Abstract

*Foreign-Born Soldiers and the Ambivalent Spaces of Citizenship* examines the interlocking politics of immigration and citizenship, labor and militarism, and race and gender. I explore two cases of militarized citizenship: Filipino recruits in the U.S. military and Nepalese Gurkha soldiers in the British Army. The bulk of the thesis engages the lives of Filipino migrants who enlist in the U.S. military as a collective pathway to American citizenship for themselves and their families. Filipino nationals comprise the highest percentage of foreign-born military recruits, a trend enabled by the fact that U.S. citizenship is not required to serve in the armed forces and promoted by the colonial history of the U.S. in the Philippines. Filipinos are the only foreign-born nationals permitted to enlist in the U.S. Armed Forces *without* having to immigrate to the United States. Filipinos, in other words, are the exception to the permanent residency requirement necessary to join the U.S. military. Citizenship is, however, granted posthumously to any “alien” or “non-citizen national” whose death occurs on active duty, providing a legal “death dividend” for surviving relatives. I observe how the working lives of these migrants illuminate the new mobility of global (militarized) labor, a form of economic discipline facilitated by the state in the era of flexible accumulation. Over a period of twelve months, I conducted a series of in-depth interviews with Filipino military families in the San Francisco Bay Area. In the cases under study, the families of U.S. military personnel killed in action refused – in political protest – the offer of posthumous citizenship. These testimonies illuminate and juxtapose mundane and spectacular instances of state violence against agents of the state and their next of kin in a way that reveals conflicts inherent to incorporation and resistance internal to enlistment.
Preface

This research has been approved by the Behavioral Research Ethics Board. The certificate number is H08-01344.
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To my family
Chapter 1

Militarized Citizenship | An Introduction

What is the relation between a nation and its inhabitants, between a nation and its citizens, or between a nation and all the people from which it withholds its protections? What is citizenship and how is it established or lost, asserted, refused, or taken away (Cadava 2003: xv; see also Agamben 1998, 2005; Arendt 1979; Bosniak 1998; Holston 1999)? In this thesis, I ask the reader to think about what it means to live in nations in ways that are not yet, or no longer, defined by territorial citizenship and national belonging (Cadava 2003). I do this at the unlikely site of military service, where one would expect citizenship and territory to be most closely and formally aligned through the political infrastructure of contemporary nation-states.

This thesis encompasses aspects of immigration and citizenship, labor and militarism, and race and gender. I explore two cases of militarized citizenship – Filipino recruits in the U.S. military and Nepalese Gurkha soldiers in the British Army. The bulk of the thesis engages the lives of Filipino migrants who enlist in the U.S. military as a collective pathway to American citizenship for themselves and their families. At 25 percent, Filipino nationals comprise the highest percentage of foreign-born military recruits in the U.S. Army. This trend has been enabled by the fact that U.S. citizenship is not required to serve in the armed forces and promoted by the colonial history of the U.S. in the Philippines. Filipinos are the only foreign-born nationals permitted to enlist in the U.S. Armed Forces without having to immigrate to the United States. Filipinos, in other words, are the exception to the permanent residency requirement necessary to join the U.S. military.

Citizenship is, however, granted posthumously to any “alien” or “non-citizen national” whose death occurs on active duty, providing a legal “death dividend” for surviving relatives. Military service has become not only a means to naturalization, but also one of the most viable
forms of employment for migrant communities in several major American cities (the SF Bay Area, Houston, Chicago, and New York City). I observe how the working lives of these migrants illuminate the new mobility of global (militarized) labor, a form of economic discipline facilitated by the state in the era of flexible accumulation. Over a period of twelve-months, I conducted a series of in-depth interviews with 14 Filipino military families in the San Francisco Bay Area. In the 14 cases under study, the families of U.S. military personnel killed in action refused – in political protest – the offer of posthumous citizenship.

These 14 Filipino families represent the “limit cases” (Mitchell 1983). On July 3, 2002, President George W. Bush designated the period beginning on September 11, 2001, as a “period of hostilities.” This triggered immediate naturalization eligibility for active-duty U.S. military service members, and the U.S. Supreme Court issued a statement that in the most challenging and uncertain moments the nation's commitment to due process, civil liberties and the rights of its citizens would most severely be tested and preserved. There is little doubt that the majority of military families who were offered posthumous citizenship accepted it. My focus is on 14 Filipina widows who did not. I consider how they tested the very limits and conditions of the nation's citizenship project during this time. They represent the boundary case studies of those who refused citizenship, the highest order of political membership within a nation. These refusals are an underdeveloped phenomenon in the scholarly literature of citizenship studies, where limit cases are often overlooked (Mitchell 1983). What distinguishes my research approach is an insistence on reviving the boundary cases. I focus on these limit cases not as anomalies, but as points of departure to analyze how these 14 testimonies draw our eye to the ways in which the American nation racially excludes Filipino bodies as an inherent process of state incorporation. Much critical commentary of U.S. foreign policy has rightly focused on the collateral damage of military invasion for the domestic populations of occupied countries.
Considerably less has been written within the precincts of radical critique about the collateral consequences for the families of those killed or wounded in combat.

To this end, I engage in a comparative approach through the introduction of Gurkha soldiers and their struggles over citizenship and rights in the United Kingdom. Gurkhas from the Nepal region have been fighting for the British Army for well over 200 years and yet they have not been granted the same citizenship rights and pension benefits as their British counterparts. Now facing deportation charges as undocumented migrants in the U.K., Gurkha soldiers and their families are battling for citizenship and rights to remain in the country they have spent (and lost) their lives protecting.

Both Filipino and Gurkha veterans share similar experiences of having been denied the promise of full political inclusion via citizenship into the nation. During WWII, as a Commonwealth nation, Filipino soldiers were granted U.S. citizenship for enlistment purposes into the U.S. military with additional promises to full veterans benefits equal to American soldiers (Baldoz 2011). In 1946, however, with the passing of the Rescission Act by President Harry Truman, Filipino soldiers had their American citizenship revoked and the promise of their veterans benefits taken away. Of the 66 countries allied with the United States during the war, Filipinos were the only racial and ethnic group to be denied military benefits.

I argue that race is the defining feature that constructs Filipino and Gurkha soldiers as the preferred bodies of choice for (subcontracted) military labor for both the U.S. and British Armies. Filipinos account for 25% of foreign-born U.S. military personnel, but they also comprise one-third of all Private Military Contractors (PMC) presently serving in Iraq. There are over 200,000 private military contractors hired by Kellogg Brown & Root, a Halliburton subsidiary, the military’s largest logistical support provider. Of that number, 50,000 Filipinos work as weathermen, cooks, carpenters, and mechanics (Private Warriors: Frontline website; see
Gregory 2004; Singer 2007). Racially constructing Filipino soldiers as docile and servile subjects has relegated them to perform domestic and “household” duties as cooks and weathermen within the U.S. military and as subcontracted military labor.

Gurkha soldiers on the other hand, or the Brigade of Gurkhas, the collective term for units of the current British Army that is composed of Nepalese soldiers, are often recognized as the “fiercest warriors” (Bellamy 2011) or the “most deadly force in the world” (Crew 2004). Their raced bodies -- “camouflage skin tone” and agile bodies (Parker 2005) – legitimate the designation of Gurkha soldiers to combat situations in (certain) violent spaces not expected of their British counterparts. One need not look much further than the annual doko race, referred to as the most arduous military selection test in the world (Parker 2005; see also Hickley 2008). The Gurkha Brigade enlists 230 new recruits every year for a spot in the British Army. 17,000 – 20,000 young Nepalese men compete by carrying a doko basket full of rocks weighting 35 kilograms (77 pounds) up the mountainous slopes of the Himalayas in under 55 minutes (Bellamy 2011). Examining the Gurkha struggle as a secondary case-study of militarized citizenship takes our analysis outside of the United States and the Philippines, offering insight into the ways in which military service becomes a mechanism for citizenship and viable employment in two different regional and militarized contexts.

My research contributes to larger intellectual discussions of citizenship, militarism, home and family. Citizenship, the formal and legal rights to political inclusion and membership within a particular national territory, has awarded (certain) individuals the freedom of mobility (to travel freely outside the boundaries of the nation-state), the freedom to vote in political elections, and the freedoms to access educational grants and other resources. Citizenship, however, has also formed the basis to deny protections and securities from certain (and almost always) racialized groups. The central focus of this research is to examine the violence that attends the promises
and practices of inclusion through militarized citizenship, in this case for those racialized as Filipino (Lee and Pratt 2012). On the one hand, Filipino nationals are eligible to enlist in the U.S. military, however, the conditions of their American citizenship are guaranteed and granted upon death on active duty. My research considers how well-intentioned projects such as citizenship inadvertently redraw the very effects of power and domination that they seek to vanquish (Brown 1995: ix). State violence is perpetrated under the rubric of benevolence and paternalism (Hartman 1997). The violence that undergirds liberal citizenship is that of exclusive membership. Inclusion is sustained by exclusion (by definition, that is, the non-citizen, the foreigner, the alien, and the immigrant). Though written in a different context with reference to the Holocaust, Giorgio Agamben’s formulations (following Arendt 1979) about the paradoxical phrase “Rights of Man” is a helpful way to understand the technologies of political inclusion via exclusion: “Here the paradox is that the figure that should have precisely embodied human rights more than any other – namely, the refugee – marked instead the radical crisis of the concept” (2003: 6). Filipino soldiers in the U.S. military are not political refugees, and yet it was the very promise of political inclusion into the nation that led to their death, or put another way, the promise of death that led to their political inclusion. In this way, I am interested in the savage encroachments of power over life and death that take place through this “kind and gentle” benevolence vis-à-vis the language of “granting, awarding, protecting and including.” My argument is that it can be the case that the very “granting” of citizenship intensifies and magnifies the exercise of biopolitical power administered over these foreign bodies.

**Theoretical Framework**

My theoretical framework is situated at the nexus between citizenship studies (Agamben 1998, 2005; Amaya 2007; Balibar 2002; Bosniak 1998; Cadava 2003; Isin 2008), post-colonial
theory (Mbembe 2003; Spivak 1999) and critical race studies (Goldberg 2002; Omi and Winant 1994). The present work is interdisciplinary to the extent that it draws conceptual resources from across the humanities and the social sciences. It is also trans-disciplinary insofar as it finds an orientation within transnational feminism, an intellectual movement whose impact has registered throughout various academic disciplines in geography, women and gender studies, sociology and anthropology.

More precisely, a racialized and gendered re-working of Giorgio Agamben's (2000) theory of “nation-state-territory,” provides an important and distinctive frame of analysis for my work (see also Ong 1996; Mills 2004; Pratt 2005; Razack 2000; Sanchez 2004). What I contribute to his analysis is a demand for a radical racialization and gendering of any analysis of positionality, be that of empire or its subjects. These crucial elements are underdeveloped in Agamben’s research. For this reason, I have found it helpful to read Agamben’s work alongside feminist scholars such as Neferti Tadiar, Geraldine Pratt, Aihwa Ong, and Saidiya Hartman (to name just a few). In different ways, these scholars offer a timely intervention to the importance of reading across racialized and gendered histories and finding political connectivity in differing geographical contexts.

My engagement of research within geography seeks to offer a constellation of critiques and meditations for new political engagements, understandings and practices of citizenship, race, nationalism and militarism. In studies of citizenship the ultimate metanarrative thrust has largely been geared towards an integration into a national project: towards citizenship and permanent residency within the nation (see Amaya 2007 for instance). Informal reactions to my research suggest that the very idea of undocumented migrants’ willingly refusing (American) citizenship, an elite membership that is so coveted and sought-after, is alarming. As one colleague responded, “People actually turn down citizenship? Wow, that’s surprising to me. People would
die for something [citizenship] like that.” That is precisely my point: people do in fact die for citizenship. Political membership in exchange for death is what the modern-day socio-political contract of liberal citizenship requires of some who are otherwise excluded. My research is an attempt to think beyond the desire for political inclusion within the limited set of possibilities that the national project(s) provides. I am committed to thinking about ways that trouble the notion that political inclusion via citizenship is the final solution – that somehow nothing lays beyond citizenship.

To that end, I draw on the work of contemporary analysts like Slavoj Žižek (2009) and his meditations on the violence of political inclusion whereby certain racialized and vulnerable bodies are rendered as the “living dead” of global capitalism (425). Pratt (2005) calls upon Agamben to specify the ways in which power works to target and manage certain racialized groups in concrete spaces. She reminds us that “geographies are part of the process by which certain individuals and groups are reduced to bare life. They are therefore integral to the process that Agamben describes” (Pratt 2005: 1055). Similarly, Cowen (2007) engages in a Marxian analytic exploring the impacts of war and militarism on citizenship in both urban and rural communities. She asks us to consider the socio-economic context behind why young people in often poor and racialized communities in the Americas view the military as a viable life-source. From educational funding to health care to expedited citizenship status, the military presents itself as the guarantor of political inclusion and basic human rights. Wasinski (2008) has fashioned innovative linkages between military studies and the theories of well-known figures of the postwar French intellectual scene, such as Jacques Derrida (1993) and Michel Foucault (1975, 1976, 2001). He artfully weaves Derrida's notion of “hauntology” - how dead soldiers are still “present” and visible amongst the living community via funeral obituaries, military ceremonies, and newspaper editorials - with Foucault's meditations on biopolitical
governmentality and how various state agencies (like the U.S. Department of Mortuary Affairs) exercise their power to shield the dead from haunting the living public. Neferti Tadiar (2009) asks us to imagine new political possibilities beyond citizenship by exploring notions of affect, longing and suffering (see also Lee and Pratt 2012). Jenny Edkins’s (2003) work has helped me to understand the intimate relationships between trauma and state violence.

I had a difficult time, initially, understanding the productive nature of discussions surrounding suffering, pain and trauma (Edkins 2003; see also Sontag 2004 for her examinations on violence and representation). I was hesitant to conjure up feelings of sadness and bereavement from the widows, fearing that my questions would traumatize them. During our interviews, however, it was the widows who affectively worked through their suffering and traumatic experiences with death to make reference to the violence they had experienced by the state (see also Anderson 2011). Their testimonies revealed the traumas that the state so diligently tried to conceal (Edkins 2003: xv).

This leads to one last point that I would like to make regarding my use of the term “testimony.” A ‘testimony’ is largely conceived of as “a public declaration of truth or fact, as given before a court or deliberative body” (Merriam-Webster Dictionary). The 14 military widows have not publicly shared nor testified to their encounters of trauma or suffering in a legal setting or venue. Their narratives have mostly been shared and disseminated amongst themselves. The 2008 anti-war rally where I met the widows was their first public attempt in making their experiences of state and military violence heard. What I have attempted to do throughout this thesis is to think about the widows’ testimonies in connection with solidarity. The “politics of echoing,” which I discuss in Chapter 6, and building political solidarity and connections through legal precedents is one way that I have come to think through the political openings that emerge from these testimonials. Furthermore, I would like us to consider if there
might be something productive about examining ‘testimony’ outside the context of the law. As these 14 military widows are searching for spaces outside or even beyond the discourse of legalized citizenship, might there be room to explore political protest and outcry as public declarations of state violence that these women have witnessed and experienced. Lauren Berlant (2009) makes a timely observation in this regard:

The non-dominant classes have long produced intimate publics that provide the feeling of immediacy and solidarity by establishing in the public sphere an affective register of belonging to inhabit when there are few adequate normative institutions to fall back on, rest in, or return to. Public spheres are always affect worlds, worlds to which people are bound, when they are, by affective projections of a constantly negotiated common interestedness. But an intimate public is more specific. In an intimate public you encounter stories of survival tactics and of what it has meant to survive, or not. It promises the sense of being loosely held in a social world. You don’t have to do anything to belong, once you show up and listen (Mini-plenary *Affect, Noise, Silence, Protest: Ambient Citizenship*, 2009).

The connections between their trauma and state violence were also ones that were experienced through a spatial register dating back to when they were living in the Philippines. The traumas experienced by the widows did not occur at the moment of their husbands’ enlistment into the U.S. military: for some, it dated back to when they realized the Philippines offered little viable options for their survival. Collectively, these discussions serve to reflect upon the present to understand contemporary formations of power that contribute to strategies for democracy.

This research project centers on a phenomenon that cannot be understood properly within any single theoretical framework, requiring that we engage with multiple traditions of analysis and interpretation. One might say this work is structured by a set of affective cares, desires and passions making up an amorphous but insistent vision of an alternative way of political life (Brown 1995). This insistence comes from my beliefs that aspects of the Western intellectual landscape have been disoriented by the hijacking of the concept of freedom. Scholars from a
wide range of disciplines have largely concerned themselves with questions of citizenship reform (Isin 2008) – how to make citizenship better, more accessible, less exclusive, and easily attainable for all. Some scholars and activists alike have gone as far as to express interest in a “no border” politics (see Nevins 2001), calling for the abolition of territorial borders and boundaries between nation-states, which would either declare everyone a citizen (with freedom to transgress all territorial boundaries regardless of their place of origin) or register everyone a non-citizen (of everywhere) with the idea that territorial boundaries would eventually carry little currency. There is something very seductive about these theoretical offerings – the desire for belonging, promises of inclusion and membership, equal justice for all. These critical perspectives about the institutions of citizenship, however, are largely told from the position of those who have citizenship: from those of us who feel we can afford to rid the very practices and institutions of citizenship or from those of us who feel we can afford not to. Throughout this research, I have tried to be mindful of my own positionality, and the power that allows me to suggest and offer alternatives to studies of citizenship; to somehow quell the arrogance that only a citizen might best know how to reform citizenship or propose ways to expand the institutions of political membership. Within this research there is a productive tension between those (of us) who have U.S. citizenship and those who do not. The testimonies of the military widows have been a constant reminder of the importance of analyzing liberal (American) citizenship from the very position of those who have none.

I am attempting to put the reader in dialogue with those who, while possibly sharing the same territorial boundaries, do not exercise the same rights, freedoms, privileges that we, as citizens, likely possess (Bosniak 2002). I ask the reader to critically and spatially examine how exclusionary boundaries keep people on the outside, but also and perhaps more importantly, how exclusionary boundaries effectively follow “outsiders” inside the very territories of the nation
I question how technologies of race and territorial exclusion are played out not only “outside” and between nations, but within and inside the nation and amongst one another. I ask the reader to take his/herself (even if momentarily) outside of one’s comfort zones – to put one’s own inner workings of home/land, national belonging, and political membership into question, and perhaps into crisis. The reference to “crisis” is particularly relevant. Tadiar (2009) notes that “Crisis becomes common currency for understanding the conditions of contemporary Philippine life” (2). Be it the economic, social, and political crisis from the late 1960s to the early 1980s, the series of military coups to murdered overseas domestic workers, or the kidnappings of Chinese-Filipinos by vigilante criminal networks, the Philippines finds itself in a perpetual state of emergency (Tadiar 2009: 2). This “crisis,” however, must also be viewed in the context of political possibilities and potential.

This research is committed to understanding that the geographies of crisis that manifest in different forms and that so often permeate the post-colonial landscape are also the spaces where progressive anti-war organizing is taking place, for instance, around Balikatan 02-1, the joint U.S.-Philippine military exercises in the war on terror. Rather than view progressive organizing and state violence as two distinct categories/trajectories, and the territorial outside and inside as mutually exclusive spaces, I consider how political struggles and spaces are much more entangled, contingent, and constituted. Working with the notion that territorial borders, political loyalties, and national identities are fluid can help us think less about expanding the enterprise of citizenship (as an end goal) and more about a project for freedom and democracy for all inhabitants. This is an ambitious project as I attempt to expose more than the internal contradictions and hypocrisies of a particular political Administration. The limits of what citizenship yields and the failed promises of liberal democratic freedom cannot be solely attributed to the Bush or Obama Administration. I argue that the failings also need to be located
in the very language of citizenship, liberties, and rights. It is for these reasons that I examine the forms of violence and biopolitical power administered and licensed in the name of citizenship, rights, and liberties.

A Note On Method

I draw upon Lauren Berlant’s (2007) notion of the “intimate public sphere” to discuss the practices by which the nation enacts its power in the most impersonal yet intimate ways. The migrant soldiers and their families that are the focus of my attention often remain faceless on the battlefield, and yet, their deaths on these very terrains have a way of scaring/seeping into the very closed quarters of their home and family life. I am not sure that graduate school training in geography could have prepared me to tell stories of the dead. Nor did I feel equipped to surround myself with people so intimately tied to death, but after 12 months of field research comprised of in-depth and open-ended interviews in the San Francisco Bay Area (2008-2009), it was the talk of death that brought me into the intimate spaces (as close as I have ever come) to military life. Since the wars in Iraq began in 2003 (the second time around), the U.S. armed forces have granted posthumous citizenship to 111 foreign-born service members (United States Citizenship and Immigration Service (USCIS) Fact Sheet 2009). The 14 Filipino soldiers whose families I came to know through this research belong within this group, and within the periphery of approximately 65,000 foreign-born soldiers serving in the armed forces. The latter represent about five percent of all active-duty personnel (Barker and Batalova 2007).

The exact number of families who refuse posthumous citizenship in the United States is unknown. I conducted secondary research analysis by requesting “all” public documents pertaining to “posthumous citizenship” in the U.S. military through the United States Freedom of Information Act (FOIA). It took months for the FOIA Office to respond to my requests and
when they did, the information was often vague and uninformative. I was told my requests were either “too specific” or “too broad” to yield (m)any successful responses. And in four corresponding letters, FOIA officials indicated that my solicitations of “posthumous citizenship” were “confidential and the desired information difficult to access at this time.” Here, I was reminded of Alison Mountz’s (2010) research on refugees and asylum seekers and the difficulties she encountered with Canadian government officials and agencies when conducting her ethnographic field-research. This project is situated within a network of scholarship being done on exposing the difficulties of accessing information from the very state agencies responsible for granting “public” information.

Local news media, Department of Defense background fact-sheets, and military family support groups and websites suggest that approximately 45 families nation-wide (that is, about half) have expressed an outright refusal and/or an “ambivalence” towards the American citizenship that they would receive. The majority of refusals have come from Filipino and Latino families (Amaya 2007). Filipinos comprise the highest percentage of foreign-born soldiers in the U.S military at 25%, followed by Mexicans at 9% (Figure 1, United States Citizenship and Immigration Service [USCIS] Fact Sheet 2008). The 14 Filipino families with whom I became acquainted live in Daly City, or the “Pinoy Capital” (Vergara, Jr, 2009) just 20 minutes outside of my own home in San Francisco. As the largest and fastest-growing ethnic minority in a city where the majority of the residents are Asian and over half are foreign-born, Filipinos constitute almost 40 percent of the population (2009: 2).

I met eight of the fourteen Filipina widows at an anti-war rally in March 2008 (I discuss this in further detail in Chapter 3), though I actively recruited the remaining six women by asking the first group of widows for names of others who might be interested in being interviewed. Despite my use of this snowball technique, which often yields a homogeneous
group, the homogeneity of a snowball sample depends on the kind of social tie used to ask for additional respondents. All fourteen widows have been given pseudonyms as to protect their identities (See Appendix B). They also specifically asked that I not use their photographs, and therefore I have only included photos of those from whom I was granted permission.

The women that I interviewed represent a diverse range with respect to family history, occupational background and class. I met with each of the 14 families for three rounds of two-hour interviews. During this time I came to familiarize myself with the history of the Guzman’s. I learned how Rick Mariscal enlisted with the U.S Military’s Bravo Company from a road-side recruitment kiosk and why Nanette has such a “happy and sad” relationship to her home: the day her husband bought her and their son a home was the last time she ever saw her husband. And so, after 12 months, or 84 hours of in-depth tape recorded interviews and informal conversations that occurred during my home-visits, I was better able to locate 14 military families not only in the political economy of transnational migration and global militarism between the Philippines/Iraq/the United States, but also within the spaces of our own city and homes.

My encounters with the 14 Filipino military families forced me into a deep engagement with multiple geographies. It was difficult to reflect on the overwhelming number of Filipinos in the U.S military without situating them within a centuries-long history of American neo-colonialism and military occupation in the Philippines (Baldoz 2011; San Juan, 2009). Filipinos comprise the majority of ethnically-identified soldiers in the U.S. military and as PMC’s, which invites the question of how and why Filipino recruits are the designated and preferred bodies of choice for militarized combat. Why have those racialized as Puerto Rican, Guamanian, or as U.S. Virgin Islander, for example, also former colonial subjects of the United States not experienced the same effects as those racialized as Filipino? What makes the Filipino body unique and exceptional to the U.S. military project? These intertwined geographies of conquest,
militarism, and precarious legal status are intimately tied to a Filipino body (Pratt 2004: 6). Much of my research is drawn from feminist geographers who have been particularly attentive to the ways in which the “body” and “bodies” are used, consumed, projected, counted (e.g. Rose 1995; Longhurst 1995; Nast & Pile 1998; Callard 1998; Sharp 1996, 2001; Hyndman 2004, 2007; Sundberg 2008) and inscribed across space and time (Butler 1993; Pratt 2004; Wright 2006). This research is fraught with bodies – as real, imagined, as metaphor – taking account of the discursive relations between biopolitical territories and birth, race and blood, residency and nation, between foreign-born soldiers and war. I focus not solely on bodies in material form, but also bodily reactions, practices and performances.

During my interviews with the widows, it was Leia in particular who used hand gestures (interlocking her fingers) to illustrate the intimate ties between the U.S. and the Philippines. She used her body to tell stories of conquest, colonization, and transnationality of countries, neither of which she could comfortably and securely call “home.” Carla, too, used her bodily gestures to (indirectly) display signs of ambivalence towards her “homes.” Carla was conflicted about where to have her husband’s burial service, an option given to foreign-born soldiers who have fought and died in the U.S. military. As a Filipino citizen in the United States, Carla was offered little in the way of emotional or financial security from the Philippine government. I interpreted her indecisiveness as a larger indication of the little solace and protection citizenship, in general, offered in her life. She was ambivalent about having her husband buried in the Philippines even as she refused to accept the American citizenship that she was entitled to as a result of her husband’s death. She was, I imagine, necessarily ambivalent because she was at odds with the comforts of state “security” and “protection” (here and there). But rather than limit and reduce Carla’s “ambivalence” to an analysis of which nation caused more injury and/or did more harm, I appropriated Carla’s affective response and sentiment of indecisiveness, sadness, and
ambivalence to facilitate larger discussions about why these families left the Philippines, why their husbands enlisted into the U.S. military, and why military widows like Leia and Carla came to eventually refuse American citizenship – the very “thing” their husbands had risked their lives for.

**Structure of the Thesis**

This thesis is structured by three main objectives: first, I examine the role that U.S. colonialism (past and present) plays in the formation of (militarized) citizenship for those racialized as Filipino. Second, I uncover the violence that attends the promises and practices of political inclusion via citizenship. I am interested in studies of citizenship for the ways that citizenship problematically mirrors the mechanisms and configurations of power of which it is an effect and which it purports to oppose (Brown 1995: 3). And last, I ask us to consider the political potential and challenges that arise with thinking across two different racialized groups working towards citizenship through military belonging in two different national contexts. I read across the struggles of Filipino and Nepalese Gurkha soldiers less as an exercise in direct comparison, and more as a larger political project and solidarity movement connecting those struggling for state rights, inclusion and belonging in different spaces.

Chapter 2 begins by situating this research within a larger set of literatures on militarism, citizenship, colonialism, and the geographies of home and family. I analyze the colonial relationship between the United States in the Philippines and how American-style neo-colonialism continues to permeate its way into the present. I examine the specific geopolitical arrangements and objectives – social, political, economic and military – otherwise referred to as “components of the U.S. grand strategy” (Posen and Ross 1996) that continue to establish military networks in the Philippines. I introduce America’s first encounter with granting
posthumous citizenship and how the practice of “awarding” citizenship upon death has since been transformed and institutionalized.

Chapter 3 considers what a feminist geography can bring to theories of post-colonialism and to studies of the military and racialized citizenship. I discuss how I first came into contact with 14 military widows who had lost their husbands in Iraq. The widows were offered U.S. citizenship by extension of their husbands’ deaths, which they later came to refuse in act of protest. In this chapter, I take us inside the homes of five military widows living in the San Francisco Bay Area. During our interviews, they shared stories of their journeys from the Philippines to the United States. We discussed reasons for their departure, how they met their husbands, and why and how they decided to ultimately refuse American citizenship. It was not until my discussions with the military widows that I fully and viscerally felt the violence that attends political inclusion via citizenship. Their grievances with the United States and its militaries rested not only on their husbands’ having been killed in combat, but also on the very militarized arrangement that had wagered (in advance) their husbands’ lives long before their deaths. According to the widows, the granting of American citizenship in exchange for military service was the primary, if not the only reason that their husbands had enlisted. But it was also a well-known fact at the time of their enlistment that foreign-born recruits who die in combat would be granted American citizenship. For these widows, military service in exchange for citizenship was the equivalent of death in exchange for citizenship.

Chapter 4 takes us inside the U.S. Mortuary Affairs unit, the military state agency responsible for safely and “privately” handling the bodies of dead soldiers before their return to their families. The privacy is intended out of respect for the families, however, it is also intended to hide the dead soldiers (read: casualties and body counts) returning from war. In this chapter, I uncover a fundamental paradox of modern war, which requires military deaths to be effaced and
hidden from the public sphere so as not to disrupt and incite the living community, and the granting of posthumous citizenship, which requires military deaths to be acknowledged and recognized by the public. Foreign-born soldiers, in their deaths, are situated in a precarious space between the private and the public sphere. The presence of foreign-born soldiers in the U.S. military is not widely known. However, it is once soldiers have died and have been publically ceremonialized (via news media, memorials, obituaries and funerals) that we come to realize that non-citizen soldiers fight (and die) in the U.S. military. These military ceremonies are intended to honor and memorialize the heroism of soldiers who have died for their country, but the Filipina widows have chosen to honor their husbands in a slightly different vein - as vulnerable and precarious subjects and as undocumented workers, fathers, brothers, and struggling economic migrants in America. Their grieving and memorializing is focused less on celebrating their husbands as national heroes and more on exposing the contradictions of the liberal social contract whereby political inclusion is granted in exchange for their husbands’ death. Chapter 5 takes us outside of the U.S. and to the center of the Gurkha struggle for citizenship rights in the United Kingdom. Moving outside of the United States is a reminder that militarized citizenship is not simply an American or Filipino affair. Data was collected using secondary resources such as newspaper articles, historical legal documents pertaining to the 1947 Tripartite Agreement and the 1949 Geneva Conventions, as well as social media outlets like Gurkha Facebook and the Gurkha Justice Campaign website. Filipino and Gurkha soldiers work towards citizenship in two different national contexts, but their struggles for political rights and national inclusion occurred at relatively similar time periods. Engaging in secondary discourse analysis seemed the most appropriate and timely way to discuss the changes in legislation that were occurring in the UK House of Commons, but even more importantly, it allowed me to see (albeit from a distance) the different political organizing campaigns that were emerging in
response to these legal decisions by those members and families most directly affected. Though discussions about a ‘borderless online community’ were not explicitly talked about, (see Richard Florida’s 2008 Geographies of Online Communities), it was interesting to see people in and across the national borders of India, the UK, the U.S., and the Philippines expressing their support for the Gurkha veterans and their families. It was my hope that reading across and making connections with political struggles in different geographical spaces would allow us to think broadly about citizenship – less as a mechanism for national belonging, and more as a political project centering around ethics, rights and responsibilities.

Much of what follows in these chapters are stories of loss, sorrow and anguish, but they are also ones of potential, revelation (see Edkins 2003) and political solidarity. Thinking through the widows’ refusals, their stories of grief, trauma and sadness allow us to consider alternative forms of democratic communities and spaces that help situate us beyond the “national” (since this designation has generally been reserved for the citizen in a nation linked to a particular territory) (Cadava and Levy 2003). Their testimonies speak of a world that has failed to guarantee state protections and rights that many have come to expect of liberal citizenship. I have interpreted their stories less in terms of how their citizenship was lost or taken away, and more in line with how we might (start to) build political community and spaces committed to furthering the project of freedom for all.
Chapter 2

The Historical Genealogies of Militarized Citizenship

I realized that for me to live in the United States, the system was asking me to pay a high price. Now I probably would have to give my life. Was it worth it?

Non-citizen Mexican soldier in the U.S military during the Vietnam War, 1970

The Development Relief and Education for Alien Minors (DREAM) Act would address a very serious recruitment crisis that faces our military. Under the DREAM Act, tens of thousands of well-qualified potential foreign-born recruits would become eligible for military service and American citizenship for the first time.

Senator Dick Durbin (D-Illinois), July 2006

Lance Cpl. De Guzman’s military service started in the Philippines at the age of 22. Soon after September 11th, 2001, he enlisted into the U.S. military from a local recruitment office just outside of Manila. For De Guzman, soldiering was a means to attain citizenship in the United States and to keep enough money in his reserves to pursue his real passion, an education in engineering. Within a week’s time, De Guzman was shipped to Guam for an expedited training camp, knowing that within a month, he would be fighting the war in Iraq. After seven months of combat, he was killed by a car bomb just outside of Baghdad. His body was then flown to Kuwait, then from Kuwait to Dover Air Base in Delaware where he was finally reunited with his wife and his mother. Five months after De Guzman’s death, he was granted U.S citizenship, posthumously. Lance Cpl. De Guzman became a U.S citizen without ever once having been in the United States (see Figure 2.1).
I open with De Guzman’s story because it sets the stage for many of the other stories, thematics, and theoretical frameworks that I engage with throughout this thesis. Much of what fills these pages will be slight variations of the same story, and I account and re-account for them in the hope that these stories and narratives, though written and told from within the geographies of North America, connect us with the ongoing trauma, pain, and colonial legacies of the Philippines’ past and now present. De Guzman’s story also sheds light on the U.S military archipelago, which extends far beyond the boundaries of the United States. Bodies such as De Guzman’s – both the living and the dead – do more than traverse national and state boundaries; they quite literally bear the trace of what they undergo – which is a racialized history of U.S. imperialism and military colonization.

This chapter has three main objectives, all of which are driven by the larger purpose of examining the role of U.S colonialism in the formation of militarized citizenship from a number of locations. First, I provide a brief outline of the centuries-long military history of the United
States in the Philippines and how the effects of U.S imperialism in the region continue to resonate in U.S. foreign policy in the post-Cold War era and now the “war on terror.” I argue that when faced with a national crisis or a compelling need to reestablish its autonomy, each nation paradoxically turns to its history with the other to define its place in the world. Second, I build upon (yet depart from) Giorgio Agamben’s (2000) articulations on “nation-state-territory.” I ask how we might rework some of Agamben’s theorizations to more appropriately suit the current political climate in which we find ourselves (see also Butler’s reworking of Foucault, 2004: 97). Following Pratt (2005), I bring to Agamben’s theory a concern to specify the concrete racialized and gendered geographies by which certain individuals and groups are rendered vulnerable and precarious. The recent feminist writings of Judith Butler (2008) and Neferti Tadiar (2009) also search for political openings beyond formal citizenship (Lee and Pratt 2012) in ways that I have found helpful in my work with Filipino military families. They look to notions of suffering, trauma, grief and passion to explore political membership and identity beyond forms of juridical status and rights language. And last, rather than theorize politics in the abstract, I urge the need for fuller empirical studies, which open up possibilities for a more inclusive engagement with people across racial and gendered lines (Pratt 2005). In doing so, I examine the ways in which the military apparatus and technologies deployed by the U.S. have served variously to fashion, modify and reify the terms of racial expression, as well as racist exclusions and subjugation (Goldberg 2002). I explore the intimate partnership between racial states, territory, the law and war.

