the revolution to Washington.

Cury, Jottin -- UCN deputy who proclaimed himself independent after the coup against Bosch. Sided with rebels. Appointed minister of foreign affairs in the rebel government.

Del Rosario, Antonio -- President of the Social Christians. Signed the Pacto de Río Piedras with Bosch. Sided with rebels, whom he represented before the OAS.

De los Santos Cespedes, Juan -- Chief of the air force. Ordered the strafing of the Presidential Palace on April 25 and following days.

Despradel Brache, Herman -- Chief of Police. Promised loyalty to Molina Urena, but later sided with loyalists.

Espaillat Nanita, Leopoldo -- Leader of group of intellectuals who protested against status quo on February 27, 1965. Sided with rebels. Special adviser to Provisional President Molina Urena.
Espinal, Manuel — PRD member who organized revolt among civilian groups. Now deputy to the Dominican Congress.

Fernandez Dominguez, Rafael -- Air force colonel who helped to restore the Council of State in power. Mastermind of the revolt from abroad. Returned to Santo Domingo during the revolt and died on May 19, 1965.


Fishburn, Col. Thomas -- Air attache of the U.S. Embassy in Santo Domingo. Played an important role in the crisis, helping to establish loyalist stronghold in Santo Domingo.


Gutierrez, Giovanni -- Army colonel who helped organize the revolt, but later went into asylum. Managed to join the rebels again at the end of the revolution.


Herrera, Rafael -- Editor of the independent newspaper El Listin Diario. Refused to participate in Government of National Reconstruction.

Heywood, Col. Ralph -- Naval attache of the U.S. Embassy. Played an important role in the Dominican crisis, helping to establish loyalist stronghold in Santo Domingo.


Jorge Blanco, Salvador -- Young intellectual and independent politician who sided with rebels. Attorney general for the rebel government.
Lora Fernandez, J. M. -- Army major. One of the original organizers of the revolution. Chief of staff of rebel forces. Killed after the revolution in the battle of the Matun Hotel in Santiago in December 1965.

Mainardi Reyna, Virgilio -- Former governor of Santiago. Opponent of Bosch. Sided with rebels from the start of the revolution.

Mann, Thomas C. -- U.S. undersecretary of state. Went to Santo Domingo with McGeorge Bundy to report to President Johnson on the state of affairs in the Dominican Republic.

Martin, John Bartlow -- Former U.S. ambassador to the Dominican Republic. Went to Santo Domingo as special envoy of President Johnson. Formed the Government of National Reconstruction with Antonio Imbert as president.

Mayobre, J. A. -- Special UN representative sent by Secretary General U Thant to observe and report on the Dominican situation. Managed to have both factions agree to a second cease-fire.

Molina Urena, Rafael -- Former president of the House of Representatives under Bosch. Main organizer of the revolt. Became provisional president on April 25, but went into asylum on April 27. Later he went back to the rebel zone. Later Dominican ambassador to the UN.

Montes Arache, Manuel Ramon -- Navy colonel and former director of the navy school of frogmen, the elite fighters of the Dominican armed forces. Played an important role as commander of the rebel forces. Appointed minister of defense in the rebel government.

Mora, Jose A. -- Secretary general of the OAS. Took an active role in the negotiations. Became the target of both factions, who accused him of being biased.

Nunez Nogueras, Manuel A. -- Leader of the group of officers who joined the revolt after being discharged from service by the government. Helped organize the revolt and stayed with rebels until the end.

Pena Gomez, Francisco -- Radio speaker and youth organizer of the PRD. Remained with the rebels. Secretary general of the PRD in 1966.

Pena Taveras, Mario -- Army captain who organized the revolt among non-commissioned officers and the rank and file. Was instrumental in rescuing the group of officers put in jail by the loyalist Chief of Staff General Cuesta.
Pittaluga, S. Lovaton — Foreign minister of the Provisional Government of Molina Urena. Went into asylum on April 27 after several attempts to negotiate.

Ramirez, Hernando — Army colonel who was the main military organizer of the revolution. Took asylum on April 27, 1965, apparently for reasons of health. Later returned to the rebel zone, but had to leave a second time.

Reid Cabral, Donald — President of the Triumvirate or civilian junta set up by the military in 1963 after the coup against Bosch. Overthrown by the rebels on April 24, 1965.

Rivera Caminero, Francisco — Commodore of the navy who finally sided with the loyalist troops. Secretary of defense in the Government of National Reconstruction and in the Provisional Government. Ordered to leave the country in 1966.

Rivera Cuesta, Marcos — General of the army, Head of the loyalist chiefs of staff. Put in jail by the rebels but later freed.

Seijas, Neit Nivar — Colonel in the army with ties to the so-called San Cristobal Group. Follower of Balaguer.

Wessin y Wessin, Elias — General of the army and commander of the loyalist stronghold at San Isidro. Became the center of resistance to the demands of the rebels to reinstate Bosch, whom he had ousted eighteen months earlier.
## APPENDIX 2

### POLITICAL ORGANIZATIONS IN THE DOMINICAN REPUBLIC

<table>
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<tr>
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</thead>
<tbody>
<tr>
<td>PRD</td>
<td>Partido Revolucionario Dominicano (Dominican Revolutionary Party). Founded by Bosch and other Dominican exiles with broad Aprista orientation of the Democratic Left. Won elections of 1962 by a large popular majority.</td>
</tr>
<tr>
<td>PR</td>
<td>Partido Reformista (Reformist Party). Founded by Joaquin Balaguer and quite popular among the peasants. Won the elections of 1966 against Bosch.</td>
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</tbody>
</table>