

(H. B. 2730)

(No. 253)

(Approved August 13, 2008)

## **AN ACT**

To declare that the 9<sup>th</sup> day of June of each year shall be designated as the “Doctor Santos P. Amadeo Birthday.”

### **STATEMENT OF MOTIVES**

*Don Santos Primo Amadeo-Semidey* was born in Salinas on June 9, 1902. He attended primary school at his hometown and at Patillas and Fajardo. He obtained his high school diploma from East Greenwich Academy in Rhode Island in 1923. Amadeo was admitted into Michigan University—the Alma Mater of Dr. José Celso Barbosa—where he obtained a Bachelor’s Degree in Arts, and a Master’s Degree in Political Sciences. He pursued legal studies in Northwestern University, Illinois, which conferred him a *Juris Doctor* in 1935.

Dr. Amadeo devoted his life to teaching law at Columbia University, while taking advanced courses in the same institution. In 1938, he was conferred a Doctor of the Science of Law (J.S.D.) upon presenting his doctoral thesis—a study entitled *Argentine Constitutional Law*, published by Columbia University Press.

Subsequently, Dr. Amadeo taught anthropology at the College of Social Sciences of the University of Puerto Rico, where he was awarded a professorship in the Law School of our top university institution. He taught at the University of Puerto Rico from 1943 to 1969, in which year, he was conferred the title of “Professor Emeritus.”

Dr. Amadeo practiced law in Puerto Rico since 1939. His professional career was most notable for his advocacy for the poor, the destitute, and the persecuted in criminal cases.

One of his students, Carmen Julia Marchand, Esq. (“La Contribución del Dr. Santos P. Amadeo a la Defensa de los Derechos Fundamentales de los Puertorriqueños,” 39 *Revista del Colegio de Abogados de Puerto Rico* 651, November 1978), has made the following statement on the prolific career of Dr. Amadeo as a lawyer:

“However, the prodigiousness and bounty of the fruits of the labor of *Don Santos* lie in how far he has pushed the boundaries of Puerto Rican law forward. Ever the quintessential defender of the rights that should be guaranteed to every crime suspect called into account before judicial forums, *Don Santos P. Amadeo* made case law before the highest Court of Puerto Rico and the United States, and not the bar nor the People of Puerto Rico will ever be able to settle their indebtedness to this illustrious jurist.” [Our translation]

His contributions to law sciences are comprised of numerous research studies, including the following: “Daños y perjuicios por muerte ilegal” (1944); “Argentine Constitutional Law: The Judicial Function in the Maintenance of the Federal System and the Preservation of Individual Rights,” Columbia University Press (1943); “La revisión judicial de la Comisión Industrial de Puerto Rico” (1946); “La revisión judicial de los poderes del Gobernador de Puerto Rico” (1949); “Revisión judicial de las Juntas Examinadoras” (1946); “El habeas corpus en Puerto Rico” (1948); “Los poderes de los tribunales de Puerto Rico para castigar por desacato” (1949); and “School of Penal Thought Reflected in Modern Penal Legislation” (1950).

*Don Santos* placed his knowledge, wisdom and enthusiasm in service of numerous advisory tasks, including advising the War Economy Board during World War II, as well as various United States Senate committees; the statehood advocacy delegation of the Constitutional Convention that drafted the Constitution of the Commonwealth of Puerto Rico; the American Civil Liberties Union; and the Republican Statehood Party delegation to the Committee on Status.

Another student of Dr. Amadeo, Dr. Carmelo Delgado-Cintrón (“Santos P. Amadeo: Prometeo del derecho,” *Revista La toga*, September 1980), stated that *Don Santos* was the defender of unpopular causes, even of causes with which he disagreed, and in that capacity, he served as attorney-at-law for nationalists in various legal actions.

*Don Santos* called the Government of Puerto Rico into question for the approval and enforcement of the so-called Gag Laws. “The issue of the constitutionality of Act No. 53 would be immediately raised by Dr. Santos P. Amadeo, expert in Constitutional Law, through a writ of habeas corpus. Such recourse was filed with the Supreme Court in favor of Enrique Ayoroa-Abreu, from Ponce.” [Our translation] Ivonne Acosta, *La mordaza*, Editorial Edil, Río Piedras (1989), p. 124.

After the so-called nationalist revolt, Dr. Amadeo was part of the lawyer ensemble that defended the fifteen people accused of violating the Gag Law. Among the lawyers in this ensemble were Francisco Ponsa-Feliú, Félix Ochoteco, Benicio Sánchez, and José R. Gelpí.