**Philippine Historical Experiences**

For more than a century, the United States and the Philippines have been bound together militarily, economically, and culturally. After the 1898 Spanish-American War, Spain ceded to
the United States the Philippines, Puerto Rico, and Guam and “relinquished” its sovereignty over Cuba. The Hawaiian Islands located one-third of the way across the Pacific had already been “occupied” by American missionaries and corporations such as Dole Food Company, Inc., and was annexed by a joint resolution of Congress that same year. The Wake Island, 2,300 miles west of Hawaii, en route to Japan, was also occupied. In December 1898, under provisions of the Treaty of Paris, Spain turned over to the United States the territories of Guam, Puerto Rico, and the Philippines for a payment of $20 million. At that time, the “natives” of the above territories became, without choice, noncitizen U.S. nationals, with further stipulation that the “civil rights and political status of the native inhabitants . . . be determined by Congress” (Zinn 2003).

The conflict between the United States and the Philippines began the following year in 1899 during the Philippine War of Independence when the First Philippine Republic officially declared war against the U.S. It took the U.S. three years to crush the rebellion, using seventy thousand troops (four times as many as were landed in Cuba) and sustaining thousands of battle casualties. The death rate for the Filipinos was worse from disease than from battle (Zinn 2003). The conflict ended on July 4th, 1902, after then President Emilio Aguinaldo’s surrender. The U.S. victory paved the way for the U.S to establish strategic military naval strongholds in the Philippines -- Subic Bay and Clark Air Base -- for the next 100 years (Go and Foster 2003, eds).

In 1917, as the U.S was drawn into the First World War, 200,000 Filipinos labored in the custody of American workers to prepare ships for sea, a colonial arrangement that continued well into the Commonwealth period of the mid-1930s. The Commonwealth, created by the Tydings-McDuffie Act (officially known as The Philippine Independence Act (1935-1946); Public Law 73-127), was a United States federal law, which declared Filipino independence and self-government of the Philippines (from the United States) after a period of ten years. During this
time (between 1935-1946), the Act allowed the U.S to maintain military forces in the Philippines and to call all military forces of the Philippine government into U.S. military service (Baldoz 2011). In order to enlist, however, Filipino soldiers were required to become U.S. citizens. The national headquarters of the Selective Service System, the organization responsible for the military draft declared that “all registrants who are citizens of the Philippine Commonwealth are deemed nationals of the United States and shall be reclassified as in the same manner as citizens of the U.S.” (Baldoz 2011: 206). As further incentive, the United States assured Filipinos that they could apply for citizenship and qualify for full U.S veterans’ benefits upon active duty. Most Filipinos, though adamantly opposed to America’s colonial project in the Philippines, were happy to join the fight against the Axis powers in different capacities, especially since the Selective Service Act was passed on the same day (January 2, 1942) that Manila fell to invading Japanese forces (Baldoz 2011: 206). Filipino leaders hoped that their patriotism would assist in diminishing the rampant racism and stereotypes directed at Filipinos and “serve as the basis for a new public narrative that highlighted their commitment to democratic institutions” (Baldoz 2011: 208).

However, after WWII, the U.S Congress passed the Rescission Act of 1946, which not only revoked their citizenship status, but their veterans’ benefit eligibility as well, under the rationale that the U.S. had already made a compensation payment in the amount of $200 million to the Philippines after the war (I discuss this in fuller length in Chapter 4). Though Washington gave no official explanation at the time, the Philippines' Undersecretary of Veteran Affairs Ernesto Carolina believes the U.S. could not afford to pay so many Filipino veterans in the postwar years. “There were so many fighting that they would have had to pay at least $6 billion at that time,” says Carolina. After the war, “the U.S. needed money for reconstruction efforts.”
Of the 66 countries allied with the United States during the war, only soldiers from the Philippines were denied military benefits. On March 14, 1947, the Military Bases Agreement was signed granting the United States a 99-year lease for 16 bases or military reservations including Subic Bay, as well as the administration of the town of Olongapo. Through the 1950s, Olongapo grew rapidly as the naval station expanded in response to the communist threat in Southeast Asia. The Navy began a $1.5 million construction plan for the development of the town. At the same time, a growing number of Filipinos, both in Olongapo and Manila, began to call for Filipino control over the naval reservation. They felt that Olongapo, for all practical purposes, was American territory where the 60,000 Filipino inhabitants were aliens. The volcanic eruption of Mount Pinatubo in 1991, just 20 miles outside of Subic Bay, aided in the temporary withdrawal of the United States from the Philippines on November 24, 1992 (Kramer 2006).

Despite the “temporary” withdrawal, this centuries long military history between the U.S and the Philippines has set the stage for an entangled co-constitutive relationship, which carries itself well into the present. The September 11th attacks on the United States reignited an alliance that had been diminished by the termination of the Military Bases Agreement a decade earlier. Many Filipinos celebrated the 1991 withdrawal of American forces from Clark and Subic Bay as a long-awaited and historical moment of economic and political sovereignty, nearly half a century after officially obtaining political independence. On September 26, 2001, two weeks after the attacks on the World Trade Center, Philippines’ President Gloria Macapagal-Arroyo officially announced an alliance with the U.S in the “International Counter-Terrorist Coalition” (Doronila 2001). That alliance targeted the Abu Sayyaf Group (ASG), an Islamic fundamentalist group the U.S. government has listed as “a satellite organization” of Al-Qaeda, stimulating bilateral military projects such as the “Balikatan” exercises in Mindanao (Boradora and Pablo
The U.S. Department of State classified Abu Sayyaf as a terrorist group by adding it to the list of Foreign Terrorist Organizations. In 2002, fighting Abu Sayyaf became a mission of the American military’s Operation Enduring Freedom and part of the U.S. War on Terror. The Special Activities Division, a sub-division of the CIA’s National Cladestine Service (NCS) responsible for the covert operations known as “special activities,” which include covert political action and paramilitary special operations, have been active in the Philippines. 1,200 U.S. military advisors helped to train local Filipino soldiers in “counter-terrorist operations” against Abu Sayyaf. The U.S. led war on terror marks a renaissance of American imperialism in the Philippines. The U.S.-Philippines alliance in the current wars in Iraq and Afghanistan targeting Islamic terrorist cells, for instance, has renewed a political and economic relationship and a resurgence of American neocolonialism.

The continuing U.S. military occupation in the Philippines plays a crucial role in why Filipinos make up the highest percentage of foreign-born soldiers in the U.S military at 25 percent, followed by Mexicans at 9 percent (Figure 2.2; Department of Defense 2008). Filipinos also comprise the largest number of private military contract (PMC) personnel currently serving in Iraq (see also Percy 2007). There are over 200,000 private military contractors hired by Kellogg, Brown & Root, a Halliburton subsidiary, the military’s largest logistical support provider. Of that number, 50,000 Filipinos work as weathermen, cooks, carpenters, and mechanics (Private Warriors: Frontline website; see also Singer 2007). As of May 2006, foreign-born soldiers represent 5 percent of the total 1.36 million active duty personnel in the armed forces. There are presently 69,000 foreign-born and non-citizen soldiers serving in the U.S military (Barker and Batalova 2007).
Since September 11, 2001, there has been a growing interest in actively recruiting foreign-born personnel, both green-card (permanent residents) and “no-card” (non-citizen) soldiers into the U.S. military. On July 3, 2002, then President George W. Bush officially designated the period starting from September 11, 2001 as a “period of military hostilities,” which triggered immediate naturalization eligibility for active-duty U.S. military service members (Executive Order 1326, Federal Register v. 67 no. 130 July 8, 2002). This Order was justified as a result of the war against terrorism conducted through Operation Enduring Freedom and Operation Noble Eagle in response to the September 11, 2001 attack on the World Trade Center Towers. At the time of Bush’s designation, the Department of Defense and the former Immigration and Naturalization Service announced that they would work together to ensure that military naturalization applications would be processed expeditiously. During peacetime, noncitizens in the military may petition to naturalize after 3 years of military service rather than the requisite 5 years of legal permanent residence. The Pentagon has made a series of legislative
maneuvers to expand the number of new recruits and their incentives to enlist in the military, which has been subject to a highly charged debate. I am interested in exploring how and why Filipinos become the systematic “go to” or “most favored” personnel for military duties. What makes the Filipino body such a desirable commodity for militarized labor and death? Here, I am not strictly arguing for a case of “Filipino exceptionalism.” Guam, Puerto Rico, and the U.S Virgin Islands were also colonized and unincorporated organized territories of the United States. There is something to be said, however, about the high propensity of Filipino military enlistment to which I now turn.

The Racial State

Rick Baldoz (2011) defines race as “a social construction, a human contrivance used to frame and rationalize hierarchical divisions between population groups in the modern world” (8). The history of the modern state and race are intimately related. David Theo Goldberg (2002) insists that “the modern state, in short, is nothing less than a racial state” (2). He examines the ways in which racial exclusion, management and violence have been historically the reason and practice of the modern state. The theoretical literature on state formation, however, has been virtually silent about the racial dimensions of the modern-state. Omi and Winant’s (1994) widely referenced and acclaimed book on racial formations in the United States dedicates an entire chapter to “The Racial State.” Ironically there is virtually no reference in their chapter on the state as such. One notable exception to the prevailing oversight is the strong body of feminist theorizing about the state in racial terms (Brown 1995; Pratt 2005; Stoler 1995). Critical race studies and feminist scholarship across a wide-range of disciplines have led the charge in implicating the state in racial exclusions and racist acts. Race is integral and not supplemental to the emergence, development and transformations of the modern-state (Fraser 1992; Honig 1998;
Ong 1996; Pratt 2004; Razack 2000; Sanchez 2004). And therefore, I situate race at the forefront and center of this research project on militarized citizenship.

The legacy of American military occupation is one marked by race. The U.S. military, a state institution, has served different racial interests in different spaces and at different times. Military engagement colonially and post-colonially, in the Philippines, for example, has served variously to fashion, modify, and reify racist exclusions and subjugation through naturalization provisions (e.g. the Tydings-McDuffie Act of 1934, the Lodge Act of 1950; see Kramer 2006; Krenn 2006; Rafael 2000; Rodriguez 2010; E. San Juan 2000). In the following, I map the genealogical connections between the state and racial exclusion and examine how they manifest conceptually, theoretically, materially and spatially throughout the U.S military. I explore the notion of a racial state, as a set of projects and practices, institutions and conditions, laws and principles that are not easily escaped. These explorations also provide openings to re-engage with Foucault’s (2003) analysis that the modern state ensures the security of life of the population through the death of racialized others.

Those thinking about the state in racial terms have tended to delimit their conceptions to the obvious and extreme, focusing on cases like Nazi Germany (Agamben 1998) or the segregationist South in the U.S. (Solomos and Back 1996: 49-52). These delimitations are helpful in thinking through the contemporary experiences of a perhaps less widely recognized group of racialized subjects -- Filipino soldiers in the United States military. In what follows, I explore the delicate partnership between war, citizenship and the law. State violence is legitimated and backed by a legal regime. Law, and military law more specifically, gives credence and justifies a wide range of state-administered violence. The U.S. has enforced and instituted law(s) in order to advance racially configured projects of exclusion (Goldberg 1997). Law, in other words, does not simply intervene in war, but extends its logic, compelling and
authorizing further violence, which is also to say, laws assist in the logic and practice of racist states.

**Race and Military Law**

Specialized naturalization provisions for foreign-born soldiers have played a prominent role in every major U.S. conflict since the Civil War. Since the events of September 11, 2001, there has been interest in legislation to *expand* the citizenship benefits of non-citizen soldiers serving in the military, and these practices have *increased* considerably since the beginning of Operation Iraqi Freedom in March 2003. Given the exceptionalist nature of the response to 9/11 and an abiding suspicion of the non-citizen Other, a contradictory logic of political inclusion and exclusion seem to be at play. Why, in other words, expand citizenship benefits for those we view as non-citizen “threats?” Baldoz (2011) speaks to the ways in which Filipinos, for instance, were “at certain times and for particular wartime measures classed as ‘aliens,’ but in other circumstances and for different directives, deemed to be ‘citizens’ or ‘nationals’” (198) and often at the same time. This contradiction was a significant departure from the already established legal norms and policies, and demonstrates the administrative and psychological control that U.S. policymakers wanted to have over Filipinos residing in the Philippines and inside the United States over their citizenship eligibility, legal status, and residency rights. During WWII, for instance, the U.S. government classified Filipinos as “alien” when it came to their liability under the Alien Registration Act of 1940, which required all “aliens” living within the borders of the United States to be registered and fingerprinted by the federal government as part of a campaign to prevent foreign subversion and political radicalism by non-citizens (Baldoz 2001: 198).

However, Filipinos were at other times (and often simultaneously) classed as “citizens”
and/or “nationals” with reference to the enforcement of the Selective Service Acts of 1940 and 1941, which became the first peacetime conscription in U.S. history signed by Franklin D. Roosevelt. When it came to exacting maximal loyalty and martial sacrifice from Filipinos, U.S. authorities considered them to be citizens, with the understanding and obligation to defend the nation and provide military service to the state during war. When it came to the state’s reciprocal obligation to defend the full spectrum of rights and protections accorded to citizens, however, Filipinos were classed as aliens or nationals with limited claim to civic benefits and privileges (Baldoz 2011: 199).

2002 Expedited Citizenship for Military Services Act

Since 9/11, the reported deaths of noncitizen soldiers have drawn particular attention to provisions of the Immigration and Nationality Act (INA) that expedite naturalization for noncitizens serving in the United States military, and that grant posthumous citizenship for those who die as a result of active-duty service during a period of hostilities. I would like to focus on two specific military Acts: the 2002 Expedited Citizenship for Military Services Act, which triggers immediate naturalization eligibility for active-duty U.S. military service members, and the 1990 Posthumous Citizenship for Military Services Act, which grants U.S citizenship to foreign-born soldiers killed on active duty. I explore these Acts in detail because they illustrate the ways in which race plays a central role in the military, in discussions of legality, and in the enactment of war.

The Expedited Citizenship for Military Services Act was passed in July 2002 by then President George W. Bush. Bush signed an executive order expediting citizenship proceedings for all foreign-born soldiers on active duty. Since 9/11, a state of emergency was declared by the President, and permanent residency requirements and legal immigration status were waived for
all foreign-born soldiers wanting to enlist in the military. This provision was created as an incentive for foreign-born enlistment as it permitted those on both active duty and in the reserves to apply for naturalization immediately upon enlistment, whereas the previous 1940 Naturalization Act required three years of service before such individuals were eligible to apply for citizenship status. Other provisions included in the bill waived various naturalization application fees and permitted oath ceremonies to be conducted at U.S. bases abroad. Military service members were no longer required to travel to the United States to take their citizenship oath. The last and final provision extended benefits to relatives of foreign-born soldiers killed while serving (Congressional Research Service Report for Congress 2003).

Though President Bush designated the period beginning on September 11, 2001 as a “period of military hostilities,” the Filipino people have been experiencing this “hostility” for well over a century. Lourdes Tancinco, a prominent Filipino lawyer in the San Francisco Bay Area, mentions how little has changed over the years for Filipino soldiers in the U.S military (Author Interview 2009). She points out how the 2002 Expedited Citizenship Act is eerily reminiscent of the 1940 Naturalization Act, which was passed in an attempt to revise the existing nationality laws of the U.S. into a more comprehensive nationality code. The focus of the 1940 Act was to clearly identify who was eligible for citizenship through birth or naturalization requirements. It was particularly relevant in clarifying the status of individuals and their children born or residing in the Commonwealth U.S., its territories such as Alaska, Hawaii, Puerto Rico, the Virgin Islands, the Philippines, Panama and the Canal Zone during “the war-time period.”

That same year, the 1940 Alien Registration Act (also known as the Smith Act), a federal statute, was passed that set criminal penalties for advocating the overthrow of the U.S. government and required all non-citizen adult residents to register with the government. The Alien Registration Act employed a geographic definition of the U.S. to determine who was
subject to the law. To do this, U.S. lawmakers used a different set of criteria to distinguish the boundaries of the national polity. The territories of Alaska, Hawaii, Puerto Rico and the Virgin Islands were, under the legislation, included within the rubric of the U.S., and thus, they were exempted from the provisions of the Smith Act. The Philippines, however, was excluded from the statutory definition of the U.S. and thus, Filipinos were required to register with the federal government as aliens. The 1940 Act also identified groups who were ineligible to qualify for citizenship.

The 1940 Naturalization Act was divided into four distinct Chapters. Sections in Chapter II entitled *Nationality at Birth*, identified citizenship eligibility for persons born in the U.S. or its territories as well as specific residency requirements for persons born abroad to one U.S. citizen parent. Chapter III- *Nationality through Naturalization* gave further clarifications of requirements for aliens seeking U.S. citizenship (naturalization). Although sex and marital status could not be considered in denying eligibility, specifications concerning race/ethnicity, basic verbal English proficiency and residency requirements were outlined. In Chapter IV, exceptions to the residency and physical presence requirements were made for those temporarily absent due to performing duties related to military service; clergy and nuns; employment abroad for U.S. government or corporations. And last, Chapter V, itemized specific activities rendering the following groups ineligible for citizenship: persons who assist organizations that oppose organized government or promote the overthrow of the U.S. government; convicted avoiders of draft or deserters of military or naval forces during times of war (Library of Congress: Nationality Act of 1940).

Under the 1940 Naturalization Act, foreign-born soldiers who served honorably in the armed forces for three years or more could be naturalized as U.S. citizens without having to meet the normal requirements of naturalization such as lawful admission into the United States as
permanent residents. Military enlistment acted as a waiver for the ten-year residency requirement necessary for naturalization. However, on December 24, 1950, over a decade later, the Lodge Act was introduced amending the existing 1940 legislation. The Lodge-Philbin Act was a U.S. law, which permitted the recruitment of foreign nationals into a military force fighting under the command of the U.S. armed forces. The Act permitted an initial 2,500 non-resident aliens to enlist into the U.S. military. If soldiers served successfully for five consecutive years with an honorable discharge, they were granted U.S. citizenship. The Lodge-Philbin Act was pushed through Congress by Massachusetts Senator, Henry Cabot Lodge, Jr. who initially had intentions to recruit soldiers from Eastern Europe to form combat units to operate in the Eastern Bloc to sabotage Soviet supply lines (Kramer 2006). Members of this force who died during active duty or from injuries incurred on active service, or those who were sent to the U.S. territories at least once were entitled to posthumous citizenship on a case-by-case basis. Despite Lodge’s initial intentions to recruit from the Eastern Bloc, the Act enforced an exclusive racial provision indicating that only Filipino nationals were eligible to become citizens through military service, and moreover, that they could enlist into the U.S. military from anywhere outside of the United States (Act of June 30, 1950, 64 Stat. 316). The language of the law is as follows:

Sec. 303. The right to become a naturalized citizen under the provisions of this Act shall extend only to white persons, persons of African nativity or descent, and descendants of races indigenous to the Western Hemisphere: Provided, That nothing in this section shall prevent the naturalization of native-born Filipinos which is to include those enlisting from outside of the United States territories having the honorable service in the United States Army, Navy, Marine Corps, or Coast Guard as specified in section 324.

Sections 303 and 324 of the 1940 Nationality Act, and later, the amended Lodge Act set a powerful racial precedent for Filipinos, like De Guzman, to be recruited and deployed from
anywhere in the world. Filipinos were deployable and thereby disposable in domestic and international warfare. Or as Allan Punzalan Isaac (2006) in his *American Tropics* puts it, Filipinos were always “everywhere and nowhere.” What this meant for Filipinos was not only that they could enlist into the U.S. military from virtually anywhere in the world, but also that they were readily accessible and thereby recruitable from everywhere in the world at any given time. The Filipino nation/al was almost always available to service the U.S. military from home and from afar. The Philippines – geographically and figuratively – was the imaginative and yet very real space where enlistment and military violence took place. The Lodge Act did more than selectively recruit Filipino bodies, it also underscored how laws were enforced to target and manage certain populations in very particular spaces. So why were Filipino soldiers exceptions to the rule? Why did these extra-territorial paths to enlistment and thereby naturalization not apply to those “other” U.S. territories such as Guam, Puerto Rico or the Virgin Islands?

“Geography Answers the Philippines Question”

The decision to “take” the Philippines was subject to immense debate and controversy. U.S. President McKinley (1897-1901) told a group of ministers visiting the White House how he came to the decision:

“Before you go I would like to say just a word about the Philippine business …

The truth is I didn't want the Philippines, and when they came to us as a gift from the gods, I did not know what to do with them … I sought counsel from all sides - - Democrats as well as Republicans -- but got little help. I thought first we would only take Manila; then Luzon, then other islands, perhaps, also. I walked the floor of the White House night after night until midnight; and I am not ashamed to tell you, gentlemen, that I went down on my knees and prayed Almighty God for light
and guidance more than one night. And one night late it came to me this way -- I don't know how it was, but it came: 1) That we could not give them back to Spain -- that would be cowardly and dishonorable; 2) That we could not turn them over to France or Germany, our commercial rivals in the Orient -- that would be bad business and discreditable; 3) That we could not leave them to themselves -- they were unfit for self-government -- and they would soon have anarchy and misrule over there worse than Spain's was; and 4) That there was nothing left for us to do but to take them all and to educate the Filipinos, and uplift and civilize and Christianize them, and by God's grace do the very best we could by them, as our fellow men for whom Christ also died. And then I went to bed and went to sleep and slept soundly (Zinn 2003).”

Racism, paternalism, and American business interests occurred hand in hand with discussions of territorial conquest and civilization. During the early 1900s, Theodore Roosevelt's idea of expansionism was not simply focused on America's destiny, but also on establishing “good trade relations with China.” Senator Lodge (of the Lodge Act) was well aware of the textile interests in Massachusetts that looked to Asian markets and was determined not to be left behind in the potential territorial partition of China. In 1898, with China weakened by a recent war with Japan, German military forces occupied the Chinese port of Tsingtao at the mouth of the Kiaochow Bay and demanded a naval station there, with rights to railways and coal-mines on the nearby peninsula of Shantung. Within the next few months, other European powers moved in on China to partition the region. In *Rhetoric of Empire*, historian Marilyn Young (1969), examines the American China Development Company and its desire to expand American influence in China for commercial reasons. The State Department had instructions to the American emissary in China to “employ all proper methods for the extension of American
interests in China.” Young mentions that the talk of Chinese markets had a far greater impact than the actual dollars invested in shaping American policy towards Hawaii, the Philippines and all of Asia. In 1898, 90-percent of American products were sold domestically, but the 10-percent sold abroad amounted to a billion dollars (Young 1969 cited in Zinn 2003).

In 1900, Senator Albert Beveridge of Indiana and one of the great American imperialists spoke adamantly about the economic and political implications of “taking” the Philippines. In an address to President McKinley, he says,

“Mr. President, the times call for candor. The Philippines are ours forever. And just beyond the Philippines are China’s illimitable markets. We will not retreat from either … We will not renounce our part in the mission of our race, trustee, under God, of the civilization of the world. The Pacific is our ocean … Where shall we turn for customers of our surplus? Geography answers the question. China is our natural customer … The Philippines give us a base at the door of all the East … No land in America surpasses in fertility the plains and valleys of Luzon, Rice and coffee, sugar and coconuts, hemp and tobacco … The wood of the Philippines can supply the furniture of the world for a century to come. At Cebu the best informed man on the island told me that 40 miles of Cebu's mountain chain are practically mountains of coal … I have a nugget of pure gold picked up in its present form on the banks of a Philippine creek … My own belief is that there are not 100 men among them who comprehend what Anglo-Saxon self-government even means, and there are over 5,000,000 people to be governed. It has been charged that our conduct of the war has been cruel. Senators, it has been the reverse … Senators must remember that we are not dealing with Americans or Europeans. We are dealing with Orientals (Zinn 2003).”
But not all members of the Senate were committed to imperial expansion. In 1898, a group of prominent American businessmen, politicians and intellectuals formed the Anti-Imperialist League to educate the American public about the violence of imperialism and the brutality of the Philippine War. The League published the letters of American soldiers doing active duty in the Philippines to make connections between racist violence on the home front towards Blacks and the racist violence overseas. A soldier from the state of Washington wrote: “Our fighting blood was up, and we all wanted to kill ‘niggers’ [referring to Filipinos] … This shooting human beings beats rabbit hunting all to pieces” (cited in Zinn 2003). American author, Mark Twain, for instance, commented on the Philippine War, “We have pacified some thousands of islanders and buried them; destroyed their fields; burned their villages, and turned their widows and orphans out-of-doors; furnished heartbreak by exile to some dozens of disagreeable patriots; subjugated the remaining ten millions by Benevolent Association, which is the pious new name of the musket; we have acquired property in the three hundred concubines and other slaves of our business partner, the Sultan of Sulu, and hoisted our protecting flag over that swag” (Zinn 2003).

Though the Anti-Imperialist League worked overtime to expose the atrocities of war, some American trade unions were in support of military action in the Philippines. Many saw overseas trade and expansion as a way to prevent economic depression in the United States. The railroad brotherhoods, for example, saw shipment of American goods to the new territories as a translation of more work for railroad workers. The League, however, was comprised of a half-million working class members - women and blacks - in addition to prominent politicians and intellectuals, who had mixed feelings about the Philippine “take over.”

Frederick Douglass urged Blacks to enlist and fight in the Philippines to show their courage and patriotism to the American nation. Many Black soldiers were well aware of what
their patriotism entailed - a racist and savage war against “colored” people elsewhere (Foner 2002). Interestingly, the Philippines War aroused many Blacks in the United States to militant opposition to the war and towards some openings for racial solidarity. There were four Black regiments on active duty in the Philippines. Many of them established friendly relationships with the Filipino people and were angered by the fact that white soldiers were now referring to Filipinos as “niggers.” Filipino rebels, in turn, used different propaganda strategies asking white imperialists and soldiers about whether Black lynchings were a necessary component of American democracy (Zinn 2003). David Fagan of the 24th Infantry was one of the most well known Black soldiers who deserted the U.S. military to join the Filipino rebels. He fought alongside the Filipino insurgent army for two years against the U.S. forces. William Simms, another black soldier, on active duty in the Philippines quoted a Filipino child's question in the Indianapolis Freeman: “Why does the American Negro come from America to fight us when we are much friend to him, and me all the same as you. Why don't you fight those people in America that burn Negroes, that made a beast of you, that took the child from its mother's side and sold it” (Tiongson 2006: 56-7).

The decision to “take” the Philippines was promoted through ideologies of race and the Orientalist Other (Said 1979), economic imperatives, and territorial expansion. “During periods of hostilities,” the Philippines stood as an exceptional space and thus, exceptional acts (and Acts) were enforced upon the Filipino people. The very geographies of the Philippines determined how and why Filipinos were selectively recruited into the U.S. military. But they also facilitated the ways in which race and space converged in the American colonial project whereby territorial conquest and expansion were seen in and through a racialized and Orientalist discourse of Filipino bodies. Both the 2002 Expedited Citizenship Act and/of the eerily reminiscent 1940 Naturalization Act illustrate the interlocking politics of race, territorial conquest and the law.
While the Expedited Citizenship for Military Services Act streamlined the naturalization process for foreign-born soldiers, the 1990 Posthumous Citizenship for Active Duty Service Act expedited the naturalization process for soldiers killed in combat. The origins of posthumous citizenship are surprisingly difficult to trace. The first case was granted in 1984 to Corporal Wladyslaw Staniszewski, a Polish immigrant and British citizen who enlisted in the U.S. Marines and died while fighting in the Vietnam War. He had immigrated to Brockton, Massachusetts, and upon enlistment into the U.S. military, he was killed by a Viet Cong hand grenade in 1967. Staniszewski's father, Frank, had lobbied Congressman Brian Donnelly of Massachusetts, for several years before then President Ronald Reagan finally signed House Resolution 960 into law in 1989. Up until that time, posthumous citizenship was granted on an individualized and case-by-case basis. 17 years after his death, Cpl. Wladyslaw Staniszewski became a U.S. citizen.

The Posthumous Act, or Public-Law 101-249, 1989, though made official the following year, provides that an “alien” or non-citizen national of the United States who dies as a result of injury or disease incurred on active duty with the U.S. Armed Forces during specified periods of military hostilities be granted U.S. citizenship. The law established that the deceased originally is considered a citizen of the United States as of the date of his/her death; and conveyed no benefit under the immigration and nationality laws to any relative of the deceased. In 2003, however, the law was amended and franchise was extended to the next of kin of those deceased. The September 11th events opened the door for not just those soldiers who recently fought and died, but for those “aliens” and non-citizen nationals of the United States whose death resulted from serving while on active-duty during World War I, World War II, the Korean War, the Vietnam War, and other designated periods of hostilities to receive citizenship posthumously.
After 9/11, the U.S. Citizenship and Immigration Services extended posthumous citizenship eligibility to those who:

1. Served honorably in an active-duty status in the military, air or naval forces in the U.S during:
   
   A. 04/06/1917 - 11/11/1918 (World War I); or
   
   B. 09/01/1939 - 12/31/1946 (World War II); or
   
   C. 06/25/1950 - 07/01/1955 (Korean Hostilities); or
   
   D. 02/28/1961 - 10/15/1978 (Vietnam Hostilities); or
   
   E. 08/02/1990 - 04/11/1991 (Persian Gulf Conflict); or
   
   F. From 09/11/2001 until terminated by Executive Order of the President (Iraq Hostilities); or
   
   G. Any other period of military hostilities designated by Executive Order of the President for the purpose of naturalization benefits; or
   
   H. A period of at least five years following enlistment or reenlistment in the U.S Army under the Lodge Act of June 30, 1950: and who:

2. Died because of injury or disease incurred in or aggravated by that service; and

3. Met one of the following enlistment requirements:

   A. Was enlisted, reenlisted, or inducted in the United States, Panama Canal Zone, American Samoa or Swain's Island; or

   B. Was admitted to the United States as a lawful permanent resident at any time; or

   C. If a person described in (1)(f), entered the United States, Panama Canal Zone, American Samoa or Swain's Island pursuant to military orders at some time during such service (United States Citizenship and Immigration Services 2010, Instructions for N-644, Application for Posthumous Citizenship).

It is surprising that the Posthumous Citizenship for Active Duty Service Act was not signed until the early 1990s, though the timing of this bill played critical importance in recruitment and enlistment a decade later in the post 9/11 period. The Gulf War was the first major conflict since
the Vietnam War that did not mandate military conscription (Cowen 2006). Without the military draft, the U.S. was eager to provide an incentive for enlistment during these “periods of military hostilities,” and citizenship was a way to ensure foreign-born enlistment at a time when American enlistment was at an all time low (Expedited Citizenship Through Military Service: Policy and Issues Fact Sheet 2003; see also Amaya 2007; Stock 2008). Since 9/11, over 111 military personnel killed in the line of duty have received posthumous citizenship (Immigration News Radio Fact Sheet).

Together, these two laws – the Expedited Citizenship and the Posthumous Citizenship for Active Duty Services Act – tell us not only who fights the battles of the modern era, but also how those who were once previously excluded become eligible to fight. In Max Weber’s definition “the state is that human community which (successfully) lays claim to the monopoly of legitimate physical violence within a certain territory” (quoted in Lassman and Spiers 1994: 310-11). The right to use violence, in other words, is the prerogative of the state. The state makes use of this prerogative at any time. During times of “military hostilities,” laws are not simply suspended, but new laws are also made and enforced arbitrarily. I say arbitrarily because the phrase “during periods of military hostilities” is accompanied by a disclaimer that states that “the President is to designate and determine [when] these times [are]…” (Lee and Wasem 2003; emphasis mine). In this particular case, it was the Bush Administration that called the shots on passing both the Expedited and Posthumous Citizenship Acts (Lee and Wasem 2003).

And yet, not every deployment of U.S forces to an area where armed conflict occurred has been designated as a period of hostilities. In 1983, President Reagan designated the Grenada campaign as a period of hostilities, though a federal court invalidated it entirely because, in contravention of statutory guidelines for such designations, the executive order attempted to limit the expedited naturalization benefit to persons who served in certain geographic areas and the
record showed that the President would not have designated the campaign as a period of hostilities without the geographic limitations (Executive Order 12582, Federal Register, v. 52, no. 23, Feb. 2, 1987; Matter of Reyes, 910 F. 2d 611 (9th Cir. 1990; emphasis mine). Reagan’s executive order was the subject of immense controversy. Arthur Reyes, a 30-year old Filipino law school graduate and San Diego-based Navy enlisted man, sued the U.S. Immigration and Naturalization Service for citizenship, on behalf of an estimated 1,700 Filipino sailors that could have qualified for U.S. citizenship, as a result of Reagan’s designated “period of military hostilities” in Grenada. Reyes, an eight-year veteran, did not serve in Grenada, but filed his application for citizenship based on the assumption that Reagan's executive order automatically qualified all Filipino sailors who were in the service at the time, (regardless of whether or not they had served in Grenada). Reyes sued on the statute’s “legislative history,” which authorized the President to declare a period of hostilities, but not to place a geographic limit on it. Reagan declared the time between October 25 and November 2, 1983 – the time of the Grenada invasion – to be a period of military hostilities, but with the intention that only those who served in the Grenada invasion be eligible for expedited citizenship. U.S. District Judge Earl B. Gilliam agreed with Reyes’ argument regarding the statute’s legislative history, but ruled that it was not Reagan's intent that every “alien” serving anywhere during the nine days of the invasion become eligible for citizenship (Executive Order 12582, Federal Register, v. 52, no. 23, Feb. 2, 1987; Matter of Reyes, 910 F. 2d 611; H.G. Reza, 1988). Given the ways in which the U.S. military operated in different parts of the world at various levels of engagement, the Judge suggested the sparing use of granting foreign nationals access to expedited naturalization. President Clinton later revoked the earlier Grenada designation. Other military actions that have not been designated as periods of military hostilities include: Somalia, Bosnia, Kosovo, Haiti, and Panama.
The capacity to decide upon and enact legislation is an act of sovereignty. The path towards naturalization for foreign-born soldiers is one dictated by a sovereign power. Following Schmitt, Agamben (2000) argues that sovereignty be defined “not as the monopoly to coerce or to rule, but as the monopoly to decide.” Agamben’s work, as Jenny Edkins (2003) points out, enables us to analyze what is at stake in the politics of the decision. He elaborates how sovereign power operates through the trope of emergency and how the very posing of the question through the trope of emergency is always already on the side of the sovereign (212).

