

# Citizenship through Veteranship

## Latino Migrants Defend the US "Homeland"

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Citizenship is a salient political imaginary in the United States.



The citizen, as inscribed in historical narratives of the nation, is the bearer of rights and responsibilities, with an obligation to secure the homeland. Our notion of the citizen-soldier posits a subject (generally masculine) who, when called upon, readily assumes the obligation of defending the nation. In this longstanding narrative, the loyal patriot foregoes the comforts of home and livelihood, and is transformed from citizen to warrior. If killed in combat, the individual becomes a "fallen soldier" who is memorialized for having made the "ultimate sacrifice" for their country. On Veterans Day and Memorial Day, the US honors those "Americans" who have fought and died in the nation's wars. Individuals who have performed military work are considered part of the circle of veteranship and as such are generally accorded a high degree of respect and granted significant public benefits. What is elided in historical and contemporary narratives of the nation is the role of non-citizens as soldiers, from the American Revolutionary War to the wars in Afghanistan and Iraq.

When political leaders eulogize the brave "American soldiers" who have made the ultimate sacrifice or are involved in defending the United States, most listeners are likely to envision the subjects of the commendation as US citizens. US-born and -raised individuals are thought of as possessing the proper fidelities toward the state. Such a conclusion makes sense because US citizens have made up the majority of those who have killed and died for the nation, and historical narratives of the nation have forged a close association between citizenship and patriotism. By implication, non-citizens are perceived as loyal to their "own" nations, not

to the United States. The majority of non-citizens who have fought in US wars have been foreign-born persons with varying lengths of residence in the United States and reasons for entering the military. The category of non-citizen across multiple wars, however, has not consisted exclusively of foreign-born persons. It has also included persons of African descent who fought in the US military prior to the Fourteenth Amendment (1868) and the Naturalization Act of 1870, and most Native American soldiers prior to the 1924 Indian Citizenship Act.

### "Green Card" Soldiers

The accounts of the death of Marine Lance Corporal José Antonio Gutiérrez within the first three days of the March 2003 US invasion of Iraq, and the naturalization of Army Private Juan Escalante in February 2004, drew media attention to the role of non-citizens and "green card soldiers" in the contemporary US military. Both accounts elicited disconcerting comments from observers who expressed surprise that an "American soldier" killed in combat was a non-citizen, and that an "undocumented" migrant had voluntarily enlisted and been deployed to Iraq as part of the global war on terrorism. Their stories foreground for the media and general public the presence of persons within the military who have entered the US "illegally." Their donning of a US military uniform transformed them into "American soldiers" in accounts and debates related to the current wars.

José Antonio Gutiérrez's story became more complex as it unfolded. From the initial Department of Defense news release that a Marine had been killed by enemy fire, the story was transformed into an account of a permanent resident Marine killed by friendly fire. It was later

have misrepresented his age, which could have led to the revocation of his "green card," thus making him removable/deportable. Under Congressional authority, he (like

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other non-citizens killed in action) was granted posthumous citizenship. Thus, his military work and death allowed him to be recognized as an "American veteran." Although he was not married, if he had had a spouse and children who were classified as undocumented migrants, they, as surviving family members, would have been eligible for permanent residency and eventually citizenship.

it was acceptable for his entry into federal employment and military work. His actual migration status was discovered while Escalante was home in Seattle, on military leave. At the age of four, he accompanied his mother as they entered the United States without formal authorization. Escalante's Army superiors decided not to take action against him and approved the processing of his application for citizenship. He took his citizenship oath and received his naturalization certificate in February 2004. At the end of his military term he will join others who have accomplished the transition from "undocumented" migrant to citizen and veteran.

### Limits of Migration Discourse

What is essential to recognize about the above descriptions is not the specific circumstances of the two individuals, but the attention they draw to the limitations of popular and academic discourses regarding "undocumented" migration, citizenship and military work. There is a gap between one discourse on "undocumented" migrants that asserts the social and economic harms they bring upon the nation (eg, unemployment, drain on schools, crime), and simultaneous discourse and actions that mask the participation of "undocumented" migrants in the military security of the nation. It is estimated that in a given month there are approximately 30–40,000 non-citizens on active military duty (about 3% of total), and that Latinos make up 40–50% of them. Among these military personnel are individuals categorized as "no-card soldiers," individuals who do not have the required "green card" to enlist but are in the military. Under the US Code of Federal Regulations (8 USC §1440), "aliens and noncitizen nationals" assigned to "active duty" during a period of conflict designated by the president, irrespective of their migration status, can be granted citizenship. It is under this provision that Escalante was granted citizenship. Thus, a civilian apprehended by Immigration and Customs Enforcement for a violation of migration law would be subject to removal, but if the same person has performed military work, he or she could be granted citizenship. This contradicts much of the debate on "undocumented" migration that presumes a clear