In the book quoted, Dr. Acosta made the following statement on page 185:

“The egregious human rights violations embodied in the proceedings under Act No. 53 after the attack on Congress, compelled the reevaluation of such Law. Even more so after the ruling of the Supreme [Court] of Puerto Rico in the case *Pueblo v. Reynolds*, whereby the Court acquitted three people accused of the same ‘crimes’ for which the Nationalists of Arecibo were sentenced. The person who initiated such reevaluation process in Puerto Rico was the one and same who had defended Nationalists and Communists and who had decried so many an outrage perpetrated by the Government—*Don Santos P. Amadeo*.”

Dr. Acosta, who called Dr. Amadeo “champion of human rights” in her book, made the following statement (1989): “Even to this day, nearly thirty (30) years after being repealed, no examination has been made as to the constitutionality of the repression that was exerted by the Popular-Party government under the Gag Law for almost one decade in Puerto Rico.”

Dr. Amadeo always believed in individual and collective freedom and he had lofty aspirations for Puerto Ricans to be fully regarded as equals in their nation as United States citizens. His Republican Statehood Party nominated him for senator-at-large for the 1960 elections, and he served honorably in the Senate of Puerto Rico from 1961 to 1964.

As a senator, *Don Santos* proposed numerous legislative measures that at the time were quite progressive. Among these measures, suffice it to mention S. B. 50, to prohibit the disclosure of criminal investigations on felonies; S. B. 63, to authorize lawsuits against the Government of Puerto Rico for unlawful arrest and search; S. B. 74, to create the office of the Penal Judge; S. B. 93, to declare inadmissible any extrajudicial confession or

admission made by an accused without a lawyer present (preceding the Supreme Court of the United States ruling on *Miranda v. Arizona*, 384 U.S. 436); S. B. 91, to grant the right to trial by jury in misdemeanors punishable by more than one-year mandatory imprisonment or punishment (before the ruling made by the highest national forum in *Duncan v. Louisiana*, 391 U.S. 145); and Concurrent Resolution No. 1, to create a Civil Rights Committee in each legislative house.

In his capacity as legislator, Senator Amadeo continued to tend to his concerns as a lawyer. On the occasion of considering H.J.R. 175, whereby the sum of twenty thousand, five hundred (20,500) dollars was to be appropriated to the Legal Assistance Society, this champion for human rights made it clear that the government was “nickel-and-diming justice for the poor” and also clearly stated “we cannot talk about democracy in this Island as far as justice is not democratically administered so as to assure that the poor are properly defended.” [Our translation] (Journal of Sessions of the Legislature of Puerto Rico [in Spanish], Part I, p. 841 (1961)).

Yet another one of his students, Juan Manuel García-Passalacqua, Esq. (*Casa sin hogar: Memoria de mis tiempos*, Editorial Edil, 1990, p. 65), recognized that Dr. Amadeo “had made an outstanding career as the attorney of all those who were persecuted at that time in Puerto Rico, whether they were nationalists or communists.”

García-Passalacqua, Esq., who in addition to being a lawyer, is also a political analyst, made the following statement in the book quoted:

“The person of *Don Santos* (all of us called him by that name always, with great respect and admiration, from the very beginning) deserves a good biography, when the misconceptions and fears of the colony have been

dispelled. This is one brilliant and complex personality, who played a decisive role in those infamous years, whom only but a rare few have been able to appreciate.” [Our translation]

Neftalí Fuster-González, Esq. (“Recordando a Don Santos,” *El Nuevo Día*, September 21, 1980, p. 32), made the following statement:

“In a book that should someday be written, which tells the story of the development and sustenance of our civil liberties, of the rights of the accused, of the integrated liberties of each Puerto Rican, shall be prominently inscribed the illustrious name of Doctor Santos P. Amadeo.”

With the approval of this measure, the People of Puerto Rico are paying perpetual tribute to the name of Dr. Santos P. Amadeo, as a token of their gratefulness.

***BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:***

Section 1.—It is hereby declared that the 9<sup>th</sup> day of June of each year shall be designated as the “Doctor Santos P. Amadeo Birthday.”

Section 2.—The Governor, through a proclamation, shall invite the People of Puerto Rico to pay tribute to the memory of Dr. Santos P. Amadeo.

Section 3.—The Institute of Puerto Rican Culture shall adopt such measures as necessary to accomplish the purposes of this Act, and to that end, require the collaboration of the Puerto Rico Bar Association and the Schools of Law in Puerto Rico.

Section 4.—This Act shall take effect immediately after its approval.

## CERTIFICATION

I hereby certify to the Secretary of State that the following **Act No. 253 (H. B. 2730)** of the **7<sup>th</sup> Session of the 15<sup>th</sup> Legislature** of Puerto Rico:

**AN ACT** to declare that the 9<sup>th</sup> day of June of each year shall be designated as the “Doctor Santos P. Amadeo Birthday.”

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, on the 19<sup>th</sup> day of February of 2010.

Solange I. De Lahongrais, Esq.  
Director