As Bush declares not only what but when times of military hostilities are, we can see how these acts of sovereignty co-exist in sharp tension with the liberal principles of legality and equality. Executive decrees violate the egalitarian principle that laws should be general; military laws especially violate the liberal principles of fairness and transparency (Huysmans 2004). To this I would add that geographies play a central role in how and why these laws come to be enforced. The Expedited Citizenship and Posthumous Citizenship Act both mention specific postcolonial geographies of the U.S. (the Panama Canal Zone, American Samoa or Swain's Island), with a special caveat regarding the Philippines (then a U.S. territory). According to the Act,

Filipino veterans who fought the Japanese during WWII, served in irregular units or in the Philippine Army, but they never had lawful permanent residency (LPR) status [as a result of having enlisted outside of the United States] and/or failed, because of bureaucratic policies of the time, to comply with certain filing deadlines (P.L. 101-649, §405, 104 Stat. 5039 (1990), quoted in the CRS Report for Congress: Expediting Citizenship Through Military Service: Policy and Issues, September 30, 2003).

These laws were intended to target and “manage [certain] biopolitical lives of the nation” (Agamben 2000: 43) in very particular spaces. Or put another way, the laws racially targeted Filipino people and managed the nation in the service of American militarism. Geographies are part of the process by which certain individuals and groups are designated as readily and easily
exploitable subjects (see Pratt 2007).

Race and the Trinity (Nation-State-Territory)

It was not until I met Lance Cpl. De Guzman’s family that I would begin to forge an intimate encounter with theory: of nation, citizenship, the state, colonialism and race. The topic of non-citizen foreign-born soldiers in the military was not an issue widely discussed in the United States. After all, foreignness is a symbolic marker that the nation attaches to the people we want to disavow, deport, or detain because we experience them as a “threat” (Nyers 2006: 32). This may be why it seemed surprising that the first four coalition soldiers to die at the start of the Iraq war in 2003 were non-citizen soldiers (Amaya 2007). Marine Lance Cpl. Gutierrez was reported as the first U.S. Army soldier to be killed, he was a native of Guatemala; Jesus del Solar and Jose Garibay were from Mexico; and Army private first class Diego Rincon was from Colombia. How were we to make sense of this – foreign bodies fighting our foreign wars? I was keen to find a constellation of political theories to illuminate my empirical research, not so much to “test” or simply “apply” theory, but to work theory into the concrete struggles of foreign-born soldiers and their families.

There is now a voluminous literature developed around the topic of citizenship (Marshall 1973; Kymlicka & Norman 1994; Bosniak 2000; Cadava & Levy 2003; Agamben 2005; Ong 2006; Isin 2007) and the subject of the militarization of citizenship, some focusing specifically on the ways in which the military is a primary force in granting or withholding citizenship to specific racialized communities (Amaya 2007; Cowen 2006; Gregory 2004). The subject of citizenship is experiencing a resurgence in critical scholarly discourse. T.H. Marshall’s widely referenced Citizenship and Social Class written in 1949 defined citizenship as “full membership in a community” (1973, p. 70). He theorized the very notions of citizenship as the development
of civil, political and social rights. Kymlicka and Norman’s (1994) influential journal article written a half-century later analyzed the “return of the citizen” to contemporary political thought. And most recently, Giorgio Agamben’s (2000) post-citizenship discourse and the most recent interventions posed by feminist scholars such as Judith Butler and Neferti Tadiar (2009) are interested in locating political openings and possibilities in notions of suffering, trauma, and grief.

Writing over a decade ago, Linda Bosniak (2000) lamented that much of the political theory on citizenship has been entirely “oblivious to the subject of alienage (those who by definition are non-citizens), which presumes a bounded citizenry amongst the already-recognized citizens.” She writes, “the common presumption that formal citizenship rights are available to everyone in contemporary liberal democratic societies underscores aliens’ invisibility in the literature” (2). She goes on to argue that though “aliens” are outsiders by legal definition, their presence in the political community raises pressing questions about the practice of citizenship, including, more specifically, how far the rights and status of citizenship can, and should, be understood to extend.’

Much has progressed over this past decade, and many citizenship scholars from various disciplines seem to have taken Bosniak’s critique seriously. Many have attended to the status of non-citizens and there is now an impressive literature on national citizenship, belonging, exclusion, and boundaries. Engin Isin (1999; 2007; see also Benhabib 2007), for instance, Investigates Citizenship, and the ways in which an agenda of citizenship can help us think more broadly about war, power, terror and violence. Isin’s “investigations” provide an avenue for the non-citizen to enact political claims, and to demand “inalienable rights and privileges” that we usually associate only with those who are citizens. He argues that acts of citizenship do not require one to be a citizen in order to make these political claims (see also Holston 1998).
Therefore, these claims from non-citizen subjects “have the potential to destabilize sovereign boundaries of inclusion and exclusion, as well as potentially re-work the legal discourse of ‘rights,’ producing new solidarities and ways of living with others” (Lee and Pratt 2012).

Through my work with Filipino military families, citizenship and its boundaries is explored, not merely for what they expose about the status and treatment of non-citizen subjects, but also for the challenge they pose to the conceptions of citizenship and nation-statehood itself (Bosniak 2000). On this score, I engage directly with political philosopher Giorgio Agamben’s (2000) theorizations of “nation-state-territory,” but I also do this by drawing upon scholars from various disciplines outside of geography (Amaya, Butler, Tadiar) who have taken Agamben to task in ways that contribute more fully to ideas of citizenship, race, and the nation. They demand a fuller exploration of the ways in which certain communities experience racialized and gendered exclusion differentially at (different) times and spaces. These scholars examine the limits of legal recognition for both citizen and non-citizen subjects in ways that have been productive in my own research with foreign-born soldiers and their families. The following is a series of interventions to help make sense of the ways that state violence often underwrites these various practices of citizenship and naturalization.

**Race and the State of Exception**

In his *Means without End*, Giorgio Agamben (2000) suggests that under present conditions “we will have to abandon decidedly, without reservation, the fundamental concepts through which we have so far represented the subjects of the political (Man, the Citizen and its rights, but also the sovereign people, the worker, and so forth) and build our political philosophy anew starting from the one and only figure of the refugee” (Agamben 2000: 16). The refugee represents a disquieting element in the order of the nation-state insofar as she disarticulates “the
trinity of state-nation-territory” and “the very principle of the inscription of nativity” upon which it is based (Agamben 2000: 24). The refugee is the contemporary political subject *par excellence* because she exposes to view “the originary fiction of sovereignty” and thereby renders it available to thought.

Agamben in his formulations reveals the figure of the stateless refugee, as one who unhinges the old trinity of state-nation-territory, and resurrects the marginal figure as central to imagining a new political paradigm. Citizenship, as a juridical status, is tied to the categories of birth (nativity), nation, and territory. And thus, the birth of a citizen in a nation linked to a particular territory marks the very grounds by which a person is included, and thereby granted certain inalienable rights and privileges. Those emerging from outside of these Holy categories are therefore seen as threats to the nation’s territory because citizenship can only exist by simultaneously defining the limits and conditions of itself—by defining, that is, the non-citizen, the foreigner, the alien, or the stranger (Cadava 2003).

Agamben urges us to sever the seemingly “naturalized” relationships between the nation, state and territory and to consider political belonging and membership outside the discourse of (birth)rights and territory. From the perspective of political governance, Hindess (2000) argues that “birthright citizenship is advantageous for how it serves as a marker of identification, advising state and non-state agencies of the particular state to which an individual belongs” (1487). Birthright citizenship, in other words, works as a border technology; it makes possible the clear international division of labor in the global management of membership and mobility.

Following Arendt (1979), Agamben reminds us that the reliance on such a system for determining citizenship is implicated in all forms of exclusions and inequalities. What is missing from Agamben’s paradigmatic analysis, however, is a genealogical project of articulating race as something far more global than a conflict internal to Europe and the Holocaust. For Agamben,
the camp is “the new biopolitical nomos of the planet.” Achille Mbembe (2003), however, has examined other “repressed topographies of cruelty” in his formulation of “necropolitics” within the African Diaspora four centuries prior (40). Agamben overlooks the importance of examining the spaces where certain individuals and groups experience topographies of racial discrimination, not only partially, but differentially (Sanchez 2004: 879; also cited in Pratt 2005: 1057).

Filipino soldiers are not “refugees” by legal standards (or perhaps even by Agamben’s standards), however, they are located at the limits of the American nation and its contiguous territories. As the only racial and ethnic group permitted to enlist into the U.S. military from outside of the United States, Filipinos possess an extraterritorial path to citizenship, which already disentangles the old “trinity of state-nation-territory,” to which Agamben speaks. This relationship between citizenship (and naturalization) and state-administered violence takes different forms in different places. In Europe during the Second World War, one of the few rules the Nazis consistently followed throughout the course of the “Final Solution” was that Jews and Gypsies could be sent to extermination camps only after having been fully denationalized (that is, “after they had been stripped of even that second-class citizenship to which they had been relegated after the Nuremberg Laws”) (Agamben cited in Cadava and Levy 2003: 8). In other words, once the Jews and Gypsies were no longer citizens, or in Agamben’s words, “when their rights were no longer the rights of the citizen…,” they were killed as stateless subjects, without having ties to the nation, and no state affiliation.

**Renouncing U.S. Citizenship**

In the U.S., under Section 349 (a)(5) of the Immigration and Nationality Act (INA) (8 U.S.C. 1481 (a)(5)), a U.S. citizen can renounce his/her citizenship. In order to renounce all rights and privileges of one’s American citizenship, one must voluntarily and with intent to
relinquish citizenship: appear in person before a U.S. consular or diplomatic officer, in a foreign country and sign an oath of renunciation. The U.S. Department of State acknowledges the voluntary nature of renouncing U.S. citizenship, while also recognizing the difficulty involved in a citizen being able to do so. The U.S. Department of Homeland Security notes that “persons intending to renounce U.S. citizenship should be aware that, unless they already possess a foreign nationality, they may be rendered stateless, and thus, lack the protection of any government. They may also have difficulty traveling as they may not be entitled to a passport from any country. Renunciation of U.S. citizenship may not prevent a foreign country from deporting an individual back to the U.S. in some non-citizen status” (U.S. Department of State Citizenship and Nationality Factsheet 2008).

Moreover, those persons who wish to renounce U.S. citizenship must still attend to his/her tax or military service obligations. The act of renouncing U.S. citizenship will not allow persons to avoid possible prosecution for crimes that they have committed in the U.S., or escape the repayment of financial obligations previously incurred in the U.S. or as a U.S. citizen abroad. I might add, however, that renouncing one’s citizenship is also not an entirely voluntary task. Terry Lynn Nichols, co-conspirator of the Oklahoma City Bombing (with Timothy McVeigh) is one such example of a U.S. citizen and U.S. army veteran who was unsuccessful in his attempts to renounce U.S. citizenship. In February 1992, Nichols attempted to renounce his U.S. citizenship by writing to the local county clerk in Michigan, arguing that the U.S. political system was corrupt, especially after a series of bank repossessions of many farms in the 1980s in and around Michigan. He soon declared himself a “non-resident alien.” Nichols purposefully engaged in credit card fraud, yelled at judges in court, destroyed his passport, driver’s license, passport, and voter registration – all of which are tokens of U.S. citizenship to prove one’s eligibility – but was unsuccessful in his renunciation.
In 2001, Yaser Esam Hamdi was a U.S. citizen captured in Afghanistan. He fought against the U.S. and Afghan Northern Alliance forces siding with the Taliban. The Bush Administration declared Hamdi an illegal enemy combatant, and he was detained by the U.S. military for almost three years without charge. On September 23, 2004, the U.S. Department of Justice agreed to release Hamdi to Saudi Arabia on the condition that he surrender his U.S. citizenship. Hamdi initially refused, but later agreed to renounce his U.S. citizenship and promised to comply with strict travel restrictions preventing him from travel to the U.S., Israel, the West Bank and the Gaza Strip, Syria, Iraq, Afghanistan, and Pakistan. Hamdi was also required to notify Saudi officials if he ever planned to leave the country. As part of Hamdi’s compliance, he also agreed not to sue the U.S. government for the suffering caused by his unlawful captivity.

Until 1967, the loss of U.S. citizenship was an immediate consequence of “entering or servicing in the armed forces of a foreign state engaged in hostilities against the U.S. or serving as a commissioned or non-commissioned officer in the armed forces of a foreign-state” (Section 349 (a)(3)). This provision was deemed unconstitutional by the U.S. Supreme Court in a 1967 decision Afroyim v. Rusk, 387 U.S. 253. Beys Afroyim (1893-1984) was a Polish painter who immigrated to the United States in 1912 and became a naturalized citizen in 1926. He later moved to Israel and by virtue of his Jewish ancestry, he was automatically granted Israeli citizenship under the Law of Return, Israeli legislation passed in 1950, which grants those of Jewish heritage the right to return with citizenship in Israel. A decade later, in 1960, Afroyim decided to return to the U.S., but the State Department refused to renew his U.S. passport, arguing that under Section 401(e) of the Nationality Act of 1940, which revoked U.S. citizenship for voting “in a political election in a foreign state,” Afroyim had lost his privilege of U.S. citizenship by voting in an Israeli election in 1951. Afroyim argued that “neither the Fourteenth
Amendment [which grants U.S. citizenship] nor any other provision of the Constitution expressly grants Congress the power to take away that citizenship once it has been acquired … the only way he could lose citizenship was by his own voluntary renunciation of it.” In a 5-4 decision, the court ruled that “Congress has no power under the Constitution to divest a person of his U.S. citizenship absent his voluntary renunciation thereof.”

The *Afroyim* decision was referenced in the controversial death of Anwar al-Awlaki on September 30, 2011, a Yemeni-American Muslim cleric, who according to U.S. government officials, was the mastermind behind the planning operations for al-Qaeda. Al-Awlaki was the first U.S. citizen to be approved for “targeted killing” by the CIA, which was signed off by the Obama Administration. In 2010, White House lawyers considered the legality of an attempted and approved assassination, by a drone attack, no less, of a U.S. citizen. That same year, Pennsylvania Republican Charles Dent introduced a House bill, which would have stripped al-Awlaki of his U.S. citizenship on the basis that his calling for an attack on the United States constituted a voluntary relinquishment; Dent’s bill never made it out of the subcommittee. Dent proposed that the House of Representatives urge that a certificate of loss of nationality be issued by the appropriate diplomatic or consular officer for approval by the Secretary of State and forwarded to U.S. Citizen and Immigration Services finding that Anwar al-Awlaki voluntarily relinquished his status as a United States citizen: first, by voluntarily participating in and collaborating with Armed Forces seeking to carry out hostilities against the United States; second, by inciting peaceful Muslims to join al Qaeda in jihad against the United States by engaging in acts of violence against the people of the United States; third, by teaching members and supporters of al Qaeda and related organizations subject to the Authorization for the Use of Military Force (Public Law 107-40 (2001)), that they have a duty to engage in acts of terrorism against the people of the United States; and last, by participating in al Qaeda's call for the violent

Citing the Afroyim precedent, the Supreme Court ruled it unconstitutional to revoke al-Awlaki’s citizenship under the Fourteenth Amendment, which grants citizenship to anyone born in the United States, and stating that though al-Awlaki did engage in acts of violence against the people of the United States, he did not voluntarily renounce his U.S. citizenship. Al-Awlaki was killed on September 30, 2011, in northern Yemen's al-Jawf province by two Predator drones. The Hellfire missiles targeted the vehicle killing al-Awlaki and three other suspected al-Qaeda members.

However, when taken outside Europe, this relationship between citizenship and death is situated differently, for example, in the case of Filipino and Latino soldiers in the United States. The core of H.R. 1691 (as of 8 USC Sec. 1440-1) in Section 1.d, is written as follows:

Documentation of Posthumous Citizenship.

If the Director of the Bureau of Citizenship and Immigration Services approves the request referred to in subsection (c), the Director shall send to the next-of-kin of the person who is granted citizenship, a suitable document which states that *the United States considers the person to have been a citizen of the United States at the time of the person’s death* (my emphasis).

Two points have to be mentioned here. First, this bill grants one very peculiar type of citizenship. It is posthumous, thus retroactive (“to have been a citizen of the U.S. at the time of the person’s death”), but very real citizenship. It is posthumous and retroactive because the legal status of citizenship has to be given to a “person.” The dead cannot enter into the contractual aspects of naturalization (Amaya 2007). *Thus, citizenship needs to be given just before death occurs.* Death is the very element that legally *ties* the soldier to the nation; a process quite different than the one of *severance* that Agamben describes. And yet, a racialized identity seems to be the common thread that underlies Agamben and Amaya’s formulations on the modern
biopolitical nation-state.

For Filipino soldiers, their racialized citizenship is not fixed or territorially bound; they can enlist and become naturalized citizens without ever once residing in the United States, as De Guzman’s enlistment and naturalization history have shown. The imaginative and material geographies of the Filipino-race are part of the process that constructs certain categories of people as readily exploitable.

Agamben’s theorizations highlight the political possibilities and openings that emerge from disentangling the trinity of nation-state-territory – (recall: “…to abandon decidedly, without reservation, the fundamental concepts through which we have so far represented the subjects of the political (Man, the Citizen and its rights, but also the sovereign people, the worker, and so forth) and build our political philosophy anew starting from the one and only figure of the refugee” (Agamben 2000: 16). Having said this, however, I find it important to consider the ways in which this disruption of boundary of “nation-state-territory” also proposes profound dangers and risks for Filipino soldiers in equally troubling ways. The fact that Filipino soldiers unhinge these boundaries further subordinates, rather than enhances their legal standing (a point I elaborate in further detail in the following paragraphs). Their ability to service American militarism at will and also to be dis-serv(ic)ed at will, puts them in a much more precarious state of being within this global militarized institution. Here is what I mean.

First, the promise of citizenship is invested with fatal risk. Foreign nationals from the Philippines and Mexico comprise the two largest countries of foreign-born personnel in the armed forces. Together they make up the highest numbers in the Marine Corps, which is the most risky of the military branches (Amaya 2007). Filipinos and Latino/as are largely overrepresented in the Armed Forces in general and even more so in risky positions that handle heavy weaponry (Amaya 2007: 17). This should come as no surprise as foreign-born personnel
are not qualified for most high-ranking positions. By statute, only U.S. citizens are eligible for certain officer commissions. Additionally, positions requiring security clearance are generally restricted to U.S citizens.

Second, surviving these fatal risks requires a “second battle” to gain their rights of citizenship. In a slightly different context, Sarah Percy (2007) investigates the use of mercenaries as an acceptable solution to recruiting problems. Neither Filipinos nor Latinos qualify as mercenaries within the U.S. Army because they come under the legitimate control of the state. Still, Percy’s analysis is relevant here because it reveals the shifting attitudes towards the concepts of military service, duty and the obligations of citizenship within different contexts. The use of mercenaries begs the question: why foreign fighters and not its citizens? Foreign-born and non-citizen status within the U.S. military puts soldiers on the front lines and in the closest proximity to death. Rather than being placed away from harms way, these foreign-born soldiers are situated in combat positions where the probability of death is greater. Unlike the dead, citizenship is not necessarily “guaranteed” for those veterans who survive the war. Take Philip Orbeta as an example: Orbeta, a Filipino veteran, returned from his tour in Iraq with the Bravo Company in 2007. Though he submitted his paperwork for citizenship before leaving for his tour, Orbeta is still waiting for his U.S citizenship to clear. It is what soldiers and their families are now calling “the second battle,” as they are still actively waiting for their citizenship status to be confirmed (Santos 2008).

Lance Cpl Torres joins Orbeta in this “second battle,” although under slightly different circumstances. Due to bureaucratic backlogs and misfilings, several Latino soldiers, like Torres, are caught having to prove that they have in fact loyally served their country and are eligible to receive citizenship. Lance Cpl Torres applied for citizenship in 2004 after completing his second tour in Iraq. His application has been lost “somewhere in the shuffle.” Over all, 312,000
citizenship or green card applications are pending name checks, including 140,000 that have been waiting more than six months, according to immigration officials (Smith 2009). What is more surprising, however, is that Citizenship and Immigration Services do not maintain a database tracking military cases. Citizenship records are meticulously filed for all other naturalization cases, except for keeping track of the military. The agency, in other words, does not keep records of how long it takes for soldiers to become naturalized; there is no official documentation indicating how long soldiers have been waiting to receive citizenship. This “mishandling” has made Torres consider a third tour in Iraq in the hopes that his paperwork will finally be handled in an expedited manner “this time around.” Orbeta and Torres illuminate the dark undersides of this expedited and posthumous citizenship granting, as it is only guaranteed upon death. Those who fight and survive the war are not necessarily guaranteed citizenship. Those who die are.

It is not that Agamben’s theorizations of nation-state-territory do not apply. I am suggesting, however, following Pratt (2005) that “there are real limitations to generalizing across the experiences of men and women, and across racialized and gendered forms of abandonment” (1057). It is the relevance of Agamben’s theorizations that forces the need for further specifications and careful readings of race. Reading De Guzman’s life and death alongside Agamben’s politicizations is just one step that I have taken to localize the everyday and not so easily escapable ontologies of race (see also Pratt 2005; Sanchez 2004; Mitchell 2006).

Who Fights the Nation-State?

Other scholars also cite affirmatively Agamben’s Means Without End: Notes on Politics while being sensitive to issues of citizenship and race; and are committed to finding political openings beyond citizenship. While the research surrounding posthumous citizenship is still
nascent, there are several examples of scholarship in this vein. Sociologist Hector Amaya (2007) has recently discussed the racial violence of citizenship, focusing specifically on the Latino community, and the ways in which granting posthumous citizenship is an illiberal act because it naturalizes individuals without their consent. Amaya meticulously deconstructs the language of two historic national documents -- the Military Oath of Enlistment required to sign into the Army, and the Naturalization Oath, required to become a U.S. citizen. Consider the following two documents:

**Oath of Enlistment**

I, ________________, do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic, that I will bear true faith and allegiance to the same; and that I will obey the orders of the President of the United States and the orders of the officers appointed over me, according to regulations and the Uniform Code of Military Justice. So help me God (US Army 2010).

**Naturalization Oath**

I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, of whom or which I have heretofore been a subject or citizen; that I will support and defend the Constitution and laws of the United States of America against all enemies foreign and domestic; that I will bear arms on behalf of the United States when required by the law; that I will perform noncombatant service in the Armed Forces of the United States when required by the law; that I will perform work of national importance under civilian direction when required by the law; and that I take this obligation finally, without any mental reservation or purpose of evasion; so help me God (USCIS Oath of Allegiance 2010).

When read side-by-side, the Oaths do in fact resemble one another as they both pledge a strong allegiance to the military. Under the Oath of Enlistment, the enlistee consensually embraces important elements of citizenship including civic duties such as supporting and defending the Constitution and obeying the President and military officers. Amaya points out that though “the
great majority of green-card holders consensually embrace elements of citizenship (they pay taxes, abide by the law, participate in politics), this does not necessarily mean that they want to become citizens” (2007: 10).

However, upon closer examination, whereas the Oath of Enlistment and the Naturalization Oath do signal a strong and willful relationship to the military, they do not register the same relationship to the American nation. In the United States, naturalization is a dramatic change of legal identity that means renouncing one’s past, one’s previous national allegiances, and the citizenship of one’s place of origin (Schuck 1998: 169).

Until 2003, citizens of the Philippines were forced to relinquish their citizenship if they swore allegiance to another country. On August 29, 2003, the Philippine Government approved the Citizenship Retention and Reacquisition Act of 2003, providing all Filipino citizens who were also naturalized in another country to have their Philippine citizenship reinstated while still retaining their foreign citizenship (Bureau of Philippine Immigration Fact Sheet 2007-2008). After a long and arduous debate in the Philippine Legislature, many elected officials cited economic reasons and the importance of providing Overseas Filipino Workers (OFWs) with citizenship so they could reinvest in the Philippine economy. As of 2009, there were between 8.6-11 million OFWs worldwide. That same year, $17.34 billion USD in remittances were sent to the Philippines, up from $15.9 billion USD the previous year (Federal Reserve Bank of San Francisco Fact Sheet 2008). By taking the following oath of allegiance to the Republic, citizens of the Philippines would be granted dual citizenship:

I ________________, solemnly swear (or affirm) that I will support and defend the Constitution of the Republic of the Philippines and obey the laws and legal orders promulgated by the duly constituted authorities of the Philippines, and I hereby declare that I recognize and accept the supreme authority of the Philippines and will maintain true faith and
allegiance thereto; and that I impose this obligation upon myself voluntarily without mental reservation or purpose of evasion.

What Amaya finds most problematic about the two historic national documents – the Oath of Enlistment and the Naturalization Oath – is the assumption that the dead soldiers wanted to become citizens at their times of enlistment, which he argues was not necessarily the case. Liberalism, he writes, “refers to a style of governance that emphasizes human dignity and personal freedom” (2007: 4). The individual stands at the heart of liberal political theory. In liberal philosophy, dignity can only result from the exercise of personal choice, including the consent to be governed. Illiberalism, by contrast, refers to social and governmental practices that eliminate the idea of consensual governance (4). Amaya recalls the story of Jesus Suarez del Solar, for example, one of the very first non-citizen Coalition soldiers (from Mexico) to die at the start of the Iraq war in March 2003. According to Jesus’s father, the soldier did not want to become naturalized, and wished to remain a Mexican citizen. Amaya goes on to document the stories of Jesus and several non-citizen Latino soldiers who chose not to become U.S. citizens even though they were deemed eligible. And therefore, he notes that there was nothing to suggest that the other Latino soldiers wanted to become citizens; which is also to say that the soldiers did not necessarily consent to becoming American citizens.

Beyond that, Amaya suggests that “ethnocentric discourses on citizenship and naturalization assume the soldiers desired naturalization, which produces the idea that the volunteer Army equally targets all Americans as potential conscripts” (2007: 3, emphasis mine). Amaya situates the illiberal practice within an historical genealogy dating back to the imperial wars of the 19th and 20th century when the U.S. government also naturalized Mexicans and Puerto Ricans without their consent. He argues quite succinctly, “to justify giving citizenship to these dead Latinos without their consent, politicians and news people used ideas of military
honor that failed to acknowledge that the Armed Forces is structured to attract mostly the poor, and the non-White” (2007: 4).

Cowen’s (2007) timely research on the racist and classist structures of the U.S military speaks to this latter point as well. Cowen argues that the military is increasingly playing a central role as the patriotic home of the deserving poor. Some choose to enlist to gain citizenship, while others enlist to feed their families, hospitalize their sick spouse, or to simply get an education. Cowen aptly notes that “[some] might do all this for a chance at the American dream, even if it costs them their American life” (2007: 3). This exchange of military service and/or military death for social services has its effects—it builds loyalties to the U.S. military, ironically, as their guarantor of survival and livelihood. Cowen’s work underscores the ways in which “many poor, rural and racialized Americans and ‘aliens’ who serve in the military are largely supportive of the President [past and present] and this war despite record low approval ratings countrywide” (4). And for some, this military has created somewhat of an egalitarian structure. Cowen continues, “for many soldiers, the military has not disappointed...they have found a more egalitarian and racially harmonious society, one in which prejudice is trumped by meritocracy, discipline and the need to get along to survive.”

Amaya’s research teases out the very military language that produces the racialized figure of the *citizen* and the Latino *soldier*. Situating and grounding his analysis with racial specificity allows us to trace the imperial and colonial legacies that occur at different times and very differently in these particular spaces. Examining Amaya’s articulations on racialized citizenship alongside my own work with the families of Filipino soldiers offers a diverse range of soldier testimonies. Contrary to Amaya’s findings, the Filipino soldiers in my case studies were very clear about their enlistment intentions, in other words, there was no question that they wanted to become U.S. citizens for themselves and for their families (despite their partners’ resistance, see
Chapter 3). Filipino and Latino soldiers share a history of conquest and war with the United States, even though they emerge from different national contexts and state policies. The ability to untether these different histories, while respecting the singularities of their experiences is one way to think about building political solidarity across racialized communities.

Though much of my work has been informed by Amaya’s analysis of posthumous citizenship, my research departs from his in significant ways. I agree with Amaya that awarding posthumous citizenship to dead Latino soldiers is an illiberal act because it is a contract administered without their consent. Amaya is rightfully troubled by the soldiers' not having consented to the citizenship that they are being granted. My question, then becomes, “if the dead soldiers were somehow able to consent and make clear that they did want to become citizens, does the granting of citizenship to foreign-born soldiers upon death become a more acceptable practice?” At first glance, the granting of posthumous citizenship seems like a rather benevolent gesture on behalf of the U.S military. It is common to hear many military families talk about how “it was the least the U.S. could do for those who fought and died for the country they loved so much.” Posthumous citizenship is an honor commemorating the bravery and sacrifice of the veteran: it is the ultimate award bestowed upon a soldier. Death, in this instance, is the ultimate sacrifice and “citizenship” is the ultimate award for serving what now becomes “one's country.”

Perhaps the relevant issue is not whether soldiers had the ability to consent, but that their citizenship is contingent on their agreeing to fight and die for it. *Military service as a pre-requisite for citizenship and inclusion is itself the problem.* It is unjust and discriminatory insofar as the “to die for citizenship” option is something only available to some foreign-born soldiers. Posthumous citizenship is by definition a form of racialized citizenship. Some soldiers die with a green card in hand, as the only indication that they once belonged elsewhere, and not here. But granting citizenship to foreign-born soldiers upon death says something about
which/whose lives we consider worth living while living. How else might we explain the differential and premature exposure to violence and death (Gilmore 2009)? Citizenship is the commodity exchanged for one’s life.

**Political Life Beyond Legal Recognition**

I would like to return to Agamben’s directive about the “figure of the refugee.” In this chapter, I have analyzed Agamben’s theorizations as a point of departure in thinking through political membership and belonging outside the discourse of rights and citizenship. I have found his mediations urging us to break the identity between the human and the citizen, and between nativity and nationality to be helpful in thinking through what this might mean for Filipino migrant soldiers and their families. That said, there are other frameworks to think of political belonging beyond citizenship. Recent feminist writings about Filipino workers, for instance, also search for political openings beyond formal citizenship (Lee and Pratt 2012). Agamben challenges us to think outside the figure of the citizen, however he seems to fall short of bringing us outside the very legal categories and framings (i.e., the juridical and legal status of the “refugee”) that he criticizes. In other words, refugees themselves are not subjects devoid of legal status.

Judith Butler (2004) urges us to use legal language to secure legal protections and entitlements, but she also mentions that “we make a mistake if we take the definitions of who we are, legally, to be adequate descriptions of what we are about” (25). She continues, “although this language may well establish our legitimacy within a legal framework ensconced in liberal versions of human ontology, it does not do justice to passion and grief and rage, all of which tear us from ourselves, bind us to others, transport us, undo us, implicate us in lives that are not our own, irreversibly, if not fatally” (25). Butler seems to be asking us for more than the legal
constructions and constitutions of ourselves. Noting the profound limitations that come with “establishing our legitimacy within a legal framework,” Butler speaks to the injustice we do to ourselves and by extension others, if we are to lose sight of the affective formations of suffering, rage, passion, and trauma which also form our identity and membership to each other and in ways not strictly confined to legal identification.

Neferti Tadiar (2009) also looks to normative aspirations and affective technologies and relations such as passion, luck, divine sorrow, spiritual mediation, and cosmic power (!) to talk about political being-ness outside of formal citizenship and the legal discourse of rights. In her *Things Fall Away: Philippine Historical Experience and the Makings of Globalization*, Tadiar engages with the notion of an “outside.” Referring to the “outside of capitalist processes and relations,” Tadiar looks to the “outside” not as a particular spatial or social location on the field of political exchange, but “to a missed temporal dimension subsisting within and yet different from the time of capital” (21). Put another way, she locates affective technologies within capitalist structures and not separate from them. By gathering all that has been cast and thrown away in conventional analyses, including Marxist and feminists ones, Tadiar opens up the possible alternatives to our legal compositions; alternatives to the *legal* ways in which many of us have only known to define ourselves.

Tadiar aptly quotes Raymond Williams: “No mode of production, and therefore no dominant society or order of society, and therefore no dominant culture, in reality exhausts the full range of human practice, human energy, human intention” (cited in O’Hanlon 2000: 111; cited in Tadiar 2009: 21). For Tadiar, these “fallout” experiences are vital yet overlooked forms of political being and agency. I think Agamben too is asking important questions about conditions of the “outside,” however though the figure of the refugee may take us even momentarily outside the notions of citizenship as we have always understood them, there are
limits to Agamben’s theorizations of the “figure of the refugee,” as the figure does not fully exhaust the realm of the political – agency and otherwise – nor does s/he take us outside the discourse of legality in ways that Tadiar and Butler, amongst others, have proposed through more affective technologies and relations.

This chapter has been an effort to outline the various theoretical frameworks upon which this thesis is grounded. I interleave a range of theoretical texts to illustrate the variety of forms that militarized citizenship takes in different times and spaces. The historical genealogies of racialized citizenship are nuanced, complex, and contradictory, though it still provides an opening for us (following Butler 1995: 136; also cited in Pratt 2004: 20) to ask, “what the conditions are under which agency becomes possible” (20)? This agency-centered approach to social justice and political activism has come out of these militarized landscapes, and thus, contradictions inherent in the very discourse of liberalism and citizenship, arise not outside, but within the internal structures of the military. Pratt (2004: 20) considers these contradictions not only across time, but space as well. She writes,

contradictions within and across discourses come to light through the day-to-day practice of living within and moving through them. If we understand discourses as situated practices produced in particular places, we can also understand agency and critique in more embodied ways.”
March 19, 2008 marked the fifth anniversary of the U.S.-led war in Iraq. On that day, Direct Action to Stop the War, an anti-war coalition founded by a group of Bay Area activists, had coordinated a series of actions – guerilla theatre, teach-ins, rallies, and protests – to take place in San Francisco’s downtown core. Rachel, the protest’s organizer, and twenty of her volunteers from the Veteran’s Equity Center (VEC) were in charge of handing out “The Fifth Anniversary Menu,” a medley of names of San Francisco federal agencies, corporations, politicians and foreign embassies linked to the war in Iraq. The VEC is a multi-service agency designed to provide support for the estimated 3,000 Filipino World War II veterans and their immediate families living in San Francisco. There was an eclectic mix of people who showed up on this day, including lawyers, rank and file union members, military veterans (or “elders” as Rachel called them), and children wearing t-shirts that said “Not In My Name.”
Figure 3.1  Filipino WWII veterans demand military benefits. Veterans Equity Center (2008).

Figure 3.2  Filipino WWII veterans protest for equal treatment and rights. Veterans Equity Center 2008.
As the photographs above suggest, Filipino veterans were protesting their lack of benefits. Filipino WWII veterans are the only racial and ethnic group of soldiers denied Veterans’ Benefits by the U.S. military (Figures 3.3 and 3.4; Espinosa 2010). In 1946, President Harry Truman signed the Rescission Act. This legislation revoked many of the benefits that Filipino veterans who had volunteered to fight under the Commonwealth Army of General Douglas MacArthur hoped to gain for themselves and their families by enlisting on the side of the United States. According to President Truman, “There can be no question but that the Philippine veteran is entitled to benefits bearing a reasonable relation to those received by the American veteran, with whom he fought side by side,” he said. “From a practical point of view, however, it must be acknowledged that certain benefits granted by the GI bill of rights cannot be applied in the case of the Philippine veteran” (Zinn 2003). As mentioned previously, this denial of benefits was attributed to financial concerns. Filipino recruits – numbering anywhere from 200,000 to 470,000 – were promised a bundle of incentives, including U.S. citizenship, which was formally granted and later formally rescinded. The law (specifically, Section 107 Article 38 of the U.S. Code) denied Filipino veterans access to health care and pension benefits, while also limiting service-connected disability and death compensation to fifty percent of what is being received by U.S. veterans today (Go and Foster 2003).
**Figure 3.3** Luciano Basilan. Filipino WWII veteran still awaiting military benefits. Photograph by the Author (2008).

**Figure 3.4** Gaudioso Galicia. Another Filipino WWII veteran still awaiting military benefits. Photograph by the Author (2008).
While the elders were demanding their share of veterans’ benefits, holding signs stating “Honor Your Promise, Full Equity Now!” or “61 Years Overdue,” also present at the rally was another group of anti-war activists: Filipina widows who had lost their husbands in Iraq. The wives were staging a symbolic protest against the posthumous citizenship “benefits” that they and their fallen husbands would receive as a result of their deaths. The Filipina widows present at the rally however were contesting how foreign-born soldiers in the U.S. military and their surviving family members were being granted citizenship upon military death. Holding banners and signs that read “We don’t want your citizenship, we don’t want your war,” the widows made clear that death as a prerequisite for citizenship was not acceptable. It was quite literally the “gift of death” that the widows were protesting. Rachel calls this U.S. military practice a “death dividend.”

“Do You Want It Or Not?”

It was difficult, initially, to read beyond the conflicting messages at the rally: Filipino veterans in favor of military compensation, and the Filipina widows against. The rally thus seemed to expose “dirty little secrets” not only about the federal agencies and corporations financially investing in Iraq, but also some important contradictions of citizenship, rights, and national belonging.

Though moved by different political demands, together veterans and widows exposed how Filipino bodies have been marked for death from generation to generation. The rally brought to the surface the differing political voices within the Filipino community.

Jamie Manola, lead coordinator for VEC, replies in this way when asked about her thoughts on these potentially “conflicting” messages,

Sure, maybe everyone out here at this rally is confused by these signs and banners. It’s like, ‘do you want it [citizenship] or not?’ But it’s not that simple. It’s not mixed messages, I think it just shows people, or I hope it shows people all the [different] ways that Filipinos have been oppressed.
Maybe there should be more signs out here (Lee Field Interview: 19 March 2008, emphasis mine).

Manola’s poignant commentary demonstrates how political inclusion – the granting of citizenship for surviving military families – is as problematic as political exclusion – the denial of military benefits for veterans. In both cases, citizenship for the Filipino people failed to establish assurances (or insurances, rather) for those who died in and for those who survived war. The multiple political perspectives surrounding citizenship at this rally made me ask: How could citizenship be simultaneously contested and yet so actively sought after? In an era when political membership is a much widely coveted commodity, why was citizenship seen by these widows to be so problematic to the point where those eligible to receive citizenship would reject it? It seemed that the very apparatus that the elders were seeking recognition from (the U.S. government) was also the very apparatus whose recognition the wives were resisting. In my attempts to untether these complexities I came to meet 14 Filipina widows who had refused American citizenship earned through their husbands’ deaths.

San Francisco as Sanctuary City

There was something to be said of ‘San Francisco’ as a space of protest during this time. The City itself was not new to these contradictions of citizenship, rights and national belonging. In 1989, San Francisco passed the “City and County of Refuge” Ordinance, or the Sanctuary Ordinance which prohibited City employees from helping Immigration and Customs Enforcement (ICE) with immigration investigations or arrests unless such help was required by federal or state law or a warrant (City and County of San Francisco Sanctuary Ordinance Fact Sheet 2000-12). The Ordinance was rooted in the Sanctuary Movement of the 1980's, when churches across the country provided refuge to Central Americans fleeing civil wars in their countries. The different faith communities were responding to the difficulties immigrants faced in obtaining refugee status from the U.S. government. It was then that municipalities across the
country followed suit by adopting sanctuary ordinances.

The Sanctuary Movement has experienced a rebirth, in recent years, as grassroots organizations, faith communities, and local government have stood firmly against repressive immigration proposals in Congress and immigration raids that separate families. In February 2007, Mayor Gavin Newsom reaffirmed San Francisco's commitment to immigrant communities by issuing an Executive Order that called on City departments to develop protocol and training on the Sanctuary Ordinance (City and County of San Francisco Sanctuary Ordinance Fact Sheet 2000-12).

The designation of San Francisco as a sanctuary city illuminated the tensions between transnational and nation-state bounded notions of rights and citizenship. Sanctuary members viewed themselves as part of a transnational community with universal rights and responsibilities existing beyond national borders. The United States government, however, viewed Sanctuary members as citizens of the nation who were acting politically and in defiance of federal laws. The refusal of American citizenship by the Filipina widows was not a legal act of defiance, but rather a symbolic act of defiance that citizenship in exchange for death was simply not acceptable.

Seeking Protection From the State That Injures

Judith Butler (2004) examines how populations who are exposed to arbitrary state violence often have no other option than to appeal to the very state from which they need protection. To be protected from violence by the nation-state is to be exposed to the violence upon which the nation-state is built. In effect, to rely on the nation-state for protection from violence is precisely to exchange one potential violence for another (Butler 2004). But there is more to be said about the state. As mentioned in the previous chapter, the very state from which
Filipinos need protection is a racial state (Omi and Winant 1994). State violence is administered and facilitated by a racial state, and is borne unevenly by those who are differentially racialized (Lee and Pratt 2012; see also Goldberg 2002).

There has been a voluminous critical literature exploring the exclusion of particular categories of racialized individuals from civil society and political life, but in this chapter, I want to work through the ways in which political inclusion – the very promise of inalienable rights and privileges – provides little security, and further emotional vulnerability for these Filipina widows (Lee and Pratt 2012). We assume a kind of solace and safety from citizenship but based on the lives of the 14 Filipina widows whom I met at the rally and later interviewed, I learned that citizenship in many cases magnified their sense of political vulnerability. Their political membership and inclusion into the United States was contingent upon their husbands’ death in the U.S. military. Fourteen husbands/fathers/sons/soldiers/Filipinos died for admission into the American citizenry. Their deaths presented their families with painful choices of how to interpret and respond to an offer of possible U.S. citizenship.

As Tadiar (2009) reminds us, political insecurity is common currency for understanding the conditions of contemporary Philippine life (Tadiar 2009: 2). As citizenship hopefuls seeking membership into the American nation, or as those resisting formal inclusion, citizenship encases Filipino bodies into further political vulnerability; the latter comes at the expense of their husbands’ death, and the former comes at the expense of their own social and legal security (risk of deportation, family separation in the risk of deportation, veterans’ benefits for families, etc). Their everyday struggles demonstrate the social and economic vulnerability that stems from their pending induction into the nation-state.

Over the course of twelve months, these fourteen women shared some of the most intimate details of their public and private lives. The concept of the “home” and the “economy”
have often been viewed as non-politicizing spaces in liberal thought (Fraser 1989; see also Pratt 2004: 74), but these Filipino families have expanded our thinking about the concrete spaces where politics occur to include these spaces (M. Brown 1997; Marston and Staeheli 1994, cited in Pratt 2007: 74). The widows’ perspectives surrounding their husbands’ deaths, their immigration status, and the violence of posthumous citizenship were formulated inside of their homes. The importance of this is twofold: first, the cultural subalternity of the “home space” is located not outside of capitalist structures, but rather precisely within capitalist processes and relations (Tadiar 2009: 21). The global military complex that so actively recruited their husbands had collateral consequences on their everyday “home” lives: as widows and/or as single mothers transitioning as primary caregivers from inside the home to primary wage-earners in the workplace. And second, this exposes and acknowledges the feminized forces of the global economy that emerge from supposedly “private” and “apolitical” spaces of the home. In the following, I look closely inside these home spaces to explore the various strategies that the Filipina widows undertake to circumnavigate the effects of racist state violence that have penetrated so deeply into their everyday lives. The widows’ testimonies represent the ways in which they reclaim subjective agency in the face of subjugation, and the productive tensions that arise between political inclusion and marginalization on the global military stage.

**A Lesson in “Ethical” Military Research**

Before hearing the widow testimonies, I need to share some of the contextual background of the research. My fieldwork was carried out over a 12-month period in Daly City, California, which houses the largest community of Filipinos outside of the Philippines. Although Daly City is located just 20 minutes from my own home in San Francisco, I did not know too much about the city itself, except that it housed a total of 17 cemeteries for the neighboring regions. Daly
City is often referenced interchangeably with Colma, a small incorporated town, which lays adjacent to the city. With a population of 1,792 according to the 2010 Census, the town was first founded as a necropolis in 1924. With most of Colma’s land dedicated to 17 cemeteries, the population of the deceased outnumber the living by over a thousand to one. This fact has led to Colma being called, “the city of the silent,” which has given rise to a humorous motto now featured on the city’s website, “It’s great to be alive in Colma” (Bogash 2006). Or as one of the widows put it, “In Daly City, our dead are never too far from us” (Author Interview 2008).

I met with each of the 14 widows, the majority of whom I had met at the 2008 rally, for three rounds of 2-hour interviews. I knew going into this research that these 14 women were not a representative sample of the majority of immigrant families who chose to accept citizenship. But they are a reasonably comprehensive sample of those who have refused. There only have been 45 reported cases of citizenship refusals out of the 111 total that have been granted since the start of the Iraq war. These families then were the exception, a small but significant minority (roughly one third of all cases of refusal), and yet there is something to be said for these “limit cases” (Mitchell 1956), or as Luz called it, “unpopular stories” (Author Interview 2008).

Military websites such as Army.com and Military Times featured stories of immigrant families graciously accepting the posthumous citizenship “award” (Gonzalez 2010). Refusals represent an important counterpoint to these stories.

The Hizon family, for example, accepted posthumous citizenship on behalf of their son, Army Spc. Ryan Hizon, 22, who enlisted into the U.S. military in January 2009. He immigrated to the United States with his father, Rodolfo, a cabdriver in Manila, and his two siblings in 2008. Ryan's mother, Rachel, was forced to stay behind in the Philippines. She was placed on a U.S. immigration visa waiting list, but there was no telling when her name would be called for lawful entry into the United States. For Filipinos in particular, visa wait times stretch on for decades. In
fact, the July 2011 Visa Bulletin from the U.S. State Department showed that Filipino family members of U.S. citizens wait the longest due to the number of people applying for entrance and the per-country limit (Department of State Visa Bulletin for July 2011). The State Department is now processing the applications of those who filed their paperwork on April 15, 1988. Ryan, who was not yet a citizen of the U.S. knew that by joining the Army during wartime he could expedite the process for his mother's immigration. After a month of being in the U.S., Ryan enlisted into the U.S. Army.

According to his mother, Rachel, 44, she was fully aware of Ryan's intentions. “I knew what he was doing, but I asked him to quit,” she said. They had a close relationship, but when he was sent last winter to Afghanistan it had been three years since she had seen Ryan. "When he finally was deployed, I told him, 'Amboy (or American Boy, Ryan's nickname), come home. Don't go'” (Los Angeles Times Obituary, June 26, 2011, Finnegan 2011). While serving in Afghanistan, Ryan was killed by an improvised explosive device (IED) on February 28, 2011 in Logar province, south of Kabul. He had been assigned to the 2nd Battalion, 30th Infantry Regiment, 4th Brigade Combat Team, 10th Mountain Division at Ft. Polk, La. On March 3, both of Ryan's siblings joined their father at Dover Air Force Base in Delaware to witness the arrival of Hizon's casket. Rachel who was still in Manila could not make it to Dover in time. Ryan's funeral took place on March 14, 2011, at which time Ryan Hizon became a posthumous citizen of the United States. At a naturalization ceremony in Afghanistan commemorating Hizon, U.S. Ambassador Karl W. Eikenberry spoke of his sacrifice: “Although Specialist Hizon was not able to swear the oath of citizenship, we know from his actions that in his heart, he was a true American. He cherished the United States and upheld her values until the end. I am proud that his family, particularly his mother, who remained in the Philippines, will now be eligible to receive her son's survivor benefits” (U.S. Military: Hizon Obituary Page, 2011).
Rachel, who recently obtained her green card, will now be eligible to receive Ryan's survivor benefits. Rachel currently resides with her other two children and their father in Glassell Park, Los Angeles. Hizon's father is thankful for his son's citizenship but regrets that he never had the chance to enjoy being an American.

The family of Marine Gunnery Sgt. Joe Menusa, 33, is another example of a military family who accepted posthumous citizenship on behalf of their fallen son. Menusa was born in the Philippines and moved to San Jose, California at the age of 10 with his mother and stepfather, Virginia and Mike Kenny. Upon moving to America, he had dreams of becoming a pilot and an architect, and later interned at IBM Computers during his junior year at Silver Creek High School. Initially, Menusa had little intention of joining the U.S. Army. Both his parents were opposed to Joe's military enlistment: “I have boys, the last thing I want is my kids to join the military and get hurt,” Virginia said. Menusa joined the Marine Corps on May 16, 1989. According to Menusa's wife, Stacy, Joe had longed for U.S. citizenship and his application for citizenship had been in the works for seven years. After he paid his application fee, it took 18 months to get an appointment in Sacramento, CA for an interview that he was unable to attend as a result of attending military recruiter school in Hawaii. Menusa traveled to Okinawa and Cuba, trained to detect and remove mines, and served late in the first Gulf War, before he was called to duty in Iraq in February 2003. He was assigned to the 1st Combat Engineer Battalion, 1st Marine Division, Camp Pendleton, California. On March 27, 2003, Menusa was killed by an ambush near Nasiriya, Iraq (U.S. Department of Defense 2003).

When Menusa's family was notified of his death, they had conflicting ideas about whether or not to accept his “posthumous citizenship” award. His parents were inclined to accept citizenship on his behalf because they believed it was “something he fought and died for.” Accepting citizenship on his behalf was the least they could do for him. Joe's wife, Stacy, on the
other hand, was less inclined to accept and initially refused the U.S. citizenship she was eligible to receive as a result of Joe’s death. “There's something wrong here, he died for the country [the U.S.] he loved,” she said. Stacy’s story illuminates the tensions over citizenship that arise between family members and the difficult choices they face when confronted not only with the death of their loved ones, but also with the lasting residual effects on those who survive them. Stacy is left with the decisions pertaining to Joe’s citizenship: where to have him buried or whether to accept the military spousal benefits; meanwhile her own citizenship is also at stake. As a surviving military spouse, Stacy was granted U.S. citizenship, which she initially refused, but later decided to accept as a “celebration” of Joe’s life. The Hizon and Menusa families illustrate the ways in which militarized citizenship and death extend beyond soldiers killed in combat. Families are folded into military life and death by virtue of survivor benefits and as citizenship is made contingent upon the death of their loved ones.

Army Spc. Uday Singh, a native of India, was also eager to become a U.S. citizen. Singh, 21, had hoped to have his citizenship completed by January 2004, but on December 1st 2003, he was killed in action when his platoon was ambushed along a highway near Habbaniyah. Singh was included as one of the 111 soldiers to have been awarded posthumous citizenship by the U.S. His remains were transported from Dover AFB to India for a Sikh funeral service and cremation; his ashes are interred at Arlington National Cemetery in Virginia. According to his aunt, Harpreet Datt, “He was committed to bettering himself. He felt that being on his own with some distance from his parents (in India), would allow him to reach his potential. And citizenship was very much a part of that potential. It allows you to be what you can be” (Zoroya 2005).

The “unpopular stories” of citizenship refusal, on the other hand, were more difficult to come by. The “triumphant stories” of citizenship were regularly reported (Gonzalez 2010).
was equally interested in the stories of citizenship refusal that were less widely publicized. Following Tadiar (2009), I conceived that “the task of creating empowered historical subjects through the representation of submerged historical experiences was and continues to be of the utmost necessity” (4). E. San Juan Jr. (1996) contends that these heterogeneous projects of resistance and revolt, inscribed in poems, stories, testimonios, and other performances of those formerly silenced and made invisible, are what ultimately reproduced the ‘Third World’ as a permanent political-cultural agency of global transformation…these performances can be used to fashion emancipatory constituent subjects who are equipped with ‘a memory of the future,’ a recollection of hopes and dreams from which the future is extrapolated (5).

Having said this, these “silenced and made invisible” testimonios are not fully emancipated accounts. The personal narratives considered here remain entangled within “official” U.S. military archives and obituaries, press releases distributed by the U.S. military, and military ceremonies (see Wasinski 2008). In this regard, the effort to reconstruct Dolores Feria’s (1991) “new humanism of the dispossessed” is not discontinuous with dominant accounts or official histories, but rather, is a struggle within and against the constraints and silences imposed by the nature of the archive – the system that governs the appearance of statements and generates social meaning (Hartman 1997: 11).

Graduate school training or any training for that matter could not have prepared me to fully tell stories of the dead or the stories of those who survive them. I came across a large selection of scholarly journals in geography, discussing topics ranging from war, casualties, combat, the dead, and their families, and an even larger selection of non-academic articles focusing on “grieving” and/or seeking “advice about death” (Berkeley Parents Network Newsletter 2009). The literature informed readers mostly of “how to be sensitive,” “caring without being overbearing,” or “how and when it [wa]s appropriate to initiate conversations about death.” Though well researched, I still found the topics that I anticipated discussing with the military widows to be limiting. As a result, I found myself borrowing quite intently and
somewhat perversely from the *U.S. Military Casualty Assistance Call Officers Guidelines Manual* (U.S. Military Training Instructor Manual 2007). This guidebook lays out step-by-step instructions on how to talk to bereaved families “ethically and with care.” The Manual also emphasizes the bodily and language protocols that the Call Officers must follow once they arrive at the homes of the families. Officers are taught “not to embrace the families under any circumstances” (15), and to “empathize with the wide range of potential survivor reactions with the appropriate Call Officer response” (15), but without any physical contact unless the party “falls or faints.” Even then, physical contact is not advised (16).

To follow military protocol, I realized my own intentions, research interests, and desires could not safely be “outside,” but were deeply embedded within the relations of power and knowledge of the U.S. military. I have no intentions of liberating these coming narratives from the context in which they were collected, and by this, I mean the context of the U.S. military. Rather, the intentions of my research are to explore these narratives and to see what exactly “resistance” could mean, given that we speak in the context of the strongest military the world has ever seen.

I consider what an “outside” to citizenship can mean for the widows and for this research, more broadly, given that much of their lives and the methodological tools available for me to “ethically” tell the stories of their lives were deeply rooted inside of military discourse. On page 28 of the *Guidelines Manual*, Call Officers are encouraged to “carry out [their] field responsibilities with compassion, ethics, and care” and to “try to avoid key words that may trigger a negative response from bereaved families” (28). I solicited advice from the U.S. military training manual. I realized that I could not discount the U.S. military without discrediting the military *lives* of Filipino soldiers that were offered in exchange for U.S. citizenship. To discount the U.S. military and their training guides would be to discredit and
perhaps even trivialize the lives and deaths of these Filipino soldiers, as well as their choices to enlist and fight.

My first meeting with the widows was scheduled two weeks after we were introduced at the rally. I used this time to familiarize myself thoroughly with this training guide – taking the end of chapter review quizzes to help better “identify the stages of a grief process model” and to be “mindful of the implications for changing communication requirements when and if at all necessary” (25).

What was most oddly compelling about the Manual was the number of times the word “bodies” or “body” was displayed. According the Manual’s Do’s and Don’ts page, Call Officers are advised in the following ways:

- Do not make bodily contact with next-of-kin (NOK) or any family members.
- Do not be defensive if family members blame the U.S. Navy, Army, or Coast Guard of their loved one’s death.
- Do not mention specifics about body location, missing bodies, or where the deceased was found.
- Do use the word dead when referring to (deceased bodies) (US Military Casualty Assistance Call Officers Guidelines Manual 2007).

Everything from the particulars about the bodies of their loved ones returning from war, to avoiding bodily contact, to fainting bodies, to evading any discussion regarding the location of where soldiers’ bodies were retrieved, the military is as attentive as feminist geographers to the ways bodies are used, counted, consumed, projected and inscribed across time and space (Hyndman 2007).

There was nothing at all surprising about military attentiveness to bodies. It was the military after all that enlisted these racialized bodies into combat, fully knowing that these bodies
would later have to be accounted for by other surviving bodies (their families), both in the U.S. and abroad. Jenny Edkins puts it quite succinctly, “The authorities that had the power to conscript citizens and send them to their deaths now write their obituaries” (2003: 1). What does it mean for Edkins’ observations, however, when non-citizens are killed? Nancy Fraser (2009) in her *Feminism, Capitalism and the Cunning of History*, writes of the ways in which feminist ideas have been co-opted and incorporated within neoliberal discourse. If not for their own bodies fueling the economy as domestic laborers (Rodriguez 2010), Filipina widows stood by their husbands whose bodies directly fed the global military complex. Despite the shared concern with the intimate details of bodies, I realized in this particular case, the military agenda had very little in common with feminist ideals.

My research and my own knowledge of how to conduct “ethical” research was framed and guided primarily by secondary sources and military experts like Major Steve Beck, site commander of Marine Air Control Squadron 23 at Buckley Air Force Base in Aurora, Colorado. Beck was a Casualty Assistance Call Officer with 8 years of experience talking to bereaved military families. In almost every interview, Beck mentions the importance of “doing his homework” – that is, reading all of the biographical details of the fallen soldier and his/her family before meeting them: how many children the soldier had, his partner’s name, his age, favorite hobbies, and at least one anecdote that he could share about the soldier with his/her family. In a 2008 interview Beck conducted with the *Kansas City News Gazette*, the reporter asked him if studying the intimacies of family lives only made his job more difficult. Beck responded by saying, “I never thought that my most difficult mission would be the one without weapons” (Sheeler 2008: 6).

But surely, there are weapons. Consider the following diary excerpt from Lance Cpl Saulo Robles, written while he was stationed in Tikrit, Iraq. I saw the personal diary, placed on
the mantle in the living room, when I met with Carla, his widow living in Daly City. The passage read:


Sgt. R. Taylor, the Casualty Assistance Call Officer (CACO) assigned to handle all bereavement matters for the Robles family, may not have come to Daly City with weapons [in hand] when he notified Carla of Saulo’s death. But, whether it was about the supposed “weapons of mass destruction” that kicked off this war in the first place or Saulo’s fighting words while in Tikrit, this was anything but a mission without weapons. And it was now Carla’s job to live with all that is lost (her husband) and all that is left (her daughter, his extended family, her extended family, as well as the Department of Homeland Security congratulating her for soon becoming an American citizen). The latter were the collateral consequences – the living and remaining bodies to which Carla would need to attend.

**Beck and I**

It turns out that Major Beck and I have one thing in common: despite his 8 years of experience working with bereaved military families he admits to “having received no training…no set rules, only impersonal guidelines.” But Beck and I also have our share of differences in how we collect military research (or “homework” as he calls it). I am interested in stories that are not entirely legible, facts about these families that are not necessarily on file; narratives that cannot simply be obtained from reading another’s biography. I wanted to tell stories of the “hidden transcripts,” that told stories of military families through more subtle and affective registers (see Scott 1990; Behar 1993; Mountz and Hyndman 2006). For example, in ways different from Beck, I was keen on focusing not solely on bodies in material form, but also bodily reactions, practices, and performances, or as one widow stated “having an out of body
experience” when she was first notified of her husband’s death. These are traumas that are not so readily and easily discernible. This is the pain behind the momentary silences, brief hesitations and facial expressions that words alone could barely explain.

The interviews were attempts to understand another kind of intimacy with and about state violence: how bodily responses and reactions to state violence often manifest visibly as fainting, crying or less visibly, as in Marie’s case, as quiet thoughts of suicide, but also in quite subtle and indecipherable ways such as when Magdelena feels “shivers” every time she does the laundry with the new washer/dryer appliances she purchased with the death gratuity\(^1\) she received from Homeland Security. She recalls,

> When Lou died, we got $12,000. For a long time, I just kept it. But 6 months ago I used it to buy a washer and dryer machine. If Lou was here, he handles this kind of stuff, he would know what to do, but I didn’t have any good ideas... When the Officer came to the house for a second time around to talk about the N-644 [Department of Homeland Security Application for Posthumous Citizenship], he said ‘congratulations’ two times to me because we were qualified to apply [for U.S. citizenship]. He also said ‘I’m sorry [for your loss]’ too, but when he left I said ‘There is no congratulations, we did not win anything’ (Lee Field Interview 23 Jan 2009).

In my attempts to listen to the silence of these hidden reactions (Barton 1997, Dalby 1993), I consider the real consequences that come with refusing citizenship - that there is little security in saying “no.” Political membership did come at the expense of their husbands’ deaths after all. And yet, accepting citizenship was coupled with bureaucratic (mis)handlings, which further contributed towards feelings of political vulnerability for the widows in two specific ways. First, ‘Immediate relatives must self-petition (for citizenship) within 2 years of the date of the service member’s death’ (Lee & Wasem, 2003: 19) to secure derivative benefits, for it is otherwise subject to expire. The U.S. military has issued special military family waivers granted on a case-

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1 The gratuity was raised in 1956 from $1,800 to $3,000, depending on rank. In 1991, after the Persian Gulf War, it was raised to $6,000, half of it taxed. Periodically there were calls to raise it again. Congress did so in 2003,
by-case basis in the event that families miss the deadline to apply. And second, the Department of Homeland Security states very clearly that in some cases there has been a “loss of the ability to obtain immigration benefits and possible deportation [has resulted] due to the death of a service member” (23). If this were to occur, “surviving family members may be processed under the Immigration and Naturalization Act as any other alien who qualifies for a family-based visa would be handled if their petitioning relative died” (23). Despite any premature congratulatory gestures from Majors Beck or Taylor and the like, the promise of citizenship as such offers little security to those most vulnerable, and at a time when “security” is most desired.

Whether the widows are surviving military spouses or “any other alien who qualifies for a family-based visa,” they are granted little political guarantee. Soldiers were willing to risk death precisely for the “ability to obtain immigration benefits,” but now their very deaths could be used as justification to deny their families these very same benefits to insure their lives and to deport them. Ironically, under these circumstances, the Filipinas seem to have the same, if not more, political security as undocumented migrants than as undocumented surviving relatives of dead service members. Jamie Manola, lead coordinator of the Veterans’ Equity Center, may have said it best:

Refusing citizenship hasn’t gotten the Filipinas very far, but it doesn’t look like citizenship would have provided much more assurance. Being ‘illegal’ means that you can be deported at any time and everybody knows that. But here, Filipinas get $12,000 and their lives become more dangerous. They become part of the ‘military family,’ because their husbands died for the country, they [come to] know everything about you, and then they can still deport you. Do you really deport your own family (Lee Field Interview 2009)?

Testimonies

On July 3, 2002, when President George W. Bush designated the period beginning on
September 11, 2001, as a “period of hostilities,” triggering immediate naturalization eligibility for active-duty U.S. military service members, the U.S. Supreme Court issued a statement that in the most challenging and uncertain moments the nation's commitment to due process, civil liberties and the rights of its citizens would most severely be tested and preserved. The 14 Filipina widows tested the very limits and conditions of the nation's citizenship project during this time. They represent the boundary case studies of those who refused citizenship when it was offered to them.

The 14 widows are not a large representative sample (see Mitchell 1956: 24) of military families who refused and/or accepted U.S. citizenship. The majority of military families who were offered posthumous citizenship accepted it. I was interested in the state project of posthumous citizenship conferral in the instances when the program did not work according to how the state might have intended: when those who were granted and offered U.S. citizenship refused it.

I began to interview all 14 Filipina widows two weeks following our initial meeting at the rally. The widows’ refusals of American citizenship were as much about exposing the violence of political inclusion as they were critiquing the Philippine government for their lack of support towards their political, economic and social security in the Philippines. Their grievances, one might say, were transnational in scope. Their grievances spoke to the injustices inherent in citizenship – not simply the violence of American or Philippine citizenship – but about the limits of legal recognition and some of the violence that undergirds political inclusion as a whole. The widows’ testimonies did more than criticize a particular Administration or legislation, they said something about the entire structure of citizenship as such. The following testimonies demonstrate that the critiques of citizenship do not come as a result of the widows having been denied American citizenship. Rather, it was a refusal of citizenship as they were being granted
access and membership into the American nation as citizens that stands as the moment of critique. The following are stories from some of the widows who refused the American citizenship that they would receive as a result of their husband’s death in the U.S. military. I feature these five widows in particular because they illustrate a small, though diverse range of family history, circumstance, and affect in regards to their citizenship. I believe these women best illustrate the wider-range and differential contexts between personal and family genealogy, affect, class and their reasons for refusing U.S. citizenship. Jenny Edkins writes of “survivors being subdued, even silent” (2003: 1). Some of the widows I had interviewed felt more comfortable speaking about their husbands’ deaths (than others) and about the relationship dynamics they were experiencing with their extended family and relatives. I interpreted their silence not as an unwillingness to speak, although, for some there was a reluctance to openly discuss issues surrounding their marriage, for instance, but rather as needing more time. Some of the widows had shared less during the interviews, but were still willing and had offered to meet for all three scheduled meeting times.

**Fortuna**

April 4, 2008

Fortuna was born in Cebu City, Philippines. She was mostly raised by her mother and her grandmother. Fortuna was the youngest of three daughters and referred to herself as “the favorite.” Raised in “the middle of nothing,” Fortuna did not once leave the Philippines until she was in her late twenties. She attended high school but dropped out to help her mother run a local fish stand just outside her neighborhood, and she did this for most of her adult life. In 2004, Fortuna was given the opportunity to leave Cebu when a kitchen manager of a cruise-ship came into the store to buy more fish. He asked Fortuna if she would like to work as a kitchen assistant.
The cruise ship was heading to various countries around the world and it was a chance that Fortuna could not pass up. She had cleaned fish her entire life, and though it would be no different on the ship, she jokes, “but I could clean fish in a different country every time.” After a year, she made her way up to be a line cook, which also meant that she was given vacation leave. One long-Memorial Day Weekend, she met Simon.

Simon, like Fortuna, was born in the Philippines. He had never left Manila, in fact he had never left his hometown until his mid-twenties. He applied for a tourist visa to visit his family living in San Diego, California and to help his uncle with some construction jobs. His employment in the U.S was much more lucrative than what he had in Manila. Working illegally in the United States, Simon could send money home to his two brothers and his mother to pay for their education. With only weeks left on his tourist visa, Simon was tempted to extend his stay. With help from his cousins, Simon petitioned and asked the U.S government to grant him a renewal, to no avail. Weeks later, he was tempted with another proposition, only this time it was not to stay in the U.S, but to head to Iraq. Simon enlisted in the U.S armed forces just weeks after September 11, 2001.

Simon had completed his first tour and was on holiday in San Diego when he met Fortuna. Fortuna says “it was love at first sight. I don’t believe in that, you know what I mean? But it is real. I saw him in his very handsome face and military clothes and it was love.” Fortuna seemed to be anticipating the criticism that she married Simon in an opportunistic way to obtain citizenship. After three days of an intense romance, Fortuna decided not to get back on the cruise-ship. She explains it like this:

I met Simon and we just understood each other. He encouraged me not to return to the Philippines. He knew that I would return with money for my family, but I did not have any children and he just knew that [at some
I would feel like I had to leave again, but we were not sure about my next opportunity, you know? I do not want to clean fish my whole life. I was in love and we talked about our future. Simon went to fight in the military after the 9/11 and he could get citizenship. He said that once he got citizenship he would be okay. He wanted to fight for his country. Even though he was not a U.S citizen, he said this was his country and if we married we could be here together and live in the United States. I was so scared about the war and I was so nervous about a future because I mean, what if he died, then what will happen? If I did not get back on the ship to the Philippines, I will stay here and marry Simon. So yeah, we married, and we both wanted to have beautiful children. I did not marry because I wanted citizenship to be an American. You know, I was traveling for one year or two years on the ship and I was seeing the whole world. If I stayed in the U.S. I knew that I could not work, because I was not a U.S. citizen. But Simon said that we would be here together and not to worry and he was going to be a citizen of the United States.

*Liz*: Did you think about getting back on the ship? Did you want to return to the Philippines?

*Fortuna*: Of course, I missed my mom and my sisters so much and she was getting so old, but there is nothing for me there in the Philippines. So, I stayed in San Diego with Simon for just three more days in a hotel and he had to go to Iraq again. Oh goodness, I was so scared and I thought that I made a mistake, but he said that he would be back in three months and I went to San Francisco to stay with his aunty.

*Liz*: How long did you stay in San Francisco? When did Simon come back?

*Fortuna*: I stayed near San Francisco with his aunty in Daly City. Over here. She took care of
me like her daughter. I missed my mother so much. After six months, Simon came home again and stayed here for six more months and he left again and came back for one or two years or something like that, and I was pregnant. Yeah. I could not work here in the U.S. I was illegal, and it was so scary. Simon was so happy when he was home, but he enlisted again for a second tour and we fight a lot, but he said it was the last time. (Pause). And then, he died. In Iraq, there was a big explosion, and he died in 2006.

Simon died a Filipino citizen, wearing U.S military garb, in Iraq.

Liz: I’m sorry, Fortuna. We can stop now.

Fortuna: No, it’s okay.

Liz: Fortuna, did Simon have U.S citizenship? Because when he enlisted, did he get citizenship?

Fortuna: He put in the paperwork several years ago, maybe 2004 or something and when he died, we got a letter from the President, and it says that he is now a U.S citizen. But you know, from the beginning, I said that we should not have a war. I did not want Simon to go to fight. We got a letter in the mail for me to sign and put in the paperwork to become a citizen because Simon died in the U.S military, but I don’t think so. I want my husband, my citizenship means nothing. The papers are somewhere in here, I don’t know, I don’t care about citizenship. He wanted to fight for the U.S., but how come they didn’t give him citizenship right away? He fought a lot and still we were waiting for his passport and it didn’t come and then, he just died. Now they say they want to give him citizenship? That is so terrible. This government does not care about us. I do not want to sign for citizenship.

Liz: Fortuna, does your son have U.S citizenship?

Fortuna: Yes, he was born here in the United States. Simon and my son are U.S citizens.

From this encounter, we are able to better understand the political and economic forces that brought Fortuna to the U.S. She exercised her difficult choice to stay in the United States,
which also helps to understand why and how it was only in Simon’s death that Fortuna was legally permitted to reside in the U.S. They hold a special military family waiver granted on a case by case basis by the U.S. military, another enlistment that she did not quite sign up for.

*Fortuna:* How come the U.S government says that people have to die to become a citizen?

Because then, a lot of Filipino people will die. Do you know Olongapo? [Olongapo is where the U.S. Subic Bay Naval Base was housed from 1899 until 1991. It took the volcanic eruption of Mount Pinatubo for the base to eventually close].

Liz: Fortuna, have you received any word or acknowledgements from the Philippine government? I have heard that some Filipino veterans in the U.S. return back to the Philippines because the veterans do not have many benefits here? Do they receive more care from the government over there?

Fortuna: The Philippine government talks about loyalty a lot. But they are not loyal to us. I’m not sure who is taking care of us?

Fortuna highlights two important points: first, she criticizes the prerequisite of having to be killed in action (KIA) in order to gain citizenship; and second, she laments the history of a centuries long military occupation of the Philippines and its people. Her comments allude to the ways in which Filipino identity was (almost) always and already a militarized one. Fortuna’s frustrations transgress national boundaries, and she does not excuse her government from the accountability of having to care (for her and her family). Seen in this light, it seems as though Philippine citizenship, too, has failed Fortuna. Not only in the state’s inability to secure a livelihood for her family, while in the Philippines, but also to care for her while she is in the United States. It is not simply American citizenship that she is criticizing here.
Filipino WWII Veterans and the Loyalty Question

Luciano Basilan (Figure 3.3) and Gaudioso Galicia (Figure 3.4), both Filipino WWII veterans, however, have a different relationship to this notion of “Philippine loyalty.” They both contemplate returning to the Philippines in order to receive veterans benefits from various organizations, including the U.S. Veteran’s Affairs Manila Outpatient Clinic. The Veteran’s Affairs (VA) office has been in operation since 1922 when the VA Bureau was first opened. The new Outpatient Clinic (OPC) opened its facilities on January 31, 2011 and is recognized as the only VA healthcare facility located in a foreign country (U.S. Department of Veterans Affairs). According to the Directive 2007-006 and 38CFR17.35, the VA provides the authority for delivery of outpatient health care services to U.S. Veterans residing or sojourning in the Philippines.

Figure 3.5 Manila Outpatient Clinic. Located on the grounds of the U.S. Embassy in the Philippines. Photo courtesy of the U.S. Department of Veterans Affairs.

Luciano and Gaudioso were both among the 250,000 Filipino soldiers who fought on the side of the U.S. to help defeat the Japanese Army, but who were later denied veterans’ compensation
from the U.S. military by virtue of the Rescission Act. Luciano and Gaudioso enlisted on the side of the U.S. in their early 20s, and immigrated to the United States after the war. Luciano first settled in Los Angeles and later the SF Bay Area with his wife. Gaudioso immigrated to the United States on his own, but later petitioned his wife and his two children to join him in Daly City. Luciano and Gaudioso were granted U.S. citizenship for enlistment purposes back in 1942 and 1943, though neither their American citizenship nor their veteran’s status could give them and their families the proper health, medical, and retirement benefits needed to comfortably live in the San Francisco Bay Area. During our interview at the Veteran’s Equity Center, Luciano mentioned the ways in which he happily “gave up” his Filipino citizenship and passport to fight for the United States. He said, “They told me that I was no longer a Filipino citizen when I joined the U.S. to fight, so I said ‘okay,’ I am not a Filipino citizen, I will be American. I am a U.S. citizen, but I don’t have any benefits. The Philippines is cheaper and maybe I can live more comfortable with my wife until I die there. I am a veteran here, but I have no respect. In the Philippines, maybe it will be different. Here there is no respect” (Author Interview 2008). Gaudioso mentioned the prospects of living with a few extended relatives in the Philippines to assist with the transition. “I can’t afford to live here anymore. We fight, but still we have not received any veterans’ benefits. It is very hard to live here.” Luciano and Gaudioso’s statements were less an indication of their desire to return to the Philippines as it was a testament of how little currency their American citizenship held for them and their family in the U.S. There was no promise that the Philippines would grant them the necessary veterans benefits for their survival, though they were considering the possibilities.

This topic of state accountability- be it here or there - is a theme that runs through many of the interviews. The history of Filipino migrancy and militarism cannot be told without this other history of conquest and war. This history includes the U.S. as the colonial power and other
colonial predecessors, Japan and Spain, which makes the question about accountability a multi-
state one (see also San Juan, 2009). There was no other way to articulate this post 9/11 moment
without considering the Philippines’ colonial past. Now, 65 years later, amidst these intertwined
histories of conquest and imperialism, it was unclear from whom exactly the Filipina widows
and the veterans would be seeking justice and compensation for such state injuries.

The primary objective and outcome of colonial conquest, according to Elaine Scarry
(1985), is injuring (1). Though this fact is too self-evident and massive ever to be directly
challenged, it can be indirectly contested by many means or can disappear from view along many
separate paths (1). Injuries caused by war can become so overwhelming that this violence can be
buried from view and disappear or simply be erased from history. Fortuna’s decision to hold the
Philippine government accountable is one way to make her pain and suffering visible, but it is
also to situate her injury within a network of migrants who have suffered before her albeit in
different ways. Fortuna’s story is told in a spirit of solidarity, political connection and in
recognition of state violence.

Leia

August 13, 2008
Leia was waiting outside on her front porch when I arrived for our interview. “Do you mind if
we talk outside here? I am sorry, my mother [in-law] is inside and she gets upset hearing about
Sam.” I had never met Leia before. We had only spoken on the phone a few times to set up our
meeting. I was given her name through Fortuna. The two of them had met at the VEC for an
event a couple of years ago. We talked for two hours that day, while her 5 year-old daughter was
playing on the lawn.

Liz: Leia, can you tell me a little about Sam?
Leia: Yeah, I will try. He was such a good father to his daughter. He was born in the Philippines, we both were, and he came here in 1993. There was no future in the Philippines. Nothing. His mother paid her friend and they brought him to America. He was a trouble-maker at first, but he joined the military after the World Trade Center and he said he wanted to defend our country.

Liz: Was Sam a legal resident here? Or he was a citizen of the Philippines?

Leia: The Philippines, of course. But if he fought, we knew he would get citizenship. And he heard from his friends in the army that the families could get it too. My daughter was born here, but I am not an American citizen. But even if the families didn’t get it, Sam should get it. He was fighting for his country.

Liz: Did you think about becoming a U.S citizen?

Leia: I think everybody does. I always wanted the best for my daughter and I am so glad that she will have the opportunities that we didn’t have, but I always told Sam that we could figure things out, but not to keep going to war. I became pregnant and I think he felt pressure to have to be a good father and make sure we were okay with money. It is hard, but the military is so dangerous and I never wanted our daughter to grow up without a father, you know? War is so dangerous.

Liz: Did Sam get citizenship while he was on active duty? While he was fighting?

Leia: No. He was waiting for it. He called once or twice every week and asked, ‘Hey, did the Immigration send the papers yet?’ And all the time, I said, ‘no.’ And then, ‘just come home.’ You know, in history, ‘the Philippines and the U.S. are like this [crosses her fingers to show the interlockings of the U.S and the Philippines]. People lived together for a long time’ (see also Delmendo 2005).

Leia’s point was so poignant that I did not risk asking her to clarify. Her hand gestures and interlaced fingers were profoundly revealing. People occupy land, and it becomes home. I
suppose people “live” there. So, I imagined this is what Leia meant when she said, “people lived together for a long time.” Or was she referring to the American colonialism, as had Fortuna when she asked about my knowledge of Olongapo? Leia’s present mediations about war and occupation could not be separated out from her memories of occupation of the past. There was no current history of the war on terror or of her husband’s death, in other words, without that other history of conquest. The overwhelming presence of Filipinos in the military did not make sense without the colonial history of occupied Philippines. My own sense of “home” suddenly began to feel heavy. The notion of a “good home,” or perhaps “good homeland,” almost felt contradictory. Leia’s account was another reminder of how “home” spaces were anything but apolitical spaces. It was precisely within the intimate spaces of Leia’s home that she revealed details of political violence and its implication in the formation of national citizenship. There was a deadening silence between us after her last comment, and then she says, “I don’t want to put in for citizenship.”

*Leia:* You know, they [Call Officers] came to the door. They asked us about the funeral preparations and the ceremony and just over here in Colma (minutes outside of Daly City) is a big Filipino cemetery, lots of Filipinos died in there, but I said that I didn’t want Sam to be here in the United States. He was waiting and waiting for citizenship and even before he died, they still did not give him citizenship. So he died, and then now, they want to give him citizenship? His mother’s heart is broken. Every day she holds a picture of Sam and cries, every day. She wanted Sam to be buried in the Philippines, so we went to Manila and my family and his family celebrated Sam. His mother said that Sam wanted to be a citizen, so we put in the paper work and Sam is a U.S citizen now. He is dead, but he is a citizen. I can be a citizen too, but there is nothing exciting about this citizenship if Sam is dead.

*Liz:* They prepared a funeral for Sam in the Philippines? What was that like?
Leia: It was, you know, okay. They had people there to support our family members, a funeral there in Manila.

Liz: From the U.S military?

Leia: Yes and the men that came to the house.

Liz: Did people ask you why you flew Sam back to the Philippines? You know, instead of having a service for Sam in the United States?

Leia: Some people asked us, why Sam’s funeral wasn’t in the U.S., but I think maybe they knew. You know, because there [in the Philippines] there are Filipino veterans from World War II that did not receive benefits [while living in the U.S]. Some of them went back to the Philippines to live there. That is the stuff that Rachel (my friend and activist) is organizing at the VEC about the benefits. Sam saw himself as fighting and defending his country, but his country felt otherwise until after his death.

The two-hour mark was just about approaching. My voice recorder had gone from low battery to no battery life. It felt like the right time to end. I looked up and Leia’s mother-in-law, was standing by the window. She was holding a photo of Sam. Leia mentioned that Sam’s mother used to speak all the time and was so friendly to everyone. When Sam died in 2006, she “stopped talking.” “I think she died too.” Though I could rationalize that her silence was not about my visit, I could not help but think that I was still occupying the most quietest of spaces. Like Major Beck, I came armed not with weapons, but with questions that triggered pain and sadness for Leia’s family.

Fortuna and Leia suggest “what might be made of grief besides a cry for war and retaliation” (Butler 2004, xii). Their refusals can help move us beyond the framework of “good and bad” citizenship, to one that is much more nuanced. For both Fortuna and Leia, being killed
in action was not an acceptable way to become a citizen. Or to quote Leia more directly, “Sam should not have died to get citizenship.” Trauma, grief, and suffering would tell us about the limits that citizenship had to offer.

*Lily and Constance*

September 25, 2008

Talking to Lily and Constance, on the other hand, allows us to think critically about the discourse of heroism and the limitations of that rhetoric. At the entrance to Lily’s dining room is a portrait of her husband, Danny, in full combat gear, with a gold inscription hanging below the frame “Our hero who proudly fought and died for the U.S.A. May 29, 2007.” I was curious to find out Lily and Constance’s views on heroism (I met with them together) and how different they were to their husbands’ patriotism to become proud Americans. Constance had agreed to our meeting, but asked to be accompanied by Lily, her close friend. The two widows met at the Veterans Equity Center soon after the deaths of Danny (Lily’s husband) and Raymond, (Constance’s husband), in 2007. From the start, Lily, without hesitation, assisted in facilitating the conversation amongst the three of us, and Constance remained relatively silent for much of the interview. After our first meeting, I asked Constance if she felt uncomfortable and assured her that she was under no obligation to meet with me, but she insisted that she was fine and did not mind the interviews. I came to learn very little about her husband, Raymond, but I was moved by the mutual support and admiration Lily and Constance had for one another. During our second interview, Lily had forgotten a few details about Danny’s Casualty Assistance Call Officer, for instance, but Constance was able to provide those details. Seeing the interactions between Lily and Constance underscored the friendships and connections that military widows built in moments of grief, sadness, and mourning.
In the domain of military death, it is not uncommon to meet expressions such as:
“hero,” “sacrifice not done in vain,” “patriotism,” “price to pay in the defense of liberty,” and so on and so forth (Wasinski, 2008: 121). During this particular interview, I thought about the relationship between heroism, volunteerism, and the military. The most popular narrative told by media pundits is usually expressed in one of two ways: first, “Soldier A volunteered and enlisted into the military and died a hero;” or second, “Soldier B was a hero for enlisting after the September 11th attacks and died while fighting for his country.” Here, volunteerism and heroism romanticizes the civic attributes of the citizen-soldier, while idealizing the notion of choice. One’s ability to exercise free choice and consent, after all, is the cornerstone of liberalism (Amaya 2007; Marshall 1973). The U.S would like us to believe that Sam, Simon, Danny and Raymond exercised their free will and choice to fight for their country, while knowing full well the consequences (of death) it might entail. Following this logic, dead bodies are memorialized as “heroes” and not as vulnerable dead bodies because they lived their life as heroes; they “chose” to be heroes. This assumes, then, that the military is an honorable liberal institution populated by volunteers wishing to serve the nation. And this may in fact be true; Sam, Simon, and Danny, amongst many other soldiers, did exercise their agency by enlisting in the military. However, what most of the interpretations leave out is the failure to locate posthumous citizenship within the overall strategy by the state to secure ongoing voluntary enlistment by non-citizens. Moreover, they fail to address the social, cultural, economic, and political reasons that make voluntary enlistment an important life choice for non-citizen Filipinos in the United States. Volunteerism, in other words, obscures the illiberal, racialized, and classed ways that the American military and citizenship operate (Cowen 2006, 2007).

Lily commented that Danny was a hero not because he fought a war, but for reasons that had nothing to do with the military. “Danny was a good father and husband, he took care of us
and our family,” Lily said. This is not to say that Danny was not also a hero in the military. Lily, for instance, was told that “Danny risked his own life and jumped out of a moving humvee to go and rescue more guys while they were being attacked,” a sign of heroism indeed. But, what I find interesting about Lily’s narrative about heroism is that though speaking in the context of the military, a context that her son and Danny himself can never be seen outside of, Danny was a hero because he played a prominent role in their lives as a father and husband, not only because he was a war hero.

Lily and Constance demonstrate how the discourse of heroism and volunteerism that is often inscribed upon soldiers leads to a dead end in conversation, rather than a dialogue about why soldiers enlist into the military. Consider these statistics: Filipinos make up the highest percentage of foreign-born soldiers in the U.S armed forces, however, according to the CNA Corporation (a non-profit research organization used by the Department of Defense to investigate a variety of issues in the military), Latino/as have the highest active duty propensity of any racial group or ethnicity. That is, Latino/as are more likely to see enlistment as attractive: “For example, male high-school senior propensities were 44 percent for Hispanics, 36 percent for blacks, and 24 percent for whites. For male high-school graduates who had not gone on to college, propensities were 21 percent for Hispanics, 18 percent for blacks, and seven percent for whites” (Hattiangadi et al, 2004: 20, cited in Amaya, 2007: 18). Those more likely to enlist cited money for education and job training as the two most important reasons to enlist. Fully aware of this, military recruiters aggressively target poor communities of color. The Army’s advertising wing in a concerted effort to maintain the numbers in the military does the same (Moniz, 1999; Leyva Martinez, 2003).

My intention here is not to turn interviews into hard numbers. In fact, “numbers” are what Lily and Constance know best. Constance was not only familiar with the body count in
Iraq from both the news and the local Filipino newspapers, but also the amount of money that Obama’s Administration was supposedly allocating for Filipino veterans if he were elected in office, which is “just under $2 million” she says. These data force us to consider the fact that the Armed Forces are structured in a racialized and classed fashion and that the notion of a volunteer army is disingenuous. This notion fails to acknowledge the social, economic, and cultural pressures the poor and non-whites disproportionately face to make the risks of service palatable.

Gina

August 20, 2008

Gina looked different than she did at the rally back in March, when she had “STOP WAR” painted on both sides of her face. She was working two part-time jobs - as a home-care worker in San Jose, California, and as a part-time product specialist for the Avon Company. With her difficult schedule we went for several months between each interview. As a result, each meeting felt, for me, as if we were meeting and introducing ourselves for the first time.

Gina’s interview was the most “emotional” in many ways. She spoke of her husband, Jay, in the present tense. Through Gina’s story-telling and heart-felt testimonies of her relationship with Jay, I had learned more about him than almost any of the other soldiers from the widows. Jay was killed by an improvised explosive device in Iraq in 2005 just 6 months after he enlisted. Jay survived the initial explosion, Gina was told, but died on his way to the hospital. While en route, Jay had attempted to phone Gina to tell her that she did not have any reason to worry, that he would make it home. Gina only found this out from Jay’s crew commander who had made a special trip to California to deliver this news.

I was one of many visitors in Gina’s home. She once commented that she had more visitors after Jay died than during his and her life combined. They moved from Luzon Island,
Philippines to California in 1997. She had no intention of staying, but when Jay enlisted into the U.S. military soon after 9/11, she saw little reason to leave. Gina also acknowledged that she did not have much family back in the Philippines, which made it easier for her to stay. “I didn’t have much in the Philippines, this is my home now,” she said.

The third time we met, much had changed since our previous interview. I noticed an altar she made for Jay in her living room with messages and cards that he had written for her while he was on tour in Iraq. Every envelope was sealed with a hand drawn logo of his Battalion and the words “I love you” written alongside it. Gina had also made a special photo album of her and Jay. Every picture that they had taken together was in this album. We flipped through photo after photo until we both came across the N-644 Posthumous Citizenship Documents from Homeland Security lined at the back of the album along with a black and white copy of her death gratuity check for the same $12,000. I had seen the blank N-644 official form many times before: online, at the homes of Magdelena, Mabel, and Alma, but Gina’s was slightly different. Her form was not blank like the others, she had fully filled out and signed the document, but had never turned it in. I remember that moment quite vividly. I refrained from asking any questions out of fear of overstepping boundaries because unlike every other time I had seen the document, this time seemed different. Gina spoke first.

Gina: I filled out the papers one night. A lot of personal information.

Liz: Gina, can you still send in the paperwork for citizenship?

Gina: I don’t think so. There is some expiration, but you know the lawyer at the Veteran’s Center says that there is a special [waiver] form.


Gina: I don’t know. I think he wants to help me and to help me feel secure, but I want him here;
I wish I stopped him. Everyday, I wish I stopped him [from enlisting]. I thought, okay, maybe if I filled the form, I will feel different, but I feel more scared. We did not have any visas here for a long time, and sometimes we were very scared, but this is different. I am scared to be a citizen.

I understood Gina’s commentary as her way of saying that Jay’s death resulted from an attempt to become a citizen, and in the act of seeking political membership into the nation. For that reason, accepting citizenship from the U.S military felt to her to be an act of violence. Gina was perhaps the most vocal and visible about being tempted with American citizenship. Filling out the N-644 form in its entirety demonstrated how she had weighed both options – citizenship and its refusal – simultaneously. Still unsatisfied with her choices, Gina turned away both options.

Gina seemed to relive the process of citizenship, pain, militarism, death and love as we flipped through her photo album and filtered through pages of the N-644 form. But in the same way that Gina was able to make a decision given the undesirable and limited options presented to her, her testimony also said something about her subjective agency in the hands of American militarism and political subjugation. As Gina explains it, almost everyone in her immediate and extended family encouraged her to accept citizenship. If she wanted to protest the U.S. military, she could do so after her acceptance; that is, after she possessed some kind of political tenure with the nation.

Gina: My family said, Gina don’t be stupid. You are ruining your future. Jay would not want this. Don’t be selfish and think about your family and us. So I kept telling them, I am thinking about us.

Gina’s testimony is moving for several reasons. Unlike the other widows, Gina deeply considered accepting U.S. citizenship. She said she knew from the start that she would never accept it, but wanted to explore “a different feeling to see what it was like to feel like a U.S.
citizen” (Lee Interview Aug 20, 2008). Having refused citizenship after filling out the form seemed in some way an even larger act of protest, or somehow even more offensive to the American nation. It was as if Gina had read the fine print of what citizenship had to offer, and was still unconvinced of its token promises and securities. Everything she needed to become a citizen was before her – the Homeland Security Instruction Manual for the N-644, Jay’s death certificate, her Philippine passport and birth certificate. But none of it was enough for Gina to submit the application. Gina’s testimony also reminds us that by refusing citizenship, she will continue to face the social, economic and political consequences that come from her decision to stay undocumented in the United States.

Collateral Citizenship

In this chapter, I examine the relationships between trauma, state violence, and political solidarity and community and how the violence that undergirds their political inclusion is inscribed and re-inscribed into everyday testimonies. Laura Brown (1995) reminds us of how individuals experience trauma and suffering in the everyday, in the face of threats to personal security (100-12; also cited in Edkins 2003: 15). Despite this, testimony also comes with “an imperative to speak, and a determination to find ways of speaking that remain true to the trauma” (Edkins 2003: 15). This entails, Edkins explains, “a process of ‘encircling trauma’ – as to not forget the violence inflicted by the state,” and to “keep open a space for a genuine political challenge by ‘encircling trauma’ rather than de-politicizing or forgetting about it” (15). I share the testimonies of five military widows to illustrate the “repetitive injuries” (an appropriation of the term “encircling”) that the state has inflicted upon them, one after another. Their testimonies speak to the violence that their husbands faced on the battlefield, and how it echoed in day-to-day struggles in dealing with the consequences of undocumented life in the
country that brought death. But they also indicate how they take place through political action. I found the widow testimonies to be a powerful instrument used to generalize the connections between trauma and state violence, rather than reduce (and thereby depoliticize) trauma to an individual pathology (or a severe bout of post-traumatic stress, for instance). In other words, testimony created the spaces to openly discuss the linkages between suffering and trauma and the violence of the state as they were experienced individually as well as collectively amongst those racialized and gendered as Filipina (see also Pratt 2009). It is my hope that drawing political connections across traumas differentially experienced by racialized and gendered individuals will help us think about political solidarity and community through affective registers of suffering, memory, and trauma, and less based on political inclusion formulated under the discourse of territorial rights and national belonging. In Chapter 4, I discuss the process involved in bringing dead soldiers “home” from Iraq for burial. I analyze the ways in which Filipina widows are asked, yet again, to participate in the violence of their political inclusion.
Chapter 4

When Bodies Come Home

How is it that the dead speak? … In what way does death leave behind a decomposing trace that gives meaning to the memory, the violence, the wounds, the protests, the cries of anger or suffering, the several death sentences on which a nation—America, for example—has been founded?


Beloved and beautiful Mexico, if I die far from you, have them say I’m sleeping and bring me here.

--A famous ranchera ballad

On April 5, 2009, for the first time in 18 years, the Pentagon granted the news media access to Dover Air Force Base (DAFB) to cover the arrival of a coffin returning from the war in Afghanistan. The coffin, draped in a U.S. flag and bearing the body of Air Force Staff Sgt. Phillip Myers of Hopewell, Virginia, was unloaded from a government aircraft by the military honor guards. Sgt. Myers, 30, was killed by an improvised explosive device (IED) near Helmand Province in Afghanistan on April 4, according to the Defense Department.

The decision to lift the media ban has been a source of intense debate, which has its origins in a rather embarrassing moment involving the first President George H.W. Bush. In 1989, the television networks showed split-screen images of Bush sparring and joking with reporters on one side, and the military honor guards unloading coffins from a military action that he had ordered in Panama on the other. A veteran himself, Bush was deeply embarrassed at the juxtaposition and asked the networks to warn the White House when they intended to use split screens again. The networks declined. At the next opportunity, in February 1991, during the first gulf war, the Pentagon banned *all* photos of coffins returning from war (Seeyle 2009).

Almost twenty years later, this media ban was lifted by the Obama Administration
following a review of the policy by then Defense Secretary Robert Gates. During a news conference he stated, “I have decided that the decision regarding media coverage of the dignified transfer process [of the dead] at Dover Air Base should be made by those most directly affected - the families” (Seeyle 2009). Families of the fallen now had the opportunity to decide whether the news media photographed the flag-covered caskets of their loved ones. The public face of war was to be put in the hands of families. As the body count from the U.S.-led war on terror grew, much of the critical meditation had focused on collateral damage and considerably less on the ruinous cascade of collateral consequences for families and friends of those killed and wounded in combat. The dead bodies returning from war would force us to confront the collateral damages of war not on just individual bodies, but also as they were embedded within the larger unit of their families.

Not all families, however, were in agreement with the new legislation. Those in favor of the media ban argued that it was a private matter between the dead soldier and their families. During a press conference, John Ellsworth, the president of Military Families United, discussed the sadness of losing his twenty-year-old son, Lance Cpl. Justin Ellsworth, in Iraq in 2004. He expressed his profound disappointment with the decision to show the coffins. He noted, “I’m very disappointed, there was nothing wrong with the way things were. I believe that the administration basically caved to the special-interest groups, the antiwar groups that are going to politicize our fallen. What is the need to show these caskets, other than to try to inflame controversy” (Bumiller 2009)?

Ellsworth went on to say that although families would be able to say no to photographs, they would face pressure at a terrible time in their lives and be forced to say yes. During a recent poll that was taken amongst the families of the dead, one mother remarked,

When our son arrived into Dover Air Force Base, my husband had arranged to be there as they took him off of the plane…. we couldn’t
imagine him being all alone. It was a very private and emotional moment and one that should have belonged only to us. We were inundated by press at our home, at the funeral and for months after, and we were generous with their access, but were very grateful that they weren’t allowed to be present at Dover…. this was our precious son, not a political statement (Bumiller 2009).

Another mother of a fallen soldier remarked, “I am against the media being at Dover. To have these photos used to turn Americans against our military and their mission would break my heart (quoted in Bumiller 2009).”

While some have shied away from wanting to incite political controversy, other families have chosen to make political statements by supporting the new legislation. Organizations like VoteVets.org, an anti-Iraq war group, have 15,000 military families as members, and are pleased with the decision to lift the ban. Jon Soltz, the chairman of VoteVets.org, said, “So many Americans want to have Memorial Day once a year when they go to the beach and cook hot dogs in the backyard. This is a way for Americans to see and honor the sacrifice of our fallen when it occurs. It’s something our public should be aware of.”

Another family member noted that, “I am in favor of controlled media coverage at Dover because I feel people need to be made aware of the sacrifice my son and so many other brave men and women have made for their freedom” (Bumiller 2009). As Susan Sontag (2003) explains, “photographs are a means of making ‘real’ (or ‘more real’) matters that the privileged and the merely safe might prefer to ignore” (4).

Dover Air Force Base, in Delaware, houses the largest military mortuary in the United States and is the Pentagon’s point of entry for service men and women killed abroad. What interests me here is the term “political” referenced by so many of the families. If war is always and already political, is it possible for its traces – the bodies – to no longer have “political”
meaning? In seeing these bodies, is the public able to connect the violence on individual bodies to the structural violence of the military state?

As dead bodies return from war, I examine the difference in protocol between how “ordinary” soldiers and foreign-born soldiers in the US military are treated. What makes the death of non-citizen soldiers in the U.S. military even more precarious is that we have little knowledge of their lives until we are notified of their deaths. Only in death, in other words, do their (undocumented) lives become legible to the public through obituaries, official U.S. Citizenship and Immigration Services (USCIS) Newsletters, military ceremonies, and the news media. In cases involving non-citizen soldiers then, how might we expose the violence behind their racialized recruitment without exacerbating their “difference” as non-citizen subjects? In the following, I trace the lives of Filipino soldiers from the point of death to their point of entry back to the United States. In doing so, I uncover a fundamental paradox between the re-enchantment of modern war, which requires military deaths to be effaced and hidden from the public sphere and the granting of “posthumous citizenship,” which requires military deaths to be acknowledged and recognized by the public. The efforts by the US military to privately mask and simultaneously publically acknowledge dead non-citizen soldiers pose a set of emotional difficulties for military families. However, I argue that this direct tension un/intentionally becomes a medium by which military families come to speak about the lives of the dead, not (as we will see) through the discourse of national heroism, but as vulnerable and precarious subjects — undocumented migrants, fathers, brothers, husbands, and struggling workers in America.
Mortuary Affairs: How We Manage the Dead

In the case of American forces deployed in Iraq, dead military bodies are managed by the Mortuary Affairs Units, the military’s *hidden* but well-crafted system for returning fallen soldiers to their families. Mortuary Affairs is a small specialty unit and those who handle the dead go by the designation 92M, or “ninety-two mike.” Inside the U.S. Army, there are two active duty companies of Mortuary Affairs (the 54th and the 111th), each composed of approximately 225 men and women. After a six and a half week training tour at Fort Lee, Virginia, these soldiers are responsible for various facets of body collection. The Army has never had difficulty filling its ninety-two mikes with volunteers. Many of the soldiers in this Unit grew up in mortuary families choosing to serve in this rather lonely, quiet, and subdued specialty. This much is obvious by the fact that Mortuary Affairs has no visible marker of identification. Other soldiers wear insignia to mark their function—crossed cannons for artillery, a screaming eagle for the 101st Airborne—but Mortuary Affairs has no unit patch of its own. In ghostly fashion, members of the unit keep hidden in order to protect other soldiers’ morale (Baum 2004).

When an Army division goes into combat, ninety-two mikes quickly establish collection points in geographically discreet locations. Staying true to its elusive nature, company commanders have knowledge of where the collection points are; soldiers do not. There is a spatial geometry to these phantom-like movements, in other words. No movement is random. The points of collection are held by six men with a refrigerated container designed to store 12 corpses. Soldiers are often distraught when they show up at a collection point carrying dead friends, and the first job of the ninety-two mikes is to assure them that their friends’ remains will be cared for. Only when all parties have left the collection point do the ninety-two mikes lift and
open the pouch onto a raised litter. The collected bodies are then sent to a theatre evacuation point located in Kuwait\(^2\) where the cause of death is determined.

The ninety-two mikes start their job at the collection point in order to deliver viewable remains to the families of dead soldiers between seven and ten days after his/her death. Wearing surgical masks, gowns, and gloves, ninety-two mikes make a preliminary examination of the body, sketching visible wounds on a diagram. They leave a soldier's fatigues intact but search every pocket, cataloguing the photographs, letters, notes, and other effects they find. They either return these to the pockets or place them in a small green bag that they tie to the soldier's wrist. They list the name of the deceased, on all forms, as B.T.B.—“believed to be.” Once they have recorded the wounds and belongings, they re-zip the pouch and place it, by tradition, in a closed vehicle for transportation either by road or by air to the Theatre Mortuary Evacuation Point, an air-conditioned warehouse in Kuwait. Once bodies have been cared for and dressed, they are flown to one of two military mortuaries: Dover Air Force Base, Delaware, or the Army’s Regional Medical Center in Landstuhl, Germany.

The practices involved in managing the dead have changed drastically over the years. Throughout World World II, the dead were sometimes buried in temporary cemeteries near the battlefield. Combat soldiers were often left with no choice but to bury their friends where they had fallen, marking graves with rifles and helmets, and coordinating their deaths on maps. Families were notified of the dead by telegram, often days later. It was only after the Allied troops defeated Germany and Japan that the Army sent soldiers of what was then referred to as Graves Registration to recover bodies and either bury them in military cemeteries abroad or ship them home, depending on the wish of the families (Baum 2004).

\(^2\) Theatre evacuation points vary by location depending on where the current war in being fought. Kuwait is the location that best serves the needs of the U.S. military in this present war in Iraq.
As dead bodies are brought back home to the living, something about their profound orderliness seems almost violent. The neat packaging of these bodies almost erases the violence of war. Bombed bodies are assembled back together cleanly washed and made-over. The Army morticians make one of three specific recommendations for the soldier’s remains: viewable, viewable for identification purposes only, or non-viewable. In non-viewable cases, the morticians at Dover or Landstuhl inject each body part individually with embalming fluid and gather the pieces in a sheet that has been fused with embalming chemicals. The body is then wrapped in a second sheet, and finally in a standard-issue olive-green Army blanket. The blanket is folded in a distinctive cruciform fashion, secured with large safety pins, and the bundle is placed in a casket. Morticians arrange the decorated uniform on the bundle of remains, so that when the family looks inside the casket they see the correct uniform, more or less in the shape of a soldier. The Army does not require families to view remains; the medical examiners, along with the F.B.I., make the positive identification. But some families insist on opening the bundle and seeing what the Army has deemed non-viewable. “They’ve sent away their nineteen-year-old son, and they can’t believe he’s gone. They want to see it,” Douglas Howard, the ninety-two-mike trainer at Fort Lee, explained. In such cases, Howard recommends that only one family member, or a family friend, look (Lee Field Interview 2008).

“Dignity, Reverence, Respect” are the official code words of Mortuary Affairs, but what about torn bodies ravaged by war could be respectful for the living or the dead? There seems to be something profoundly violent about these bodies being handled with care as “things.” The “thingly-ness” about the neatly packaged and sterile body reduces the body to evidence, ironically, in the very effort to establish humanity of the soldier. The dead takes on a bifurcated existence as both an object of property (fragile: handle with care) and a person (dressed and humanized), like us.
What makes this militarized process with Mortuary Affairs different from that of an “ordinary” preparation of a body at the mortuary is that the dead soldier is (at every turn) property of the state. The decision-making powers about how bodies are prepared, clothed, and identified are reserved to the state. The state has jurisdiction over the management of how and when the dead will be represented and perceived by the public. Bodies that are deemed “non-viewable” are neatly masked and covered by the military morticians whose mission is to make bodies appear preservable. In doing so, however, the untold violence behind how the soldiers died, or who ordered the soldiers to a particular combat mission, is concealed in the jurisdiction of the U.S. military. Here, even the reasons that we mourn, who we mourn and how, is a process administered by the state. As Alma, one of the widows, points out ‘officers are not permitted to fully disclose all details of their combat missions or how it was that soldiers were killed (Lee Field Interview with Alma 2008). Families have little control in the managing of their loved ones’ deaths, as they fall under the ownership of the U.S. military.

**Managing Empathy**

We are naturally too callous to the suffering of others, and consequently prone to look upon them with cold indifference, until, in imagination we identify ourselves with the sufferers, and make their sufferings our own…(Rankin 1970; cited in Hartman 1997: 18)

As dead soldiers return home from war, I am interested in how we are asked to participate in the violence of spectacle. What were the motivations behind the Obama Administration supporting the reversal of the 18-year media ban and how are they different from the intentions of military families showing their support for lifting the ban? What is at stake for the military state and how do the stakes differ for families who have lost their loved ones at war?
The Dover Test

The Dover Test is an informal test utilized by the U.S. government to determine whether the general population is/is not supporting war or other military action based on the public reaction to returning war casualties. If the people of the United States continue to support the war effort after the news coverage, then the US government is said to have passed “the Dover test.” On the other hand, if the general public of the United States does not continue support for the war, the Dover test is seen to have failed and ongoing warfare would be seen to reduce the popularity of the government. Dover Air Force Base is home to the Department of Defense’s Charles C. Carson Center for Mortuary Affairs. 50,000 U.S. casualties have arrived at this airport since 1955. The earliest use of the term “Dover test” was by Senator John Glenn (D-Ohio) in 1994. The Dover test was also explicitly mentioned by General Hugh Shelton in 1999, and again on January 19, 2000 when he said:

...(M)ust be subjected to what I call the “Dover test.” Is the American public prepared for the sight of our most precious resource coming home in flag-draped caskets into Dover Air Force Base in Delaware – which is a point of entry for our Armed Forces? (cited in Ross 1994).

The Dover test was most recently mentioned by the press in regard to the invasion and occupation of Iraq. The Bush Administration tried to avoid having to pass the Dover test by enforcing the photography ban from the end of the Clinton administration. But in 2004, Tami Silicio, a worker for Maytag Aircraft, a military contractor in Kuwait, took photos of the coffins of returning casualties, which made their way to the front pages of several news outlets (Bernton 2004; see Figure 4.1 below). During an interview, Silicio mentioned that she had never sought to put herself in the public spotlight. Instead, she said,

I hoped the photo would help families of fallen soldiers understand the care and devotion that civilians and military crews dedicate to the task of returning the soldiers home (Bernton 2004).
Weeks after the photograph had circulated through the media, both Tami and her husband were terminated by the contractor for violating U.S. government and company regulations.

Figure 4.1 Photo of dead soldiers returning from Iraq. Offending image: Tami Silicio’s photograph of the coffins of American soldiers being secured inside a cargo plane at Kuwait airport for the trip home on the front page of The Seattle Times. Photograph by Tami Silicio (2004).

The decision by the Obama Administration to lift the media ban was indeed a timely and strategic political move. The decision was intended to set the Administration apart from the Bush team and the criticisms they received from enforcing the media ban back in 1989. During the talks that ensued to lift the ban, the Obama Administration was committed to “transparency,” “uncensorship,” and “honoring not hiding” (Bumiller 2009) the dead. Not surprisingly, little mention was given to what exactly this “transparency” would reveal. There was little talk about the human toll or the human cost of war: who was dying, why, how, and where. We knew
soldiers were “brave, dedicated and fearless,” (Bumiller 2009), but we knew even less about what the intentions were behind lifting the ban or why suddenly considerable discussion was given to “what the families choose to decide.” Then Defense Secretary Robert Gates came to the conclusion that “we [the Pentagon and the Obama Administration] should not presume to make the decision [to photograph or not] for the families; we should actually let them make it” (Begleiter 2009).

I support the decision by the Obama Administration to lift the media ban, but beyond that, I am more interested in how the dead soldiers are represented and what we are asked to take away from these photographs. For the Obama Administration, the public witnessing of the dead soldiers as they returned home from war was a way to memorialize the dead as heroes. Honoring the dead was a way to build national morale – a way to re-assure the public that soldiers did not and have not died in vain (see Edkins 2003). Scott McClellan, White House Spokesman during the Bush Administration (2007-2009), for instance, talks about how we must “honor those who have fallen and [to] express our deepest gratitude to our heroes” (Seelye 2009). Referring to dead soldiers returning from Iraq as “heroes” gives purpose to their death. It is to say that soldiers have died for a worthwhile cause, for the ultimate sacrifice – the nation at war. Such public commemorations, according to Jenny Edkins (2003), have a tendency to reinforce the “benevolent” state and collectively reify nationhood.

Referring to the dead soldiers as heroes also has a way of depoliticizing the dead. The notion of “heroism,” even if inadvertently, puts a halt to political discussions surrounding war. How do we criticize the notion of “heroism” without undermining those who have died at war? How can we speak out against the violence of nation-state building without insulting those who have enlisted to secure citizenship into this very nation-state for their families? In the same way that death and dying are the end-game of war, little discussion moves us beyond the talk of
“heroism.” If heroism is what the state asks us to “take away” from the dead, I would argue that some military families ask us to take away something more. They ask us to take away not heroism so much as their loved ones as vulnerable and precarious subjects (Butler 2009). Vulnerable and precarious bodies come with stories about their precarious lives – as undocumented migrants, racialized recruits, and resident aliens. Talk of “heroism” seemed to limit conversations about the background by which undocumented migrants become national “heroes.” The Filipina widows, however, hoped to facilitate conversations about vulnerable and disposable bodies and at whose expense we come to celebrate national heroism.

The Filipina widows I interviewed were in support of reversing the media ban as a way of disrupting the comfort of the public. By supporting the public arrival of the dead, the widows hoped to affect the sentiments of those indifferent to war by exhibiting the fact of death, but also their suffering, to facilitate identification between those dead and those alive to witness the dead. Supporting the reversal of the media ban was a way to speak out against and make visible the human costs of war. To some families, most Americans are thought to celebrate Memorial Day (recall: “on the beach with hot dogs”) through a profound forgetting of those we ought to remember. Representing the dead soldiers as vulnerable and precarious encompassed more of their humanity - as fathers, brothers, husbands, and figures in their community – a kind of subjectivity that gets lost if we limit ourselves to the discourse of national heroism.

Differences In Death Between An “Ordinary” Citizen Soldier and A Non-Citizen Soldier

Thus far I have focused on the nuances of body collection and preparation as dead soldiers return home from Iraq. I would like to add another layer by attending to the differences between how the bodies of “ordinary” citizen soldiers and non-citizen soldiers in the US military are cared for and prepared. I draw upon Foucault’s (1975) theories of state racism and its ties to
“visuality” to argue that the lifting of the media ban is only one step towards larger discussions of racialized citizenship and violence.

Foucault articulates a paradox of the modern biopolitical state. He argues for the ways that it is both possible and necessary to kill some for the sake of the putative health of the social body. He poignantly argues that, “the more you kill, the more you let die, the more there is the possibility for living, for the living: “if you want to live, you must take lives, you must be able to kill” (1975; see also Mendieta 2004; Pratt 2005). The imperative of killing some, of the others, is pursued for the sake of the survival of the living, the race, the species, the population.

Foucault argues that a biological break (racism) is the only legitimate means of distinguishing between those who the state can consign to death for the sake and well-being of the population. Foucault argues that “racism, as a form of biopower,” biologizes the foe and makes total war on it indispensable and absolutely necessary (1975: 49). The more we exterminate the threat (even if they are dead!), the more secure and healthy the people become. Racism, thus, is total war on the biological body of the people for the sake of its health (49).

This sake of survival is inextricably linked to visuality -- to the ways in which death is hidden from the public sphere. Mortuary Affairs is the military body in charge of orchestrating the dead so that they are hidden from the public. The group of technicians in the Mortuary Affairs unit is comprised within a network of powerful state actors and performs, quite literally “a sort of state biopolitical practice” (Wasinski 2008: 118). Through the Mortuary Affairs units, the military takes charge of the bodies in the name of the state, which is maintained in a very specific technical field of politics, one that is regulated by the military administration that decides and determines when, where, and how the dead bodies will be viewed or hidden from the public arena. This is to say, the fear of death, and the commanding removal of its evidences are necessary and normal for the perpetuation of life in every society. To hide death, in other words,
is a way for life to protect itself, as to not “panic life” (Wasinski 2008: 117). Why else this utter preoccupation with manipulating death, and more specifically, military death?

But the practice of removing traces of death from public view may not strictly be a military practice, but a more generalized practice of contemporary western society, whereby all death (and the dying) is seen as shameful, forbidden, and “life” threatening. According to French historian Philippe Ariès (1974, 1981), who examined death across the ages in European societies, the sixteenth and seventeenth centuries perceived death as “tame.” In other words, there was a certain inevitability to death and people were at ease with the very cycles of life and death, this “order of nature.” He argues, however, that through the decline of organized religion and changes in the demographic profiles of cities due to industrialization, perceptions of death became “wild.” Wild death was death that was hidden and needed to be effaced from public view. Death suddenly became managed and (more manageable) as dead bodies and the dying were governed by medical experts and required to be closely maintained and monitored so as to not compromise the living community with the sight and sense of death (see also Bauman 1992).

When it comes to foreign-born soldiers, however, there seems to be a direct tension between the processes involved in hiding the dead and the performances involved in granting “posthumous citizenship” to foreign-born soldiers that require their military deaths to be acknowledged and publically recognized. On the one hand, the U.S. military has and must continue to diligently construct and frame a series of narratives justifying their silences in their practices to hide the dead. Since the Vietnam War, presidents have utilized the “Dover test” and have worried that their military actions would lose support once the public glimpsed the remains of U.S. soldiers arriving at air bases in flag-draped caskets, which is why the Bush Administration had ended the public dissemination of such images.

On the other hand, the granting of posthumous citizenship for foreign-born soldiers
comes in direct tension with the ghostly agenda of the U.S. military because in order to recognize the service of those who have died while fighting in Iraq, the soldiers and their families must be publicly acknowledged, ceremonially, or otherwise. As much as there is an effort to mask the visibility of the dead from public view, the U.S. military is equally responsible for the very public naturalization ceremonies, which grant U.S. citizenship to foreign-born soldiers. These naturalization and swearing-in ceremonies are now taking place overseas at military bases all around the world (off of U.S. soil). In their extreme quest to privatize the visibility of dead soldiers returning from Iraq, the U.S. military has exposed another contradiction of territorial citizenship, that is, foreign-born soldiers and their families can become naturalized as American citizens at military bases outside of the United States. To honor the service and sacrifices that migrants have made for their adopted nation, troops can naturalize in overseas ceremonies instead of waiting until their return to the U.S. The spouses and children of these military members may also naturalize abroad without having to return to the U.S. for any part of the process (USCIS Fact Sheet 2010).

The U.S. government has historically conducted overseas military naturalization ceremonies during times of war. During World War II, 20,011 service members were naturalized overseas. During the Korean War, 7,756 service members were naturalized overseas (USCIS Fact Sheet 2010). Interestingly, though authorized, no overseas military naturalization ceremonies were held during the Vietnam War. This may not be surprising considering the controversial nature of the Vietnam War, but also because this war was seen by the public not as a commemoration of national heroism, but instead, a racist and genocidal war resulting in dead bodies en masse from both sides. Since September 11th, the United States Citizenship and Immigration Services has naturalized 42,981 members of the armed forces: 37,193 in the United States and 5,788 in ceremonies abroad (USCIS Fact Sheet 2010).
It is customary practice that all soldiers in the U.S military who die in combat be granted funeral services and eulogized. When it comes to foreign-born soldiers, however, they are granted not only the formal funeral service, but a naturalization ceremony as well – a public ceremony recognizing that these soldiers who had once belonged elsewhere are now being formally admitted as U.S. citizens in their death. For some foreign-born soldiers, military death is a pre-requisite for U.S. citizenship.

There is a difference as we have discussed, between the “ordinary” preparation of a civilian body at the mortuary and the military preparation of a dead soldier. However, there is also a difference between an American soldier who is treated as an “ordinary” military death, and a non-citizen/foreign-born soldier who is treated with additional protocol.

During our third interview, Alma, widow to a dead soldier in Iraq, shared some of her personal experience with this additional protocol. She received a phone call from her Casualty Assistance Call Officer asking her to be present at the San Francisco Airport during the arrival of her husband, Freddy, who was killed by an explosive in Iraq:

> At SFO [San Francisco International Airport], I asked to see the body of my husband. My Casualty Officer told me that Freddy was killed by a bomb, but he didn’t tell me any details. They said, ‘it was not advised’ to see the body, so I just said, ‘okay,’ and cried. It was too late, but later, I thought that I should have asked to see the body. So I can see for myself. So I can know what really happened to Freddy. Not just what they said […] and] if my families in the Philippines ask me if it was really Freddy and if I saw him, I wanted to say that I saw him, but I didn’t see him. If I take him back to the Philippines, my family will want to see him. Later, I was given a new Casualty Officer and he was very young. I asked him
about sending Freddy to the Philippines and how long it would take and he said, ‘Ma’am, I am not sure, why is Freddy going to the Philippines?’ (Lee Field Interview with Alma August 2008).

What is at tension here is this interplay between “visibility and invisibility,” or how these dead soldiers are both simultaneously invisible, and yet hyper-visible. In the context of these dead foreign-born soldiers, their invisibility (to remain hidden) and required visibility (to be acknowledged) are both necessarily administered by the same state apparatus. The funeral services commemorating the dead soldiers are one such example of this tension. Families are flown to a destination of their choosing to have their loved one(s) buried. This means that the U.S. military must be able to organize funerals in the Philippines for a Filipino national, with all expenses paid, or on American soil, depending on the wish of the soldier’s family. Prior to these deaths, these foreign-born soldiers seemed to have lived “unofficial” lives, as “not yet citizens.” Some died in combat with some or no documentation that they had once belonged elsewhere, and most certainly not here, except in their death. Ironically, then, it was in death that they were recognized as legal and legitimate subjects. We need not look much further than the official “package/ing” of the dead soldiers in the hands of Mortuary Affairs. The fragility of their dead bodies is handled with profound care, more care than the state presumably had ever shown while they were alive. As the bodies are embalmed, adhered, encased, covered, and draped, they are also prepared and ready to be made public. The Dover Air Base stores large warehouses where every type of uniform, badge, certificate, medals, and hearts (real and Purple) can be found to properly decorate the bodies. The bodies are then transported as cargo via commercial airlines, as their bodies silently intermingle with the luggage and cargo of an unknowing public.

Effacing the deaths of the soldiers thus create the conditions of possibility for these very deaths to be seen and perhaps given voice. Deaths are hidden from the purview of the public, in
order for life to be protected (Foucault 1975, 2001), but the requirements of the posthumous citizenship policy has also made way for the dead to speak. Perhaps in this sense, it might be important to consider Derrida’s (1993) notion of “hauntology,” to discuss the presence of the dead, in order to understand the birth, evolution, and impact of the ghosts and specters acting within the society (see Wasinski 2008: 114).

![Figure 4.2](image)

**Figure 4.2.** Public witness the arrival of a dead soldier returning from war. Passengers aboard the commercial flight bringing home the body of 2nd Lt. Jim Cathey. They watch as his casket is unloaded by a Marine honor guard at Reno-Tahoe International Airport in October 2004. Photography by Todd Heisler (2005).

**How Do the Dead Speak?**

One of the most effective ways this speaking has occurred is through the medium of the soldiers’ families. Whether fully intended or not, many families have exposed the invisibility of their
loved ones. “It seems to say something about the liveliness, unpredictability, and often unintended consequences that life and death can bring, including political life and death,” in this time of Empire (see Pratt 2008: 772). The intensions to hide the dead soldiers, and with such vigor, eventually lead to their awakening.

_Jocelyn Sedeco_

To avoid speaking abstractly about the “awakening” of dead soldiers, I share the story of Jocelyn and William Sedeco. Jocelyn’s husband, William, enlisted into the U.S. military in 2006. He took post with the Bravo Company Infantry Battalion in Iraq for 8 months before he was killed by an IED. Once his body was identified, William flew from Iraq to Kuwait to Dover Air Base in Delaware to then, San Jose, California (45 minutes from Daly City), where Jocelyn was awaiting his arrival. She recounts the arrival of William’s body:

I remember my sister took me to the San Jose Airport. I could not drive [at that time]. I was shaking, but not crying. I had my backpack and inside there was [sic] pictures of William and our wedding picture and pictures of us with our family in the Philippines and here [in America]. Picture of William in a baseball suit playing at a family party…The military officer [Casualty Assistance Officer] said that he did not know what happened to William, but I asked to see him. I wanted to see his face and what he was like. My sister said that maybe I should just keep the coffin closed, but I wanted to see him the last time.

When asked what she saw inside the coffin:

He looked very different. On his face, there is a scar (points to her temple), a big line, but when I saw him later at the funeral home, there was no scar. He was killed by a bomb, but he was wearing a uniform like in the pictures he sent to me…When the soldiers, maybe 6 of them, I think 6 of them, were carrying him from [off] the plane, I thought about that maybe it wasn’t him. Instead of thinking about him dead from the war, I believed that he would come back to be with my family and my nephews and nieces and play baseball.
Liz: What did you do when you saw William being carried off the plane?

Jocelyn: My sister was holding my hand so tight and she was crying. I was not crying. I was upset… too much shock. She said that I was very shocked and inside my backpack, I showed the pictures of William to the soldiers. I don’t remember anything (laughs). She said that I was talking to the soldiers and asking a lot of different questions, but … I don’t remember.

Liz: Did the soldiers respond to you?

Jocelyn: I don’t remember. My sister said that I talked about William’s favorite hobbies and where he used to work and what he liked to eat and even his clothes. She said that I talked to the soldiers and they did not say anything back to me or her. Just “I’m sorry.” But she said I just talked to the soldiers and told them about William. Oh my goodness (laughs), I do not remember when I said this (laughs again).

Liz: Jocelyn, your sister said you mentioned William’s work?

Jocelyn: William was a car mechanic and worked at the gas-station on San Bruno Avenue. You know that one there (points)? His co-workers talked about joining the military after September 11th and we knew that we could become citizens, so William said that he wanted to be a soldier. So he went to Iraq (Lee Field Interview 2009).

Jocelyn’s story is interesting for several reasons: First, she brings out William’s humanity not by speaking of his life as a soldier, but by referring to the mundane and everyday aspects of his life as a husband, brother, member of a baseball team, his job, his family and his hobbies. Though Jocelyn does not recall much of what she said to the military transport team as they carried him off of the plane, the “other” aspects of William’s life – outside of him being a national hero – were revealed. William was more than just a national hero. Second, Jocelyn was the only widow (out of the 14) who was not discouraged from opening the military casket. The other 13 widows deferred to the written and verbal notice that their husbands’ bodies were
“not viewable.” “They say it was William, but I couldn’t recognize him. He looked very different. I know it was him, but he was different,” Jocelyn explained.

I did not feel comfortable asking Jocelyn to further elaborate on this issue, but I did come away with the idea that William’s “viewable” remains were somehow not enough. This is not to say that there is little difference between families being able to see the dead body of their loved one and not, but rather, that seeing dead bodies as they return from war – viewable or not viewable – is simply too late. As many, if not all of the widows had mentioned, their husbands should never have been at war and their inclusion into the American nation should never have been contingent on their enlistment. Here, I am reminded of Fortuna’s comment, “How come the U.S. government says that people have to die to become a citizen?” Issues surrounding the violence of war and the risks involved were addressed prior to their loved ones’ signing up for the military. The U.S. military was mourning the loss of William, a national hero. Jocelyn was mourning the loss of her husband who enjoyed playing baseball with her family.

Though my research has focused primarily on Filipino soldiers and their families, there are other families who have also attempted to speak out on behalf of their loved ones who have died in Iraq. In New York City, a naturalization ceremony was held for Corporal Juan Alcantara, 22, from the Dominican Republic. During the ceremony, Fredelinda Pena, sister to the fallen soldier, cried out, “what use is this piece of paper?,,” while her brother’s framed citizenship certificate was handed to their distraught mother. “He can’t take oath from a coffin,” she exclaimed. Maria Alcantara, the soldier’s mother, could not bring herself to look at President Bush during his on-screen congratulatory speech. In fact, she kept her head down the entire time. She remarked, in Spanish, “if my son had been allowed to return, he would be alive, but his tour was extended as part of the President’s troop ‘surge.’ “My happiness, my everything, is gone” (Haberman 2007).
The story of Lance Cpl. Juan Lopez illustrates how families come to disrupt U.S. state authority through their individual acts of ambivalence or refusal of citizenship. On July 4, 2004, at Lopez’s funeral in the central Mexican town of San Luis de la Paz, Mexican soldiers demanded that the U.S. Marine honor guard surrender their arms, even though the presence of the rifles was ceremonial. Earlier, the Mexican Defense Department had denied the Marines’ request to conduct the traditional 21-gun salute, saying that foreign troops were not permitted to bear arms on Mexican soil. As a result, mourners, many deeply opposed to the war, witnessed an extraordinary 45-minute standoff that disrupted the funeral even as Lopez’s weeping widow was handed his posthumous citizenship certificate by a U.S. embassy official (O’Neill 2005).

The decision by the Mexican Defense Department to “stand off” the U.S. military is a politically momentus one. This is less a romanticization of one military state standing up to another military state, but I say this given the historical and territorial implications of Mexico having been formally annexed by the United States in the 1800s. Lopez’s funeral demonstrates the entitlements over jurisdiction that the U.S. military state (still) feels it has in Mexico. During the 45-minute standoff, the ceremony was no longer about mourning the loss of a dead soldier in the U.S. military, as it was a public exercise of state power – the ongoing neo-colonialism of the United States in Mexico.

I do not try to abstract these narratives from the context in which they were collected, but I do try to go below the surface of these accounts in order to consider the form that resistance assumes or means given that we speak in the context of the U.S. military. My surficial reading, a deliberate strategy, of these families are not intended to settle the debates between visibility and invisibility; good and bad citizenship; or between life and death. Rather, I am interested in thinking about the numerous and concrete events that find expression between such narratives - the lived experiences of the soldiers’ families, the unintended and unexpected outcomes that stir
out of political activism and organizing, or the ambiguities they experience in the face of death, which often gives us more to work with and think about than simple binaries.

Eduardo Cadava (2003) once asked, “How is it that the dispossessed can tell their stories” (137)? Despite their “disappearance,” dead soldiers are still present in many forms, especially through the medium of their families. In different ways, military families navigate the complex borders between speaking out against and contesting the current war, but also being in support of their loved ones who fought and died for a country they “loved so much” (or perhaps just out of necessity). But either way, we learn that these narratives are not so straightforward. Because many of these deaths are tied to a heroic narrative of the deceased (often administered by the state through eulogies, obituaries, funerals, etc), some families have found it difficult to critique the war without undermining the status of the deceased themselves (Wasinski 2008). A critique of war, in other words, may be compromised by the desire to remain respectful toward the deceased soldiers and their choices. Families are an integral part of the military community and they too help sustain the morale of the troops. Though they may not entirely escape the confines of the military universe, families struggle to make timely interventions, even if only symbolically, through their refusals. It is my hope that in thinking about how we manage and treat our dead, we can speak out against the war, against American foreign policy and the military apparatus more broadly without robbing the dead of their humanity.
Chapter 5

Colonial Nostalgia and the Gurkha Battle for Citizenship in the United Kingdom

If a man says he is not afraid of dying, he is either lying or is a Gurkha.

-- Sam Manekshaw, Chief of Staff of the Indian Army, Field Marshall (quoted in Gurkha Welfare Trust Factsheet 2010)

I’ve been here [Helmand Province, Afghanistan] for the last ten weeks, training and living with the Gurkhas. They are the world’s most-fiercest fighting forces. They’re armed with *kukris* so if they run out of ammunition they will charge you with their massive swords, as the enemy calls them. When you know you are with the Gurkhas, I think there’s no safer place to be really.

-- Prince Harry (quoted in Borland 2007)

Now everyone says this and that about mercenaries and no one ever wants to be a mercenary, but you know what? If you wanna feel safe and know that somebody is gonna be looking behind your back no matter what, even if that means kill or be killed, what your [sic] gonna want is a mercenary. The mercenary you don’t wanna talk about.

-- Army Spokesperson (quoted in Smith 2010)

Recruitment as mercenaries is degrading to the Nepalese people and will be banned.


The battleground over the rights to citizenship and belonging span global landscapes. Over the past several years, the struggles over citizenship, and militarized citizenship, most especially, have become spaces where some of the fiercest battles have been waged. In this chapter, I move outside the United States and turn my attention to a second, supplemental case.
study of militarized citizenship involving the Gurkha soldiers from the Nepal region. Gurkha soldiers have fought with and for the British Empire for over 200 years and are considered to be among the finest infantrymen in the world (Bellamy 2011). Despite their loyal service, Gurkha soldiers and their families living in the UK now face the battle of their lives for citizenship rights, residency, and pension benefits equal to their British counterparts. Though my research has focused primarily on migrant soldiers from the Philippines, I examine migrant soldiers from Nepal alongside Filipino soldiers to broaden our understandings of the ambiguities of inclusion and exclusion through citizenship in two different regional and militarized contexts.

The two case studies, taken together are not intended as direct comparisons. Gurkha and Filipino soldiers are situated within different colonial histories and nation-state policies. And yet both groups experience similar struggles in their pathways towards citizenship: as former colonial/annexed (in the case of the Nepali Gurkhas) subjects of military occupation and as racialized subjects who serve as both soldiers and “mercenaries” in various capacities. Filipinos primarily fulfill subcontracted positions as service and domestic workers, largely considered to be feminized roles. Gurkhas on the other hand, in addition to serving as soldiers for the British Army, are subcontracted worldwide to service in traditionally more (even hyper) masculinized roles such as elite security and law enforcement officers in countries like Malaysia, Brunei and Hong Kong, all of which are former colonies of the British Empire. I discuss the conflicts over citizenship occurring outside of the United States and the Philippines to ask the reader to consider the ways in which militarized citizenship continue to haunt racialized migrants situated

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3 The term mercenary, private military contractor, professional soldier, and foreign volunteer are often used interchangeably and even synonymously. A negative connotation is usually associated with the term “mercenary” as the figure is most often motivated by the acquisition of power and money. Throughout my research, I have found that some Filipinos in the Iraq war have been recruited as mercenaries predominantly from Dubai, but the majority of Filipinos have been subcontracted as “private military contractors” to attend largely to service and domestic duties. Gurkha soldiers, on the other hand, have been recruited as proper “mercenary” troops attending to the front lines of combat, and often referred to as the “vanguards” of war (BBC Online Network 1999). I analyze the formal and legal definitions of the term “mercenary” more closely in the section “Mercenaries and the Law” of this chapter.
in very different circumstances. I discuss how global solidarities and anti-war polities are created from these very battlegrounds over citizenship and political inclusion.

This chapter proceeds in the following three sections: first, I begin by tracing the genealogical contours of the Gurkha soldiers through their colonial history and conquest by the British; second, I examine the ways in which Gurkha soldiers have been racialized and deployed to serve in very particular and “illicit” spaces of combat; and last, I explore how the law and legal statutes such as the Geneva Conventions have assisted in the construction of Gurkhas as mercenary troops, despite laws’ explicit intentions to prohibit such practices. I then trace Gurkha struggles over political inclusion and territorial belonging as a larger critique of citizenship and its relation to nativity.

The First Encounter

The Gurkha soldiers experienced their first encounter with the British during the Anglo-Nepalese War, also referred to as the Gorka War of 1814-1816. After an arduous two-year battle over territory and expansionism, the British were unsuccessful in their attempts to annex the Nepal region. Impressed by the tenacity and fierce fighting skills of the Gurkha soldiers, the British encouraged them to volunteer for the East India Company. Gurkhas were initially hired as “mercenaries” from the interiors of Nepal, but they soon came to serve as troops of the East India Company in the Pindaree War of 1817, in Bharatpur in 1826, and the First and Second Sikh Wars in 1846 and 1848 (Pemble 2009). The Gurkha regiments in the British Indian Army served in both the World Wars.

After Indian independence and partition in 1947, Gurkha soldiers continued seeking employment in British and Indian forces, as officers and soldiers. The original ten Gurkha regiments consisting of the twenty pre-war battalions were split between the British Army and
the newly independent Indian Army (Smith 2007). Six Gurkha regiments (twelve battalions) were transferred to the post-independence Indian Army, while four regiments (eight battalions) were transferred to the British Army, forming the Brigade of Gurkhas, stationed initially in Malaysia and later establishing their Headquarters in Hong Kong, where they had security duties during the upheavals of the Chinese Cultural Revolution (Gould 2000). By the mid-1950s, Gurkha soldiers were stationed for battle across the British Commonwealth, although, given their advanced combat skills, they were sought and liable for service worldwide. Under international law, present-day Gurkhas are not to be treated as mercenaries as they are fully integrated soldiers of the British Army, operate in formed units of the Brigade of Gurkhas under British officers, and abide by the rules and regulations under which all British soldiers serve. Gurkha soldiers have fought in the Falklands War, Gulf War, NATO, Iraq, Afghanistan, operations in Kosovo and Sierra Leone, and missions in East Timor.

In 2006, the treatment of Gurkhas and their families became the subject of controversy in the United Kingdom once it became widely known that Gurkhas received smaller pensions (1/3 less) than their British counterparts. The nationality status of Gurkhas and their families was also an area of dispute, with claims that some ex-army Nepali families were being denied UK residency and forced to leave Britain.

On 8 March 2007, the British Government announced that only those Gurkhas who signed up after 1 July 1997, the day which marked the British “hand-over” of Hong Kong (a former British colony) to China, would receive a pension equivalent to that of their British counterparts, as well as guaranteed residency rights in Britain for retired Gurkhas and their families. Those serving before 1997 would face deportation proceedings. Hong Kong serves an important post-colonial site of citizenship struggle for the Gurkhas. This site is at once geographical and temporal, divided at the crucial year of 1997. The Gurkha regimental training
centers (later called Training Depot Brigade of Gurkhas), formally operating out of the Nepal region, were transferred to Hong Kong in 1971 (Parker 2005). At the Training Depot in Hong Kong, Gurkha recruits were taught basic English skills, in addition to military subjects such as field craft, drill, and weapons handling. But perhaps more importantly, young Gurkha recruits from the hills of Nepal were given the opportunity to experience life in a different cultural environment in a modern city like Hong Kong (Parker 2005). Such experience, according to British army personnel, would be crucial for their future deployments to different regions of the world.

The British “hand-over” had far reaching consequences for Gurkha soldiers world-wide. The 1997 date was considered a landmark year because it was imagined that only after the “hand-over” of Hong Kong to China and with the closing of the Training Center as a result, that the Gurkhas would technically become a dedicated territorially UK-based force, operating out of the UK, and its soldiers likely to develop strong/er ties to Britain. But this notion of “strong [territorial] ties,” for some, seemed rather disingenuous. By this time, Gurkha regiments had been fighting as Nepali nationals for and alongside the British Army “worldwide” for 200 years, with over 50,000 dying in service, and 24 Victoria Cross recipients (Pemble 2009). One might say that Gurkhas were armed soldiers with an all access pass to battle, but with none of the passport privileges to inalienable rights and residency in the UK. From the perspective of one Gurkha veteran, “territory was never the issue [for us]. We fought where we were told to fight. We were never treated as equal to the British we fought with for the past close to 200 years. But we fought hard for crown and country” (BBC Online News Gurkha Special 2009). Gurkha regiments were trained in geographically dispersed regions such as Nepal, Malaysia and Hong Kong, but their loyalties had always been aligned with the British Empire.
Separate and Unequal

I examine Gurkha rights to citizenship and belonging in the U.K. in relation to how they are situated within the larger geopolitical context of war – as “former” colonial subjects/national guards/protectors/”former” mercenaries from their respective protectorate countries. According to the British Army, Gurkha soldiers are “fully integrated into the British Army alongside British soldiers” and thus, “are not considered to be mercenary figures” nor do Gurkhas “serve mercenary functions.” The British government has adamantly denied all allegations regarding mercenary activity by Gurkha soldiers, citing legal statutes such as Article 47 of the 1949 Geneva Conventions to argue against the very fact that Gurkha soldiers be conceived as mercenaries. In what follows, I explore the ways in which Gurkha soldiers have been constructed as “mercenary” figures by the British Army despite their formal and legal definitions. Rather than focus on whether Gurkha soldiers are in fact “mercenary” figures, I examine the spaces where Gurkhas have been stationed to serve. The British Army has utilized Orientalist devices such as “natural marksmen” and “peaceful warriors,” to racialize Gurkha soldiers as suitable for combat in very particular spaces. I argue that in the racialized imaginary of militarized combat, Gurkha soldiers represent an exclusive off-shore militia brigade; overseas protectors of and for the British Empire, but with little in the way of their own protection and security within the nation. Constructing Gurkha soldiers simultaneously as “proper” soldiers and “mercenaries” has created some interesting political discussions and debates, which have both hindered and facilitated their political project towards citizenship.

Spaces of “Illicit” Combat

In 2008, the Gurkhas may have been asked to play their most important role as national guards protecting a member of the Royal Family. For part of his military training, Prince Harry,
third in line to the throne, lived with the Gurkha Battalion for 10 weeks in Helmand Province, Afghanistan (Figure 5.1). Stationed just 500-meters from Taliban strongholds, the base has been identified as one of the “hottest” Forward Operating Bases in Afghanistan with “daily attacks – rockets, mortars, and small arms fire,” according to Lieutenant-Colonel Jonny Bourne, commanding officer of the First Battalion (Borland 2008). At the time, Prince Harry’s body-guard team was not trained to serve in armed warfare and thus the contingent of Royal Gurkha Rifle soldiers were called upon specifically to “keep a good eye” on the Prince. Gurkha soldiers were ordered not to reveal the identity of the Prince for his and their safety. Gurkha soldiers known for their fierce “warrior-like” combat skills using a *kukri*, a distinctive heavy knife with a curved blade, were responsible for training Prince Harry using the kukri, in the event that he was captured by Taliban forces (Borland 2008). When asked of his short stint with the Gurkhas, Prince Harry replied, “When you know you are with the Gurkhas I think there's no safer place to be, really.” Impressed with his “good manners and professionalism,” on October 31, 2008, Harry was made an honorary Gurkha soldier, “the ultimate tribute” according to the Royal Family.

In his “Military Orientalism” Patrick Porter (2009) examines the ways in which the West has long fetishized the notion of “oriental warfare,” either as a means to emulate the combat strategies of foreign armies or to assimilate “martial races” such as the Sikhs or the Gurkhas into their ranks. Be they kamikaze fighter pilots, samurai warriors or the Mongol legions bound by codes of honor and sacrifice, Western imaginations have long been captivated by foreign armies. The exception, of course, in more recent wars, Porter argues has been the Taliban and Hezbollah, two organizations that have not captivated the Western imaginary in the same way nor with the same level of fetishism. Unlike the Gurkha units, the actions of the Taliban and Hezbollah have been deemed “terrorist” and barbaric.
Historically, Gurkha bodies have been viewed as “agile, petite, flexible” and as people with “rapid reflex capacity” (Parker 2005). The British Army were said to have coveted their browning skin under the sun as it was “easily camouflage prone.” The bodily and racialized make-up of Gurkha soldiers quite literally produced them as the most suitable subjects for combat in particular spaces. This may not come as a surprise as the British Army has racially constructed Gurkha bodies as naturally suitable for high-risk combat vis-à-vis the annual doko race. The race itself is one of the most arduous military selection tests in the world (Parker 2005; see also Hickley 2008). The Gurkha Brigade enlists 230 new recruits every year for a spot in the British Army. 17,000 – 20,000 young Nepalese men compete in a doko race, whereby candidates are required to carry a doko basket full of rocks weighting 35 kilograms (77 pounds) up the mountainous slopes of the Himalayas in under 55 minutes (Bellamy 2011). The race has been referred to as one of the most difficult competitions in the world, but given that rocks are held in place by baskets adhered to one’s forehead (See Figure 2.2), the race has also been called “primitive.” The doko race, itself, has become a marker of difference. Critics of the doko race mention the racist practices involved in the recruitment process into the British Army as Gurkhas are required to participate in training exercises not required of their British counterparts. “Gurkha mountaineers,” as they are often called, were seen as “naturally” suitable to perform in particular combat regions such as Helmand Province. According to the BBC Online Special Report (2009), British troops had referred to the Province as “desolate and primitive with not much [fun and activity] to be had” (Hickley 2009). In that very same interview, a British veteran soldier was asked to comment on Prince Harry’s accompaniment by the Gurkha Battalion to which he said, “Better the Gurkhas than us. They’re trained to fight while carrying rocks on their heads. I mean, I don’t think I could do that. There is no other unit in the world trained and
skilled as the Gurkhas” (Hickley 2008). Constructing the Gurkha soldiers as “primitive” deemed their bodies appropriate for “primitive” environments.

Figure 5.1 Prince Harry accompanied by Gurkha battalion. Prince Harry appears with Gurkha soldiers while at the observation post on JTAC Hill in Helmand Province, Afghanistan. Photo courtesy of Getty Images (2008).

During the war in Yugoslavia, for instance, the Gurkhas were in the “vanguard of any move into Kosovo,” a spokesman for the Ministry of Defense told BBC News Online at the start
of the conflict. In 1999, the British Army chose 700 men from the 1st Battalion of Royal Gurkha Rifles, specifically, to spearhead the multinational force of Operation Joint Guardian into Kosovo. As the first unit to enter into Kosovo, Gurkhas served a foundational role by securing a path into the province for the heavy armour of the King’s Royal Hussars and the Irish Guards (BBC Online News Gurkha Report 1999). 100 Gurkhas were also stationed in mine clearing operations. Following the death of a Nepalese Gurkha in Kosovo, the UK government was criticized for deploying Gurkhas in the conflict in Yugoslavia. Sergeant Balaram Rai, 35, died on June 21, 1999 while clearing unexploded NATO bombs from a school west of Pristina (BBC Online News Gurkha Report 1999).

A Nepalese body representing former Gurkhas, the Gurkha Ex-Servicemen Organization (GAESO), argued that the U.K. was breaking the 1947 agreement by deploying Gurkhas in Kosovo. "Under the 1947 Tri-Partite Agreement between Nepal, India and Britain on Gurkha recruitment," it said, "the Gurkha soldiers should not be used in internal conflicts like in Kosovo". It added: “The British Government commissions Gurkha soldiers in dangerous situations, but when the question of gratuity, pension and salary on a par with British soldiers comes up, we are discriminated against” (BBC Online News Gurkha Report 1999). It urged the Nepal government to take up the issue, and called on Britain to stop such “discriminatory treatment.” The Ministry of Defense denied the GAESO claims. It said the conflict was “international, not internal,” and added that it "utterly refutes suggestions we [the UK government] are using the Gurkhas as some sort of cheap labour” (BBC Online News Gurkha Report 1999).

Later that same year, in 1999, as conflicts erupted in Sierra Leone, 1,000 Gurkha soldiers were deployed to the most “sensitive” areas of the conflict, the diamond mining Eastern region, where the rebel military commander, Sam Bokarie - known as “Mosquito” - was operating his
stronghold (BBC Online News Gurkha Report 1999). Gurkha soldiers were first on the scene, and only later accompanied by 1,000 Kenyan soldiers and 6,000 West African soldiers predominantly from Nigeria. When asked by various members of the news media if the British Army were deploying “crack” Gurkha soldiers as a “mercenary arm,” the UK government denied all allegations reporting Gurkha soldiers as mercenary troops. This came as little surprise to members of the press as the UK is not signatory to the 1989 United Nations Mercenary Convention banning the use of mercenaries. Both the United States and the United Kingdom (as well as India and Nepal) are not signatories to the 1989 United Nations Mercenary Convention.  

Gurkha soldiers serving in conflicts in Kosovo, Sierra Leone, East Timor, and playing a role as Prince Harry’s keepers in Helmand Province, Afghanistan, situate them in highly “specialized” though seemingly “unlawful” and “illicit” spaces of combat. The duties that Gurkha soldiers are asked to perform as a Gurkha unit within the British Army situates them in spaces with a higher risk and probability of death. The racialized construction of Gurkha soldiers, permitting them to “specialize” in conflict zones “out there” further distances them from accessing domestic/national rights within the United Kingdom.

**Mercenaries and the Law**

I move to discuss the role of law in the institution and production of these “illicit” spaces. I examine, in particular, the ways in which the law assisted in the construction of Gurkha soldiers as a “specialty mercenary force” despite the legal language of the 1947 Tripartite Agreement and the 1949 Geneva Conventions. In the following, I argue that the global deployment of Gurkha soldiers as (a specialty mercenary force) accessing conflict worldwide has contributed to a negation of their very own domestic rights for territorial belonging and residency in the UK.

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4 International Convention against the Recruitment, Use, Financing and Training of Mercenaries A/RES/44/34 72nd plenary meeting 4 December 1989 (UN Mercenary Convention).
After the 1947 partition of India, the Tripartite Agreement (TPA) between the United Kingdom, India and Nepal was signed concerning the rights of Gurkhas in military service. 

Gurkha soldiers had initially been hired as mercenary troops, but as part of this Treaty, they were no longer considered ‘mercenary’ soldiers. It was agreed that Gurkhas fighting for the British and Indian Army would enjoy broadly the same conditions of service, to ensure that there was no unfair advantage to serving in one or the other, while maintaining economic stability and social harmony in the Gurkha recruiting areas (Smith 2007). Therefore, because Gurkha soldiers were now fully *integrated* into the Army to which they were recruited, they were under no circumstances to be considered an ‘out-sourced’ or mercenary unit (see point 3 below).

The main points of the TPA indicated the following:

1. The Gurkha soldier must be recruited as a Nepali citizen, must serve as a Nepali citizen, and must be resettled as a Nepali citizen.
2. Gurkha soldiers recruited into the respective armies are liable for service worldwide.
3. Gurkhas are fully integrated into the Army to which they are recruited and under no circumstances are they to be considered mercenaries.
4. All religious and cultural observances must be preserved in accordance with the demands of the Hindu faith.
5. Gurkha soldiers in both the Indian and British Armies should receive the same basic rates of pay, although allowances may be paid to reflect differences in the costs of living between countries where Gurkha soldiers might serve outside Nepal.
6. Subject to satisfactory performance and conduct, all soldiers should be allowed to serve for sufficient time in order to qualify for a pension.
7. All Gurkha soldiers should be allowed an extended period of leave in Nepal every three years (Taylor 2009).

The Agreement applied to the 3,500 Gurkhas then serving in the British Army, and close to 40,000 Gurkhas then on active-duty in the Indian Army. The Tripartite Agreement covered
issues pertaining to religious and cultural observances of the Hindu faith, soldier performance and conduct, and leave of absence details, but it was the first three (main) points of the TPA that I would like to discuss at greater length.

The TPA was considered a minor victory for Gurkha soldiers because they conceived that ridding themselves of “mercenary” status would eventually lead to full citizenship rights and equal pension benefits in the United Kingdom. This last point (3) is crucial because if Gurkhas were to be “considered mercenaries” according to international law they would be seen as “unlawful combatants” and their military activities seen as “unlawful” in the laws of war. The TPA was one step in the right direction towards political and national inclusion not only within the British Army, but within the very territories of the United Kingdom. However, in 1949, just two years following the Tripartite Agreement, Article 47 of the Additional Protocol (1) to the Geneva Conventions of 12 August 1949 and relating to the Protection of Victims of International Armed Conflict was passed, again, situating Gurkha soldiers in a politically precarious position. According to the TPA, Gurkha soldiers were “under no circumstances considered mercenaries,” but now Gurkhas fit the bill as proper mercenary subjects.

According to Article 47 of the Additional Protocol (1) to the Geneva Conventions of 12 August 1949 and relating to the Protection of Victims of International Armed Conflicts, a mercenary is any person who:

(a) Is specially recruited locally or abroad in order to fight in an armed conflict;

(b) Does, in fact, take a direct part in the hostilities;

(c) Is motivated to take part in the hostilities essentially by the desire for private gain and, in fact, is promised, by or on behalf of a Party to the conflict, material compensation substantially in excess of that promised or paid to combatants of similar ranks and functions in the armed forces of that Party;

(d) Is neither a national of a Party to the conflict nor a resident of territory controlled by a Party to the conflict;
According to the Geneva Convention, all the criteria (a – f) must be met, for a combatant to be considered a mercenary. Gurkhas soldiers, though “specially recruited abroad in order to fight in an armed conflict” and “taking direct part in hostilities,” were positioned as dedicated units of the British Army, swearing allegiance to the British Empire and abiding by the rules and regulations under which all British soldiers serve (as per the TPA). Therefore, Gurkha soldiers were not to be considered mercenaries (per APGC77 Art 47.e and APGC77 Art 47.f). A similar rationale, for instance, applied to soldiers of the French Foreign Legion. French Foreign Legionnaires are formed units of the French Foreign Legion, which deploys and fights as an organized unit of the French Army. As Gurkha and French Foreign Legionnaires are members of the armed forces of Britain, India, and France these soldiers are not mercenary soldiers per APGC77 Art 47.e and APGC77 Art 47.f. Both the TPA and Article 47 of the Geneva Conventions legally defined the Gurkha soldier as a non-mercenary figure in title, but paradoxically, with many mercenary-like privileges in practice.

The Legacy of Gurkha Soldiers Into the Present

The legacy of Gurkha soldiers as mercenary troops throughout the British Commonwealth continues to carry implications well into the present. The Gurkha Contingents (GC) play a principal role as specialist guard forces and private security (G4S) in Singapore, Brunei, and Hong Kong, where they are overwhelmingly represented in the private security sector (G4S Gurkha Services, Pacific Crown Security Service, and Sunkoshi Gurkha Security). Given their reputation as a well-trained, cohesive, dedicated and disciplined unit, it has been difficult for
Gurkhas to find employment opportunities outside of their constructed identities as private military or law enforcement personnel. Recently the Gurkha Contingents have replaced local policemen in Malaysia, Hong Kong, and Brunei as the nation’s law enforcement officers. The Gurkha Contingent (GC) of the Singapore Police Force was formed on 9 April 1949 from selected ex-British Army Gurkhas. It is an integral part of the Police Force and was raised to replace a Sikh unit which (later retracted into the Indian Army) had existed prior to the Japanese occupation during the Second World War (Parker 2005).

The Gurkha Contingent is a well trained, dedicated and disciplined body whose principal role is to function as a specialist guard force with a skill set in “crowd dispersal” in the event of riots and protests. During the turbulent years before and after Malay independence, the Gurkha Contingent was called upon on a number of occasions during outbreaks of civil disorder. The Gurkhas displayed the courage, self-restraint and professionalism for which they are famous and earned the respect of the society at large (Gould 1999). The most recent deployment of the Gurkha Contingent was to provide additional security for the Singapore Airshow, Asia's largest airshow, and the hunt for the escaped terrorist, Mas Selamat. The Gurkha soldier stands as a symbol of national security and safety for others, but with little in the way of his own security and safety to citizenship and national belonging in the UK.

**Gurkha Rights Support Groups, Online Social Media Networks and Political Activism**

It would be altogether inaccurate to view Gurkha soldiers as mere victims of legal circumstance. Gurkha soldiers and their supporters have expressed their dissatisfaction with the use of Gurkhas as mercenaries and have utilized non-legal channels and social media networks like Facebook, online discussion forums, blogs, and celebrity connections, to protest pension disparities and the deportation charges that Gurkha soldiers and their families were facing as undocumented residents in the UK. Exploring these non-legal channels has resulted in
unexpected political opportunities and openings. For instance, though Gurkha soldiers were not considered mercenaries under the 1947 Tripartite Agreement between the UK, India, and Nepal nor Article 47 of the Geneva Conventions, the public expressed their skepticism otherwise.

A myriad of websites, online discussion blogs and Facebook threads began to surface once the public became aware of Gurkha pension disparities and the threats of deportation against several Gurkha families. Organizations such as the Gurkah Welfare Trust, Ayo Gorkali, the Gurkha Justice Campaign, and two Facebook accounts became the hub of political discussion and debate amongst the public, activists, conservatives, and British Army personnel.

Participating in a rather lively debate on the discussion pages of Facebook (called Gurkha Activity 2008), Lysa K, from the UK, expressed her concern with Gurkha deployment as mercenaries once she realized that they were the first NATO fatalities since the alliance began their duties in Kosovo. She writes, “I hate to think of the Nepalese Gurkhas as mercenaries, so why are they being treated this way? First to die [in combat] but with out any of the [pension] benefits?” Fellow commentators responded by saying, “Why were the Gurkhas in Kosovo anyhow? Are British soldiers there? I didn’t know Gurkas fought there. Did anyone else? Are they mercenaries?”

Another online community forum, Yahoo! Gurkhas 2008, took place focusing, in particular, on the topic of Prince Harry and how his very safety and security rested on his accompaniment by the 1st Battalion, Royal Gurkha Rifles. A total of 167 people had joined the online chat conversation to assess the treatment of Gurkhas. The first 6 entries were these:

(1) This Prince is alive because he’s surrounded by mercenary troops. The Gurk’s are the fiercest warriors and best out there. You think this Prince knows how to fight? If it weren’t for the Gurk’s, he’d be toast.

(2) The Gurkha Battalions are not mercenary troops. They [The Brigade] are fully integrated into the British Army. They are not naturalized British subjects, but they serve our country. They originate from the Nepal region
and are trained as the most highly trained soldiers probably in the world. We are lucky to be fighting with the Gurkha regiments.

(3) Really? Then why are they receiving one-sixth of your pay? That doesn’t sound so lucky if you ask me. British troops get paid helluva lot more than what Gurkhas get and they do all the work. They are on the front-lines. You stand behind them and watch them die. And that Little Prince only lives to see the next day because the Gurkhas have his back. Even though they shouldn’t. F*%#($#.

(4) Are you guys dumb? I don’t care what kind of mercenaries you are. Nice mercenaries? You think there’s such things as nice mercenaries? Fierce fighters. Mercenaries have no shame. No code. They’ll kill anyone just to get paid. Kill everyone.

(5) Are YOU dumb? The Gurkha soldiers aren’t getting paid what the British soldiers are getting. That was my point. Can’t you read?

(6) I’m talking Blackwater U S of A, bro. Those are the for realz mercenaries. Don’t fuck wid’em. That’s why we is taking those Iraqees out. Blow ‘em up and jet. No one gunna be mad atcha (Yahoo! Gurkha Discussion Form 2008).

I reference this online thread at length to demonstrate the various views that have been written about the Gurkhas, mercenaries and war. The debate surrounding the Gurkha soldiers and their status as “mercenaries” is a timely topic that continues to generate lively debate across different online communities vis-a-vis the widespread and dynamic discussions happening amongst military personnel, activists, and the general public. I am uncertain as to how productive these online forums are, especially given the pro-military/pro-war (not to mention pro-male) rhetoric that dominate these discussions. However, there seems to be some potential for political openings precisely in the wide-range of topics being covered: where Gurkhas originate, how much they earn in relation to British soldiers, the moral and ethical codes of mercenary troops, the problematics of citizenship rights and allegiance, and the transnational connections to America’s Blackwater (Private Military) Operations.

Those currently serving as Gurkha soldiers and former soldiers have been some of the
most vocal about the “mercenary” debates. Ex-Gurkha soldiers from the Gurkha Veterans Rights organization have mentioned repeatedly how they would prefer not to be considered and treated as mercenaries. J. Pun, a Gurkha soldier, recently stationed in Afghanistan states, “We are fierce warriors from Nepal, but we come and leave in peace. Gurkhas want to be equal to British soldiers, we must not be treated as mercenary forces” (BBC Online Special Gurkha Report 2009). Pun and his family fear that their association as mercenaries could further vilify them “personally,” as “violent people” hindering their chances at public support and sympathy. H. Thapa, an ex-Gurkha veteran, mentions the risks involved in associating Gurkha soldiers as mercenaries even though the intention is well meaning. “We ask the world to support our fight for freedom and equality inside the United Kingdom, but not at the expense of our people. Never was it our goal to be mercenaries and discriminating against us must end” (Gurkha Facebook 2008).

Organizations like Gurkha Veterans’ Rights utilized online discussion chat rooms, weblogs, and two separate Facebook accounts (Gurkha Community and Gurkha Organization 2008) to make linkages between their discriminatory treatment as “separate and unequal” soldiers within the British Army and their struggle for residency rights, pension equality, and political inclusion more broadly within the UK. These online social networks and open forums (discussion/chat rooms; online support petitions; personal blogs) came to play a significant role leading up to the 2008 motion in the House of Commons, whereby all Gurkhas were offered an equal right of residence in the United Kingdom.

**Gurkha Justice Campaign**

The battles over citizenship have become one of the most intense conflicts waged by Gurkha soldiers on British soil. On March 20, 2008, thousands of Gurkha veterans marched on
Parliament where 50 soldiers handed back their military medals to protest the scheduled deportation and pension disparity of over 4,000 retired Gurkha soldiers who served in the British Army before 1997, and who were now living in the UK. Gurkha soldiers serving after 1997 had already been granted permission to reside in Britain, but the UK Government had not extended the offer to all Gurkha soldiers, especially to its veterans.

One of the veterans handing over his medals was Madan Gurung, who served for 24 years with the Gurkha Battalion, but had his application to remain in the UK rejected. Gurung, now 54-years-old, is living with his wife in a one-room apartment in Tonbridge and surviving on benefits from the Royal British Legion and friends. He says,

I took an oath on the Union Jack and said in the oath I would fight and give up my life. So I left my wife and family in Nepal and fought wherever they decided to send me. After giving all of my life to the army and the crown service, now they're telling me I don't have the right to stay (Hickley 2008).

Gurung was deeply saddened to be giving up his medal, but said it had to be done. He continues,

Having served for 24 years I was given such a nice decoration [medal], but having been refused by the Home Office, they have not recognised me, therefore having this decoration means nothing to me. It is the saddest day of my life, because I am so devoted to the Gurkhas, they were my life for 24 years (Hickley 2008).
Figure 5.3  Gurkha soldiers return medals. Damber Ghaly, one of the Gurkha protesters at the rally who gave back six of his medals. Photo courtesy of Matt Hickley (2008).
Over a year-long political battle, celebrity actress Joanna Lumley, whose father served in the Gurkha Battalion during her childhood, ran a high-profile campaign, becoming the public face of the *Gurkha Justice Campaign* to provide all Gurkha veterans who served in the British Army before 1997 the right to settle in Britain. Joanna Lumley was born in Kashmir and spent her early life in Hong Kong and Malaysia. Her father, Major James Lumley, served for 30 years with the 6th Gurkha Rifles, and was a *Chindit* in Burma (a British India “Special Force” that served in Burma and India in 1943 and 1944 during the Burma Campaign in WWII). In 2008, Joanna founded *The Gurkha Justice Campaign*, in hopes to organize petition drives, lobby MP’s, campaign, and to attend rallies and marches to support Gurkha veterans. The large amount of public protest over the treatment of Gurkha soldiers was unexpected. After months of deliberation and public pressure, on April 24, 2009, the High Court agreed to pass a motion in support of Gurkhas’ rights to settle in the United Kingdom, though under the following five...
conditions:

Gurkha soldiers must:

- Have three years of continuous residence in Britain, before or after service;
- Have close family and relatives settled in the United Kingdom;
- Have an award for gallantry, leadership, or bravery while in the brigade;
- Have a chronic medical condition attributable to or made worse by army service; and
- Have served for 20 or more years (Gurkha Welfare Trust 2009).

At first glance, these stipulations seemed no more than a formality and seemed to be easily negotiable. These conditions, however, further restricted, rather than enabled the possibility of Gurkha residency in Britain. Historically, Gurkhas have been allowed to stay in the United Kingdom for only two years, so three years of continuous residence was legally impossible. Furthermore, most Gurkhas have not been allowed to settle in Britain with their families, so the criteria of “having close family and relatives settled in the United Kingdom,” was also not applicable. Proving that injuries from combat in the 1940s, 50s, and 60s had resulted in the cause of chronic health concerns well into the present is also extremely difficult if not impossible. These campaign “victories” were slowly turning into another set of political hurdles.

It was the third condition, however, of having been “awarded for gallantry, leadership, or bravery while in the brigade” that garnered some of the most interesting and unexpected opposition not from the Gurkhas, but from British soldiers and veterans. Lumley in company with thousands of Gurkha supporters suggested that the requirement for having won an award discriminated against the ordinary soldier who had not yet received any distinction. But Gurkhas, however, have been known to receive many awards – an unprecedented twenty-four Victoria’s Cross medals and the Conspicuous Gallantry Cross (CGC) – to name just a few. This
widely known fact led to one Gurkha veteran as saying, “We have won many awards. We are courteous. Our awards is [sic] not our main concern” (BBC Online Special Gurkha Report 2009). One of the main concerns, however, for British men and women was in fact that it sent out a message “not only to the Gurkha soldiers, but to [the British] fighting in Afghanistan and Iraq that unless [they] have been awarded a medal for gallantry, [they are] not real soldiers.”

Ironically, it was the lessening of morale (or perhaps the ego) of/for British troops in the Middle East that activated much support for the plight of Gurkha soldiers. The political opposition to Gurkha treatment under this third criteria focused on the impossibility of most foreign-born soldiers being able to meet the conditions of residency as they have been laid out, but also about protecting the morale of British soldiers. According to a public opinion poll published by the BBC, one Gurkha advocate noted “Criteria 3 is certainly unfair. We must honor the good soldiers who have received awards, but fighting is not strictly about awards. Our troops must be given the same credit” (BBC Online Special Gurkha Report 2009). That said, the political rallying regardless of its intent proved helpful for the Gurkha soldiers. On April 29, 2009, just days after the High Court motions were passed, a Liberal Democrat motion in a vote of 267 to 246, declared that all Gurkha veterans who had served for four years or more in the British Army before 1997, be offered an equal right of residence in the UK (Gurkha Justice Organization Factsheet 2009). This ruling was the first, first day motion defeat for a government since 1978.
The examination of Gurkha soldiers as a secondary case study allows us the opportunity to engage with racialized communities who reside outside of the United States and the Philippines. I focus on the plight of Gurkha soldiers in the U.K. not as a (direct) comparison to Filipino migrant soldiers in the U.S, but rather to illuminate the ways in which migrant communities experience political exclusion and inclusion in different racialized and militarized contexts. In addition, the Gurkha case study gives us a trajectory to think about political organizing strategies across different national boundaries and to create an awareness around the violence of militarized citizenship as a state mechanism of political inclusion and national belonging more generally.

Gurkha rights organizations have utilized social media networks such as Facebook, blogs, and celebrity relationships to connect the wider public to their struggle for rights to residency.
and equal pension benefits in the U.K. I focus this chapter on the Gurkhas, specifically, but in the chapter that follows, I analyze Filipino and Gurkha soldiers more closely through a comparative lens with the intention of theorizing about sexuality and race as it relates to militarized citizenship, again in two different racialized and militarized contexts. In doing so, I hope to strategize around how we might renegotiate the terms of national belonging and political membership. We need to imagine and enact forms of political inclusion and life that are not contingent on military violence, but rather on political solidarity and community.
Chapter 6

Humanitarian Parole and the Future of Territorial Belonging

In a recent editorial Chris Hedges laments the ways in which the United States continues to engage in acts of aggression and violence around the globe. “We became terrorists too,” he writes, and we failed to exercise a capacity for empathy, peace and understanding. For the 14 military widows who are the subjects of this thesis and whose husbands enlisted into the U.S. military soon after 9/11, not much has changed in their social and political status in the United States, and they remain in a similar type of limbo they had been experiencing prior to the events. In fact, for Luz, her situation has only deteriorated. Luz’s husband enlisted with the primary intention of gaining expedited U.S. citizenship for himself and his family under legislation that permitted him to do so after 9/11. Just weeks following the 10th Anniversary of September 11th, Luz was served deportation papers from the U.S. Department of Homeland Security back to the Philippines (see also Preston 2010).

What is telling, of course, is that many migrant recruits enlisted to exercise their patriotism and precisely as an alternative to deportation for their unlawful residence inside the United States. Luz is not the first military spouse to receive deportation orders by the U.S. Department of Homeland Security. In 2007 and 2009, Yaderlin Jimenez, the Dominican-born widow of Army Staff Sgt. Alex Jimenez, who was killed in Baghdad, and Francis Barrios, born in Guatemala and wife of Iraq War veteran Army Spc. Jack Barrios, were both issued a temporary “stay of deportation,” which the judge legally referred to as “humanitarian parole,” a “last resort” effort to gain entry into the United States for those individuals who are not otherwise eligible for an immigration visa (US Citizenship and Immigration Services Fact Sheet 2011). This language of ‘parole,’ however, is one closely associated with criminality. In this
concluding chapter, I explore the ways in which the best-intentioned and benevolent measures of liberal democratic reform associated with citizenship and immigration continue to intensify the biopolitical exercise of power over racialized, gendered and marginalized bodies. I ask us to re-examine the very language of humanitarianism, rights, citizenship and liberties and consider the ethical and political responsibilities we have towards one another regardless of our legal identification (Spivak 2000; see also Pratt 2004).

I address three points that illuminate the main contributions of this thesis. First, I underscore the political potential that comes from reading across the experiences of those situated in different political, social, and national histories. The two case studies of Filipino and Gurkha migrant soldiers, precisely because they emerge from two different racialized, militarized and sexualized contexts, allow us to think about the political openings and challenges that emerge from theorizing across difference. I do this in the methodological spirit of practicing political connection (Hirsh forthcoming), solidarity, and community and because the two readings build towards a more generalized claim about citizenship and state violence. Second, I ask us to consider what political openings there might be for living within the nation as “humanitarian parolees,” for instance, or in ways that do not necessarily fall under the discourse of citizenship and territorial belonging as we know it (see Agamben 2003). The last, and perhaps the most ambitious project, is to think through the possibility of building solidarity amongst military officials, immigration support networks, labor organizations, veteran soldiers and families. The turn of phrase “being in the military, but not of the military,” presents some profound challenges and political openings to ask about the geopolitical imperatives of foreign bodies fighting wars abroad as well as the connections between migrant labor and militarized violence.
In an online blog entitled “Pinoy Gurkhas in Iraq”, Oliver Mendoza (2006) explores the ways in which “America has finally found their own Gurkhas in Filipinos.” Mendoza discusses the history of the Nepalese Gurkhas in the British Army and the striking similarities they share with subcontracted Filipino soldiers serving in the U.S. military. Philippines Phil, another blog, in this case based in Angeles City, Pampanga, Philippines, also takes a comparative view of Filipino military recruits, Gurkha soldiers and the French Foreign Legionnaire. “Filipino Scouts as U.S. Version of Gurkhas” is yet another online forum discussing the connections between Filipino and Gurkha mercenaries. The struggles over citizenship and belonging have manifested in different ways between Filipino and Gurkha soldiers, but Filipino bloggers are finding resonating themes across the varying experiences. I too have found it helpful to read Filipino experiences alongside those of the Gurkhas in hopes to find new openings for thinking about the nation, transnational solidarity, gender, sexuality, racialized state violence, and the military.

One of the striking differences between Filipino soldiers in the U.S. military and Gurkha soldiers in the British Army is how their militarized identities have been constructed. As discussed in chapter 2, one-third of all private military contractors currently servicing in Iraq are Filipino nationals. However, unlike their Gurkha counterparts, Filipinos have been rarely referenced as mercenary soldiers. A majority of them assume primary roles as weathermen, cooks, and kitchen staff. One might say that Filipinos have been constructed to play a particular role in this Iraq war: as the domestic worker. Filipinos are contracted by America’s Kellogg Brown and Root, Inc., a Halliburton subsidiary to do the cooking, cleaning, and overall housekeeping – what most would consider feminized labor. They are, as one anonymous blog poster called them, “the cleaners” within the U.S. military and subcontracted military labor.

There is nothing new about this. Yen Le Espiritu (2003) addresses how the U.S. Navy
began actively recruiting Filipinos as stewards and “mess boys” as early as 1898, during the Spanish-Philippines-American War. In 1901, U.S. President William McKinley issued General Order No. 40 allowing the U.S. Navy to recruit up to 500 Filipinos for the Naval Insular Force. By World War I, there were approximately 6,000 Pinoys, or Filipinos, in the U.S. Navy. Most were assigned as stewards performing the work of domestics, serving as cooks and doing menial jobs such as galley clean-up in the wardroom and living quarters of Naval officers (Espiritu 2003). Kale Fajardo (2008), in his *Transportation: translating Filipino and Filipino American tomboy masculinities through global migration and seafaring*, examines “how the Philippines as a nation and Filipino peoples in general have been feminized through U.S. and Japanese colonial, imperialist, capitalist, and misogynist discourses, which consistently inscribe the Philippines as a feminine and hence ‘weak nation-state’” (403).

The Gurkha soldiers are held in very different regard than Filipino “cleaners.” Unlike Filipino soldiers, who have been described as docile and servile, Gurkhas often have been referred to as “the most prized combat unit” in the world (Parker 1999). The British Army constructed Gurkhan identity as fearless and warrior-like soon after their first encounter, during the failure by the British to annex Nepal.
Figure 6.1 Gurkha “warriors.” Photo courtesy of the Associated Press (2008).

The two case studies illustrate the ways in which military service functions as a means to naturalization and as one of the most viable forms of employment for migrant communities in the United States and the United Kingdom. As I have discussed throughout this thesis, Filipinos are the racialized exception to the permanent residency requirement necessary to join the U.S. military. Filipinos are the preferred bodies of choice for U.S. foreign-born military enlistment and militarized death. Nepalese Gurkha soldiers in the British Army are also a racialized exception in the United Kingdom as they are required to participate in military training regiments, like the doko race, unlike their British counterparts. On December 31st, 2010, 176 out of 11,623 young Nepalese men were inducted into the British Army (British Embassy of Kathmandu 2011). For those racialized as Filipino and as Gurkha soldiers, militarized labor continues as the gateway to political membership and national inclusion.

Reading across the experiences of these soldiers in two very different militarized and racialized contexts offers some interesting political openings for theorizing around race, gender and sexuality. What are the political implications surrounding the construction of Filipino
soldiers as “weak” and “feminine” and Gurkha soldiers as “masculine” and “warrior-like?” How
might these implications contribute to the understanding of who we send to war, and why? How
can we further our theorizations of race, gender and sexuality not only across disciplines, but
also transnationally with scholars and activists in the U.S., the Philippines, the U.K. and beyond?
The discourse of hyper-femininity and hyper-masculinity of Filipino and Gurkha soldiers is an
area of research that warrants further exploration and offers grounds for nuanced theories about
processes of racialization, and processes of inclusion and exclusion as military labor (Fajardo
2008).

**Humanitarian Parole**

The 14 widows that I interviewed for this thesis have now exceeded the two-year
deadline to apply for U.S. citizenship under the Naturalization and Family Protection for Military
Members Act of 2003, legislation granting naturalization benefits for surviving family members
of military personnel. The legislation, however, was not deemed foolproof. We might recall the
case of military spouses like Wilma Tenenbro, from the Philippines, (previously mentioned in
Chapter 2), who was granted U.S. citizenship, but only under the condition that she leave the
United States for 10 years before re-entry, a legal “loop-hole” that the Naturalization and Family
Protection Act did not account for. Though Kenneth, her husband, was serving on active duty in
Iraq, Wilma found herself facing deportation charges from the U.S. Department of Homeland
Security (Preston 2010; Stock 2011).

**Luz**

Luz’s case is a little different. She arrived in the United States from Manila in 1989. She
and Lino, her husband, worked at the same local restaurant in the Philippines for 3 years before
they decided to “give America a chance” (Author Interview 2009). They were not married at the time, and when they told their families about their move to the U.S., both families refused their blessing until they were married. One month prior to their departure, they wed in a small church just outside of the restaurant where they met. Luz and Lino first arrived into Houston, Texas under a tourist visa to visit an old friend, Maria, who had also left the Philippines three years prior. Maria, too, had overstayed her tourist visa, though she had secure employment working as a seamstress for a small subcontractor whose primary client was Macy’s. According to Luz, Maria was paid under the table and her boss was very kind. He knew of her immigration situation, but told her that as long as she remained a good worker, she would always have employment. According to Luz, Maria and her boss were later married and she became a U.S. citizen.

Luz and Lino had almost no experience working outside of a restaurant, but they were hired by the same boss to work as janitorial staff. They were employed for just over a year and paid under the table before they decided to move to California. Over the next 10 years, they both worked “all jobs,” according to Luz. She explains:

We came to California, San Jose and then Daly City, and I was a babysitter. Lino worked at the grocery store, cleaning, construction, and a janitor at a hospital. All jobs. He was not happy and we were worried about immigration for a long time (Author Interview 2009).

Liz: Was it hard to find work without the visa or immigration documents?
Luz: No, sometimes. But they were small companies and not really a problem.

It was during our third and last interview that Luz decided to share more intimate details about Lino and his time in the military. Luz was not enthusiastic about Lino enlisting in the Army, but she mentioned that he was quite unhappy with his current employment and his inability to travel back and forth to the Philippines to see his family. Soon after 9/11, Maria phoned Lino to tell him of the opportunity of military enlistment
as a pathway to expedited citizenship. In fact, she had heard about this process through her Mexican co-workers whose husbands were interested in enlistment. Though Luz did not share many details, she did admit to Lino being both frightened and excited about his military prospects. She did not want him to enlist, but she warmed to the idea:

I told him, okay fine. If he wants to be happy, then do it. In the morning, he would tell to me how we could go back to the Philippines after so many years and see our friends. I told him he was young, he could die [while fighting] and he said that was crazy.

Liz: Luz, did you think about U.S. citizenship much? Like Lino?

Luz: No. I had different jobs. Not rich, but I was okay. I told Lino, you want to fight in the Army, okay then. I told him to think about our son. He said he was thinking about our son (Author Interview 2009).

Lino was killed in 2008 by an improvised explosive device just outside of Baghdad at which time Lino became a U.S. citizen.

Luz on the other hand, refused U.S. citizenship when it was offered to her soon after Lino’s death. Her son, Michael, was born in the U.S. and after Lino’s death, Luz had little desire to associate with the U.S. military. Lino’s funeral took place in Colma, CA (the town adjacent to her home in Daly City) and rather than send his body back to the Philippines, her Casualty Assistance Call Officer had made the arrangements for just his family to fly to the U.S. for the burial service. Ten years after Lino’s enlistment, in September 2011, Luz was notified by the U.S. Citizenship and Immigration Services, that there was a discrepancy in the tourist visa that she overstayed upon arrival into the United States in 1989, and the paperwork she filed at the time of Lino’s death in 2008. She faces deportation charges back to the Philippines.

From Deportation to Humanitarian Parole

Luz now enters into the world of “Humanitarian Parole.” According to the U.S. Citizenship and Immigration Services, “Humanitarian parole is used sparingly to bring someone
who is otherwise inadmissible into the United States for a temporary period of time due to a compelling emergency” (USCIS Fact Sheet 2011). Humanitarian parole is often viewed as a “last resort” to gain entry into the United States for those individuals who are not otherwise eligible for an immigration visa. The legal requirements for parole are as follows:

- Anyone can file an application for humanitarian parole.
- One may file an application for parole if one cannot obtain the necessary admission documents from the Department of State.
- One cannot use parole to avoid normal visa-issuing procedures or to bypass immigration procedures. As noted above, there must be an urgent humanitarian reason or significant public benefit for the parole to be granted (USCIS 2011).

Applicants are required to include a detailed explanation and evidence of their circumstances, as well as a completed I-134, Affidavit of Support, in order to demonstrate that the applicant will not become a public charge. “Section 212(a)(4) of the Immigration and Nationality Act bars the admission into the United States any alien who, in the opinion of the U.S. Department of State officer adjudicating a visa application, a Department of Homeland Security officer, or an immigration judge adjudicating an application for admission, is likely at any time to become a public charge” (USCIS 2011).

Humanitarian parole is primarily granted on a case-by-case basis. According to a 2008 United States Government Accountability Office (GAO) Report, between October 1, 2001 through June 20, 2007, the Humanitarian Assistance Branch of the Department of Homeland Security adjudicated 8,748 humanitarian parole applications whereby 76-percent of applications were denied and 24-percent accepted (see Figure 6.1). Parolees must depart the United States before the expiration of their parole, which usually lasts no more than one year, and parole does not grant any immigration benefits (USCIS Fact Sheet 2011).

For Luz, Humanitarian Parole is now her only option to legally remain in the United States. Luz and her community supporters at the Veteran’s Equity Center in San Francisco are currently petitioning for humanitarian parole under the condition that Luz’s son, Michael, is suffering from severe asthma and undergoing medical treatment. Luz is the only military widow that I interviewed (out of 14 total) who has been served with deportation to the Philippines. But, she also joins a small community of military spouses from different racialized and national contexts who have unknowingly set some legal precedents before her. One of the main contributions of this thesis is a close reading across different limit and boundary case studies that build towards a more generalized and nuanced claim about the many contours of citizenship and state violence and how political inclusion and exclusion are ambiguously enacted in different racialized and militarized contexts.
Building Political Connections Through Legal Precedents

In 2007, the Department of Homeland Security dropped plans to deport Yaderlin Jimenez, the Dominican-born wife of Army Staff Sgt. Alex Jimenez, who served two tours in Iraq and was captured and killed near Baghdad. Alex Jimenez, 25, was an army Specialist who went missing in action (MIA) along with two others after an attack on their patrol south of Baghdad on May 12th 2007 (Baram and Schoetz 2007). The immigration status of Dominican-born Yaderlin, who illegally entered the U.S. in 2001 and married Alex in June 2004, stood in limbo until his death was confirmed. The twist in the Jimenez case was such that Yaderlin could only receive a pardon if she could prove that her deportation would create “extreme hardship” for her husband, Alex. As a result, it was necessary for Alex to be alive. “If her husband's no longer alive, there's no hardship,” stated Kolken, the immigration attorney representing the Jimenez family. Yaderlin was faced with deportation orders back to the Dominican Republic for up to 10 years before she could apply for re-entry into the United States. Given the circumstance, however, of Alex having been MIA and later killed, “the judge realized, according to Kolken, that “for humanitarian reasons, it was unconscionable to go forward with an immigration case while Jimenez put his life on the line” (Kolken quoted in Baram and Schoetz 2007). Yaderlin was temporarily spared from deportation under what is legally referred to as “humanitarian parole.”

The following day, on June 21, 2007, Senator John Kerry wrote a letter to then Secretary of Homeland Security, Michael Chertoff, bringing further media attention to the Jimenez case, at which point, “Secretary Chertoff exercised his authority to grant ‘discretionary parole’ to Yaderlin Jimenez” (Stock 2008: 8). Upon parole, Yaderlin was immediately eligible to adjust her undocumented status, despite her unlawful entry. Several days later, USCIS granted
Yaderlin’s application to adjust status, and she was given a United States “green card” (Stock 2008: 9).

Two years later, in 2009, Francis Barrios, wife of Iraq War veteran Army Spc. Jack Barrios and the mother of the couple's two children, both born in the United States, narrowly averted deportation to Guatemala, the nation she left as a young child (Elan 2009).

![Figure 6.3](image) Francis and Jack Barrios. Photo courtesy of In Their Boots Productions (2010).

Francis came to the United States with her mother when she was 6 years old, but was unaware of her undocumented status until she was in high school. “Because of her legal status she was not able to go to college and she had no papers so she couldn't work,” said Jack Barrios, who was born in Los Angeles, California. Francis was apprehensive when Jack joined the Army in 2004, but he told her that he wanted to give back to his country. He was deployed to Iraq in 2006 when the couple's first child, Matthew, was just a few months old. In November 2009, immigration attorney, Jessica Dominguez, who was hired by the Barrios family, was contacted by a member of Congress interested in military family deportation cases to help illustrate the difficulties resulting from the failure to pass comprehensive immigration reform. Soon
thereafter, Francis Barrios was granted “humanitarian parole” with the understanding that her removal would cause her husband, suffering from post-traumatic stress disorder, and children “exceptional and extremely unusual hardship,” (Dominguez quoted in Elan 2009). In November 2012, Francis Barrios will be permitted to apply for U.S. citizenship.

Though Luz, Jimenez and Barrios are situated in different political contexts and legal circumstances, Luz has drawn on the Barrios immigration case for political support and legal precedence. Lt. Col. Margaret Stock, an ex-member of the U.S. Army Reserves who taught immigration law at the U.S. Military Academy at West Point, New York, for instance, is pushing for a comprehensive immigration policy for military families to encompass the different circumstances that migrant families experience (Stock 2008, 2011). According to Stock, in 2009, Francis Barrios and her community supporters drew upon the Jimenez deportation case (to the Dominican Republic), to seek a similar outcome of “humanitarian parole” (Buch 2011).

Stock mentions the weekly phone calls she receives from families experiencing a wide-range of immigration issues. She states, “No two cases are identical, but soldiers and their families are going through similar experiences [with deportation]. Families want to see what outcomes and rulings there have been in the past” (quoted in Buch 2011). In another case of deportation, U.S. Army Sgt. Emmanuel Woko, a member of the Army's 2nd Brigade, 1st Infantry Division who faces his third tour in Iraq, drew parallels of his immigration hardships with other military families through a process of “echoing.” Woko feared the deportation of his wife and children back to Nigeria while he was deployed in Iraq. “I can echo the Mildred and Eduardo Gonzalez family. His wife and children could be sent back to Guatemala and mine to Nigeria as well” (Gutierrez and Drash 2007, emphasis mine). The Woko and Gonzalez families emerge from different national histories and political circumstances. In fact, they have never met. But this “echoing” is helpful in thinking through the possibilities of building political
connections at the unlikely site of military deportation, by drawing parallels between how military families have been subjected to and have challenged existing regimes of militarized citizenship.

**Luz and the Politics of Echoing**

Today, Luz and her supporters, at a very preliminary level, have begun to closely examine the Jimenez, Barrios, Tenenbro and more recently, the Guevara cases to draw “inspiration” and connections to her experience. Though Jimenez and Barrios were initially deemed as “humanitarian parolees,” Yaderlin was eventually granted a “green card” and Francis was given the opportunity to apply for citizenship as a result of their “adjustment to immigration status.” Their rights to remain in the United States, according to Stock (2008) can be viewed as successful.

Luz is aware, however, that not all deportation cases result in “success.” In 2008, presenting before the Subcommittee on Immigration, Citizenship, Refugees, Border Security, & International Law, Stock shared stories of military families who have not been as successful. She highlights the Guevara family, in particular, as a case that resembles that of the Jimenez family, though the cases end in different outcomes. Yolanda Guevara, rear detachment commander in the Army Reserve unit, feared the deportation of her husband, Juan, who illegally entered the United States from El Salvador in 2000. The following year, Juan applied for Temporary Protected Status (TPS), as a result of a series of earthquakes taking place in El Salvador, which prevented him from safely returning to his home country. Juan was granted the rights to work and reside in the United States with a TPS immigration application subject to annual renewal. He too, faces deportation charges from the U.S. for 10 years before re-entry. Yolanda and Juan have three children who were all born in the United States. As a member of
the Army Reserves, Yolanda could be called for duty at any given time. She relies on Juan for child-care and emotional support and thus, his deportation back to El Salvador would create an “extreme hardship” for their entire family. Secretary Chertoff has not granted Juan green-card eligibility as he did in the Jimenez case (Stock 2008: 9).

These cases are different and thus, my intention (and those of organizers in San Francisco) is not to view them as direct comparisons. Having said this, the common thread that weaves these stories together is the relationship military families have with the U.S. Citizenship and Immigration Services (USCIS), the enforcement body, which determines the fate of their political inclusion or exclusion. USCIS under the Department of Homeland Security is the state institution responsible for administering posthumous citizenship benefits for military families, enforcing deportation charges for undocumented military spouses, as well as the state agency which grants/denies humanitarian parole cases for military families. USCIS is the overarching and sovereign body that declares which bodies will lawfully be admitted into the American nation.

As previously discussed, Filipinos comprise the highest percentage of foreign-born enlistment in the U.S. military at 25 percent, followed by Mexicans at 9 percent (USCIS 2008). What may come as little surprise then is that between 2002 and 2007 Mexicans constituted the largest number of humanitarian parole applicants at 9 percent, followed by Filipinos at 7 percent (See Figure 6.3, GAO 2008).
The very state institution administering the militarized labor of certain racialized subjects to their death, is the same institution responsible for administering their “refuge” and “security” (see Butler 2004). Within the field of USCIS, these military families situated across different racialized contexts, orbit in between cycles of militarized state violence and its militarizing state protection.

There are three points that I would like to address in light of Luz’s efforts to “connect” with the legal cases of Jimenez, Barrios, and Guevara. These points offer timely contributions
within the broader theoretical parameters I have set out in this thesis. First, I discuss the limitations to invoking claims to humanitarian and discretionary parole; second, I suggest that Luz’s deportation case is another reminder of how families and military families, especially, offer profound challenges to existing citizenship regimes; and last, I highlight the imperative of reading across the experiences of those situated in different racialized, militarized and gendered contexts.

The Limits of Humanitarian and Discretionary Parole

For Stock (2008), there are limits to invoking claims to humanitarian and discretionary parole precisely because the decision to authorize one’s parole is reserved by a sovereign power. We might recall in the Jimenez case that Secretary of Homeland Security Chertoff exercised his executive decision to adjust Yaderlin’s immigration status from humanitarian parolee to permanent resident (“green card holder”) within a 24-hour period (9). In the Guevara case, on the other hand, Chertoff withheld his decision to grant permanent residency to Juan, though he was situated in a similar legal predicament as Yaderlin. Stock articulates this point by saying, “no system can operate successfully and fairly if it depends on the personal intervention of the Secretary of Homeland Security” (9). The capacity to decide upon and enact legislation, in this case, Chertoff’s unilateral decision to grant/deny parole, is an act of sovereignty. Following Agamben (2000), sovereignty is defined “not as the monopoly to coerce or to rule, but as the monopoly to decide.” Sovereign power operates through the trope of emergency and the very posing of the question through the trope of emergency is always already on the side of the sovereign (Edkins 2003: 212). Stock’s commentary speaks to the arbitrary nature behind the sovereign decision.
But there are other limitations to humanitarian and discretionary parole because it produces migrants as both “criminals/parolees” of the nation. Discretionary parole is:

a parole granted before an offender completes his/her sentence, subject to certain conditions put forth by the parole board. A discretionary parole is granted after carefully reviewing the information relating to the prisoner and determining that his/her release is not harmful to the society, the prisoner's reintegration into society will be furthered by release on parole, and the prisoner will live at liberty without violating any laws or conditions imposed by the board (U.S. Legal Discretionary Parole Law and Legal 2011).

In Luz’s case, and those before her, petitioning for “Humanitarian Parole” constructs her/them as a “parolee” (read: criminal); as someone who is granted reprieve on the basis of good moral behavior. Eduardo Cadava (2003) speaks to this very point about the construction of the criminal other:

To claim that there have always been cities without citizens, however, is to recognize that any assertion of citizenship can only take place by simultaneously defining the limits and conditions of citizenship – by defining, that is, the non-citizen, the foreigner, the alien, the stranger, the immigrant, the refugee, the criminal, the prisoner, or the outsider – and similarly, that any delineation of the borders of a city must mark what remains within the city but also what is excluded from it (xvii).

The political status of criminality is not one that Luz particularly embraces. But according to Rachel, organizer at the Veteran’s Equity Center and a friend of Luz, “this is her only option for now. She’s on parole, so she can’t leave [the U.S], but she hasn’t ever left since she got here. And it’s not like she wants to go anywhere else anyhow” (Lee conversation with Rachel, 2 October 2011).

Despite the limited legal options available to Luz, it is worth considering the political openings made possible for military spouses and widows like Jimenez, Barrios, and Luz who seek a life of “humanitarian parole” (temporarily or otherwise) within the very nation that actively excludes them. Military widows and spouses who re-claim the language of criminality (whether it was intended or not) potentially expose the very contradictions of their political
inclusion: first, through the militarized death of their husbands; and second, through the discourse of criminality.

“Humanitarian parole” is a juridical statute that is authorized or denied by figures like Chertoff and often arbitrarily, as seen in the Jimenez/Guevara cases. However, “humanitarian parole” offers military spouses and families the potential to speak about their immigration hardships and family traumas on their terms; using their own words. The Humanitarian Parole application requires a detailed explanation of one’s immigration situation and it is here that applicants must articulate why parole is their “last resort.” The word “parole” originates from the Old French to mean “word” or “formal promise,” and the Latin derivation to “speech” (Merriam-Webster Dictionary 2011). Francis Barrios, for example, discussed the traumas and fears of family separation as a basis for humanitarian parole, and she did so by placing the accountability of her pending deportation on the side of Homeland Security.

It was so stressful and really hurtful to know they were trying to separate our family, it was hard to live normally with this on our minds all the time. There was so much fear I wasn’t able to relax and play with the kids (Elan 2009).

One might say, Francis’s “formal promise” was to her family – and her plea for humanitarian parole was less about her proving her “good moral character” and more so about her commitment to being a “good” partner and mother to her children.

In a similar vein, Luz intends to speak about her son, Michael, and how his and her livelihood is contingent on their safety, health, and security in the United States. Between 2002 and 2007, sixty-four percent of the requests for humanitarian parole were for family reunification (49%) or medical emergency (15%) (GAO 2008). Though Luz’s son was born in the United States and is now suffering from a medical emergency of severe asthma, he is not permitted to sponsor Luz to remain in the United States until she first returns to the Philippines for a duration of 10 years. Therefore, she must explain why humanitarian parole is her “last resort” and why
she cannot obtain the necessary admission documents into the U.S. from the Department of State. Luz intends to utilize both the family reunification and medical emergency options to justify her humanitarian parole application.

Interestingly, there is a debate amongst Luz’s supporters and extended family regarding whether she should disclose the fact that she was once offered American citizenship due to Lino’s death in the military. Some argue that this very fact would give Luz more credibility from Homeland Security because she was once already deemed “eligible” for American citizenship, the highest order of political membership into the nation. Others argue that her refusal could hinder her application and force Citizenship and Immigration Services to enquire about why it was that she had not accepted citizenship when it was granted to her. To date, Luz is strategizing with her supporters and immigration lawyer to weigh all of her options, though her primary concern is to be with her son and to argue that family separation is not an option. Luz’s pending deportation case allows us to consider alternative forms of political belonging and membership (as parolees) outside the discourse of legal citizenship. For Francis Barrios, Wilma Tenenbro, Yolanda and Juan Guevera and now Luz, their affective “duties” to love and care for their children and families have (also) formed the primary basis for their desire to reside (temporarily or otherwise) within the United States.

Military Families Offer Challenges to Existing Citizenship Regimes

Luz’s deportation case is another reminder of how families and military families, especially, continue to offer profound challenges to existing citizenship regimes (see Lee and Pratt 2012). The Naturalization and Family Protection for Military Members Act of 2003 failed to provide the rights to permanent residency for undocumented military spouses. For Luz, her rights claim to reside in the United States is not based on her desire to become an American
citizen, but rather her declaration to remain in the U.S. with her son who is in medical need. As 76 percent of the requests for humanitarian parole were denied between 2002 and 2007, the odds are against Luz. Luz’s family deportation case illuminates the limits of citizenship (posthumous or otherwise) and the long lasting residual effects it has for military families well after their loved ones have died. Though militarized death had secured citizenship for Lino (he became a U.S. citizen upon death in 2008), the immigration process has failed to secure rights to residency for his spouse. Of the 8,692 total applicants for whom the humanitarian parole application contained data on their age, twenty-seven percent of applicants were under the age of 18 (GAO 2008). Michael, who is an under-18 minor, will jointly apply for humanitarian parole as a U.S. citizen who for emergency medical reasons, must be in the company and care of his mother. Luz’s deportation case exposes the limits and conditions of liberal citizenship. Michael, a U.S. citizen, will now apply to the Citizenship and Immigration Services for humanitarian parole as a dependent of an undocumented mother/guardian (USCIS 2011). But it also raises some interesting questions about the political possibilities for organizing around family deportation more broadly; not necessarily under the conditions to become an American citizen, but perhaps under the conditions of families having the right to stay together regardless of their immigration status.

The Gendered Dimensions of Humanitarian Parole

According to the U.S. Government Accountability Office, between 2002 and 2007, 54-percent of humanitarian parole applicants were female. During this time period, men and women were granted parole in identical percentages every fiscal year except 2005 (See Figure 6.2, GAO 2008).
The report, however, did not provide specific details for why certain cases were granted or denied based on gender. This thesis examined 14 military widows who lost their husbands in Iraq. To date, there is not an exact count of how many military family deportation cases have been filed or pending. According to Stock (2008, 2011) and U.S. Senator Robert Menendez (D-New Jersey), this is a result of the lack of immigration protection that undocumented military spouses have against deportation if they were to come forward. The majority of military deportation cases that I have examined via news media reports between 2001 and 2011, Department of Defense Fact Sheets (2009-2011), and Congressional Hearing Reports (Stock 2008, 2011), have predominantly highlighted military wives who had experienced pending deportation charges. The most widely publicized deportation case of a husband being deported was that of Juan Guevara.

The series of in-depth interviews I conducted in the field analyzed the experiences of Filipina widows in the United States and this thesis explored the connections between Filipino and Gurkha soldiers and the importance of reading across those situated in different racialized and militarized contexts. As Luz now enters into the arena of humanitarian parole, I am interested in furthering my examinations of reading across the gendered experiences of

![Table 6: Approval and Denial Rates by Gender, Fiscal Years 2002 to 2007](image)

**Figure 6.5** Approval and denial rates by gender, Fiscal Years 2002-2007.
humanitarian parolees and under what circumstances men and women are granted or denied parole at almost identical rates (GAO 2008).

I am interested in examining the nuanced gender dynamics of military deportation and humanitarian parole as a way to better understand the gendered violence of citizenship across a series of different racialized, militarized and gendered contexts. What are the political implications of examining the gendered dynamics of humanitarian parole?

**Politics of Possibility: Organizing Military Personnel, Labor Groups, Veterans, and Military Families**

On Veteran’s Day in 2009 and again in May of 2011, U.S. Senator Robert Menendez, Democrat-New Jersey, introduced The Military Families Act (S. 2757). Recognizing the loopholes in the previous *Naturalization and Family Protection for Military Members Act* of 2003, his bill would grant lawful permanent residence status to any spouse, child or parent of an active-duty member of the Armed Forces or one who has served honorably. The status would eliminate families’ fear of deportation while the soldier was away on active duty. This was of particular importance because the 2003 Act failed to address, for instance, undocumented spouses having to be deported to their home countries for 10 years before their lawful re-entry back into the United States. To date, not a single member of the Republican Party has supported the bill, most of who argue that undocumented immigrants should not be given legal status until border security is strengthened (McFadyen 2009). Like the DREAM Act (Development, Relief and Education for Alien Minors), a bill that would grant legal status to immigrants who entered the United States as children if they go to college or join the military, the idea is to narrow the pool of undocumented beneficiaries to the most sympathetic few, in hopes that the Republican Party will not decry the bill as “alien amnesty” (Malkin 2010).
The Military Families Act and the Dream Act are currently the two most controversial pieces of legislation surrounding the immigration reform debates (Dream Act Portal 2011; Stock 2011). Critics of the Dream Act argue that the bill acts is a racist and classist recruitment tool targeting young undocumented migrants who could hardly afford the “college option” (de Solar 2011). Organizations such as Guerrero Azteca Peace Project and 67-Percent, amongst others, became highly critical of the proposed legislation once the Dream Act was attached to the Department of Defense Bill. It became more apparent to these groups how the military would benefit from this legislation. One migrant youth organization, 67-Percent, in particular, is organizing with community groups and military officials to promote migrant community service in lieu of military enlistment; others like Guerrero Azteca Peace Project are organizing to end completely the military recruitment of migrant youth around the globe. Both groups have been mobilizing to “stop the militarization of immigration reform,” and to “end America’s military caste system (http://67percent.net).” Building coalition with anti-war activists, military personnel, army veterans, labor groups, and immigration lawyers is one way that grassroots organizations have been slowly coming together to think more comprehensively about how we might envision a future of political inclusion that is not contingent on militarized death.

According to a video testimony featured on the 67-Percent website, an unidentified Latino student mentions how an undocumented young person like herself would seemingly stand to benefit from the Dream Act. She could earn her driver’s license and live without fear of deportation in the United States. However, she is unwilling to support this legislation because the majority of people affected by the Dream Act have been largely given two unviable options: the choice to either join the military or stay undocumented with risk of deportation. The Dream Act advertises college/university as an option to (avoid) deportation, but accessing higher education for low-income undocumented youth is not a possibility for many (Amaya 2007).
student, along with her Latino peers, refers to the Dream Act as a de-facto military draft of contemporary war times (http://67percent.net/). The political organizing and consciousness-raising happening around communities of color and military recruitment is just one example of how organizations contribute to the imagining of forms of inclusion that are not contingent on military violence, but rather political solidarity and community.

Since 9/11, Margaret Stock, Attorney and now ex-Lieutenant General of the Military Police Corps, has been one of the most actively sought after immigration rights advocates for military families. Specializing in areas of posthumous citizenship, international law and military family deportation, Stock continues to be a vocal advocate for immigration reform inside the U.S. military. At the 2008 Subcommittee Meeting on Immigration, Citizenship, Refugees, Border Security, & International Law, Stock testified on behalf of several military spouses facing deportation charges pointing out what she called “patterns of injustice.” Threading together the personal histories of Navy sailor Karla Rivera, Yaderlin Jimenez, and Army Staff Sgt. Yolanda Guevara, who are situated across different political contexts and state policies, Stock revealed “areas of improvement for the current state of immigration law that is dysfunctional, irrational and only promises to get worst” (Stock 2008: 3). Military families, army veterans, labor organizations and anti-war groups have sought the assistance of Stock and immigration lawyers such as herself to bring attention to the violence that attends the promises of national inclusion and exclusion through militarized citizenship. Though organizing military personnel has not played a primary research focus, I continue to be inspired by the possibility of working collaboratively to build a future based on a politics of community and inclusion that is not limited by our territoriality. Citizenship that is contingent on militarized and racist violence is a campaign that I hope we can collectively fight to end.
Research Contributions to Citizenship Studies

This thesis contributes to new ways of thinking through and about citizenship in the following four ways: first, my insistence on reviving the boundary cases. This project examined how 14 Filipino families who represented the “limit cases” (Mitchell 1983) came to share their stories of American citizenship. Through their testimonies, I explore how they tested the nation’s citizenship project during this time. These refusals are an underdeveloped phenomenon in citizenship studies, where limit cases are often overlooked. I focused on these “limit cases,” not because they are exceptional cases, but because they are points of departure in analyzing how boundary cases can and do expose the violence involved in the processes of state incorporation.

Second, I contribute to a re-working of Giorgio Agamben’s theorizations of the relationship between nation-state-territory. Agamben urges us to sever the seemingly “naturalized” linkages between the nation, state and territory and to consider political belonging and membership outside the discourse of (birth)rights and territory. Agamben’s theorizations highlight the political possibilities and openings that emerge from disentangling the trinity of nation-state-territory. But without taking into account the ways in which racialized and gendered bodies experience political inclusion and exclusion differentially, we fail to acknowledge the ways in which this very disruption of boundary of “nation-state-territory” proposes profound dangers and risks for Filipino soldiers in troubling ways. It also begs the question, is militarized citizenship the only avenue by which this radical severance of birth-nation-territory might be imagined?

The fact that Filipino soldiers unhinge these boundaries further subordinates, rather than enhances their legal standing. Filipino soldiers, already exercise an extra-territorial path to citizenship. Their racialized citizenship is not fixed or territorially bound; they can enlist and become naturalized citizens without ever once residing in the United States, as De Guzman’s
enlistment and naturalization history have shown.

What this means for Filipinos is not only that they can enlist into the U.S. military from virtually anywhere in the world, but also that they are readily accessible and thereby recruitable from everywhere in the world at any given time. The Filipino nation/al is almost always available to service the U.S. military from home and from afar. The Philippines – geographically and figuratively – is the imaginative and yet very real space where enlistment and military violence take place.

Third, this project is situated within a feminist methodology that connects those struggling towards political inclusion in different national, regional, and racialized contexts. Though Agamben’s theorizing has provided an important and distinctive frame of analysis for my work, it has also been reworked by feminist scholars such as Geraldine Pratt and Neferti Tadiar urging for the need to specify the ways in which raced and sexed bodies are implicated differentially in the workings of state violence. I contribute a reading across the experiences of Filipino military families and Gurkha soldiers from Nepal which offers some interesting insights about the disturbing patterns of political inclusion that manifest in different racialized and gendered communities. The two case studies are not to be seen as comparisons, but more as a larger political project and solidarity movement connecting those struggling for state rights, inclusion and belonging in and across different spaces.

A feminist methodology has also led me to consider the ways in which the very notion of 'testimony' might be reshaped and largely to include the ways in which it is tied to solidarity. Testimonies are often perceived of as public declarations of truth or fact. Jenny Edkins (2003) points out that testimony comes with “an imperative to speak, and a determination to find ways of speaking that remain true to trauma” (15). The testimonies of these military widows speak to the violence that their husbands faced on the battlefield, and how it echoed in day-to-day
struggles in dealing with the consequences of undocumented life in the country that brought death. But testimonies also illuminate how they emerge through political action. I found the widow testimonies to be a powerful instrument used to make the connections between trauma and state violence. In other words, testimony created the spaces to openly discuss the linkages between suffering and trauma and the violence of the state as they were experienced individually as well as collectively amongst those racialized and gendered as Filipina (see also Pratt 2009). Drawing political connections across traumas differentially experienced by racialized and gendered individuals allow us think about how political solidarity and community emerge through affective registers of suffering, memory, and trauma, and without necessarily being based on political inclusion formulated under the discourse of territorial rights and national belonging.

And last, I am attempting to invert citizenship studies, so to speak, by shifting the focus from the ways, means, and motives of attaining citizenship, to those instances when citizenship is evaded, refused, or revoked. One of the ways that I have come to better examine citizenship is precisely through trying to understand why some people have come to refuse it. Refusing citizenship is one way that the widows have disrupted the expectation that U.S. citizenship is worth dying for. What I interpreted from the widows was that they expressed their commitment to social and political life by saying, ‘I refuse death as a pathway to citizenship.’

As the lives of the Filipino soldiers have been wagered long before their actual deaths, I cannot help but think about what is at stake for future generations. According to a 2010 National Public Radio report, the recruitment of Asian-American and Filipino youth is now up 42% in the San Francisco Bay Area (Shavelson 2010). It seems the exposing of certain racialized populations to premature death through military service is still in practice.
By refusing U.S. citizenship as it is currently constructed, military widows are leaving their identities open to other political possibilities alongside, or perhaps beyond citizenship. How might we think about political membership and belonging in ways that are not necessarily tied to forms of legalized citizenship? As their refusals of citizenship function as a political claim, their meaning of citizenship can be expanded to refer to more than legal membership of a particular state, and to consider new ways of being subjects with responsibility and political beings with rights to rights, whatever ones’ legal standing may be. As non-citizens, the widows exercise their right to refuse citizenship, and it allows us to think about American citizenship from the perspective of those who have none.
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Security in Washington, D.C.


Appendix A: N-644 Application for Posthumous Citizenship
### Appendix B: Interview Sample of Military Widows

<table>
<thead>
<tr>
<th>Name</th>
<th>Year of Arrival to the U.S.</th>
<th>Job</th>
<th>Family</th>
<th>Immigration Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fortuna</td>
<td>2004</td>
<td>Homecare worker/housecleaner</td>
<td>Single mother with one son</td>
<td>Undocumented (without U.S. citizenship); holds a special waiver granted by Dept of Homeland Security</td>
</tr>
<tr>
<td>Leia</td>
<td>1998</td>
<td>Childcare</td>
<td>Single mother with one daughter</td>
<td>Undocumented (without U.S. citizenship)</td>
</tr>
<tr>
<td>Lily</td>
<td>1988</td>
<td>Childcare</td>
<td>Single mother with two daughters</td>
<td>Undocumented (without U.S. citizenship)</td>
</tr>
<tr>
<td>Constance</td>
<td>1990</td>
<td>Retail worker</td>
<td>Single mother with one son</td>
<td>Undocumented (without U.S. citizenship)</td>
</tr>
<tr>
<td>Gina</td>
<td>1997</td>
<td>Homecare worker; product specialist for the AVON Company</td>
<td>Living with her brother and his family</td>
<td>Undocumented (without U.S. citizenship)</td>
</tr>
<tr>
<td>Magdalena</td>
<td>1989</td>
<td>Administrative assistant for storage company</td>
<td>Single mother with one son</td>
<td>Undocumented (without U.S. citizenship)</td>
</tr>
<tr>
<td>Mabel</td>
<td>1993</td>
<td>Housecleaner</td>
<td>Single with two children</td>
<td>Undocumented (without U.S. citizenship)</td>
</tr>
<tr>
<td>Alma</td>
<td>2000</td>
<td>Childcare</td>
<td>Living with her mother-in-law</td>
<td>Undocumented (without U.S. citizenship)</td>
</tr>
<tr>
<td>Nanette</td>
<td>1994</td>
<td>Retail worker (stock room)</td>
<td>Single mother with one son</td>
<td>Undocumented (without U.S. citizenship)</td>
</tr>
<tr>
<td>Marie</td>
<td>1995</td>
<td>Childcare</td>
<td>Living with her sister and niece</td>
<td>Undocumented (without U.S. citizenship)</td>
</tr>
<tr>
<td>Carla</td>
<td>2000</td>
<td>Homecare worker</td>
<td>Single mother with one daughter</td>
<td>Undocumented (without U.S. citizenship)</td>
</tr>
<tr>
<td>Jocelyn</td>
<td>1999</td>
<td>Babysitter</td>
<td>Living with her sister</td>
<td>Undocumented (without U.S. citizenship)</td>
</tr>
<tr>
<td>Mary</td>
<td>1987</td>
<td>Childcare</td>
<td>Single mother with two sons and living with her in-laws</td>
<td>Undocumented (without U.S. citizenship)</td>
</tr>
<tr>
<td>Luz</td>
<td>1989</td>
<td>Babysitter; janitor; cashier</td>
<td>Single mother with one son</td>
<td>Pending deportation to the Philippines</td>
</tr>
</tbody>
</table>
### Appendix C: List of Primary Interviews

<table>
<thead>
<tr>
<th>Name</th>
<th>Date of Interview(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>L. Basilan, Filipino WWII Veteran, CA</td>
<td>November 29, 2008; Feb 14, 2009</td>
</tr>
<tr>
<td>G. Galicia, Filipino WWII Veteran, CA</td>
<td>November 29, 2008; Feb 14, 2009</td>
</tr>
<tr>
<td>Fortuna, Military widow, CA</td>
<td>April 4, 2008; June 5, 2008; Jan 8, 2009</td>
</tr>
<tr>
<td>Leia, Military widow, CA</td>
<td>August 13, 2008; December 15, 2008; March 4, 2009</td>
</tr>
<tr>
<td>Lily, Military widow, CA</td>
<td>September 25, 2008; Oct 8, 2008; Nov 7, 2008</td>
</tr>
<tr>
<td>Constance, Military widow, CA</td>
<td>September 25, 2008; Oct 8, 2008; Nov 7, 2008</td>
</tr>
<tr>
<td>Gina, Military widow, CA</td>
<td>August 20, 2008; November 2008; December 3, 2008</td>
</tr>
<tr>
<td>Magdelena, Military widow, CA</td>
<td>January 23, 2009; Feb 27, 2009; March 25, 2009</td>
</tr>
<tr>
<td>Mabel, Military widow, CA</td>
<td>July 9, 2008; August 16, 2008; October 12, 2008</td>
</tr>
<tr>
<td>Alma, Military widow, CA</td>
<td>August 10, 2008; October 11, 2008; December 7, 2008</td>
</tr>
<tr>
<td>Nanette, Military widow, CA</td>
<td>November 14, 2008; Dec 28, 2008; Jan 18, 2009</td>
</tr>
<tr>
<td>Marie, Military widow, CA</td>
<td>April 3, 2008; May 12, 2008; Nov 9, 2008</td>
</tr>
<tr>
<td>Carla, Military widow, CA</td>
<td>April 1, 2008; April 19, 2008; July 5, 2008</td>
</tr>
<tr>
<td>Jocelyn, Military widow, CA</td>
<td>Feb 4, 2009; Feb 24, 2009; March 1, 2009</td>
</tr>
<tr>
<td>Mary, Military widow, CA</td>
<td>April 8, 2008; April 27, 2008; June 30, 2008</td>
</tr>
<tr>
<td>Luz, Military widow, CA</td>
<td>May 29, 2008 June 6, 2008; September 2, 2008; August 31, 2011, September 1, 2011.</td>
</tr>
<tr>
<td>Rachel, VEC Organizer, CA</td>
<td>March 19, 2008; October 2, 2011; multiple conversations throughout the months of August and September 2012</td>
</tr>
<tr>
<td>J. Manola, VEC Rep, CA</td>
<td>March 19, 2008; multiple conversations throughout the years 2008-March 2012</td>
</tr>
<tr>
<td>L. Tancinco, Attorney, CA</td>
<td>February 2, 2009</td>
</tr>
<tr>
<td>D. Howard, Mortuary Affairs Unit, VA</td>
<td>June 12, 2008; August 14, 2008</td>
</tr>
<tr>
<td>Karen, FOIA Representative, Washington, DC</td>
<td>September 8, 2008; 4-5 brief follow-up phone calls.</td>
</tr>
<tr>
<td>Sara, FOIA Representative, Washington, DC</td>
<td>October 14, 2008; 1 follow up phone call.</td>
</tr>
</tbody>
</table>