### COMMENTARY

expanded to a narrative about an orphan of the US-backed civil war in Guatemala who had entered the US "illegally" and was granted permanent residency, but may

Military enlistment officials, like many civilian employers, were not overly concerned with the low-quality (\$50) Permanent Resident Card presented by Juan Escalante;

boundary between legality and illegality.

The limited attention we pay to the role of war in fostering naturalization represents another failure of popular and academic discourses in this area. Escalante's naturalization in 2004 makes him only one of the over 24,000 non-citizens persons to be naturalized while in the military between 2002 and 2007. Although this is significant, the actual figure may be greater than 50,000 because of the large number of naturalizations that are not classified as either "civilian" or "military" (ie, "not reported"). Historically, World War I retains the peak level in number of mili-

tary naturalizations. In 1919 alone, over 128,000 non-citizens in the military were granted citizenship. The peak year for World War II was 1944, when 49,000 non-citizens were granted citizenship. Thus, the United States has a long tradition of supporting non-citizens who have killed and died in the nation's wars, having accepted an obligation presumed to be borne by citizens.

The absence of a historical narrative recognizing the important role of non-citizens in defending the United States leaves us with an incomplete understanding of US citizenship and US history more broadly. It also has limited our theo-

retical analysis of what motivates non-citizens to assume the patriotism and obligations associated with citizenship, when citizens typically bear the rights and responsibilities of the nation, including the obligation to ensure its security. Thus, citizenship in relation to citizens-by-proxy, the constitution of veteran status and identity by citizens and non-citizens, and the urgent steps on the part of the nation-state to grant citizenship to non-citizens in military roles are issues that need further investigation. The projected demographic growth of Latinos in the United States suggests that Latino citizens and non-citizens alike will have an increasing pres-

ence in the military, and that the need for this research will continue to grow.



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## National Icon

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delays have made DNA testing especially instrumental in identifying Vietnam MIAs. Of all twentieth-century conflicts the United States was involved in, the Vietnam War presents the most compelling example of repatriation, both because of the deep-seated controversy that has surrounded the war and because of diplomatic and physical (eg, topographical) challenges that have complicated MIA recovery efforts. Unlike the current wars in Afghanistan and Iraq where special forces are trained and equipment outfitted specifically for recovery missions, repatriation of MIAs from the Vietnam War has proven a prolonged and arduous task. Indeed, some 1,700 individual soldiers are still presumed missing.

### DNA Testing and Commemoration

At the entrance to the exhibit, *Resolved: Advances in Forensic Identification of US War Dead*, housed at the National Museum of Health and Medicine for the Armed Forces Institute of Pathology at the Walter Reed Army Medical Center, visitors are greeted by the words of nineteenth-century British Prime Minister William Gladstone: "Show me the manner in which a nation cares for its dead and I will show you with mathematical exactness the tender mercies of its people." The final panels of the exhibit, highlighting DNA technology's impact on the recovery and identification process, present a striking

symmetry to Gladstone's remark, as they emphasize the exactness of genetic science now brought to bear on the cases of missing soldiers.

Included among the many displays is a glass case containing some of the recovered personal effects of First Lieutenant Blassie—sections of his flight suit, a parachute survival guide, his dog tags chain, an ammunition pouch. The accompanying narrative spells out the story of his downed plane, his eventual burial, and the DNA testing that prompted the disinterment of the Tomb of the Unknowns. But the explanation leaves out important details—namely, that in the early 1980s the Reagan administration was under pressure to add to Arlington's Tomb of the Unknowns, and that the Blassie family encountered strong opposition to its insistence that the remains undergo DNA testing. Rather, the story of commemoration interrupted becomes a seamless tribute to advances in forensic science and First Lieutenant Michael Blassie a symbol for the "tender mercies" of a grateful nation. His name and photograph have unseated the powerful icon of an Unknown Soldier.

In recent weeks debates concerning how best to remember US war dead have reignited with President Obama's decision to lift the 20-year ban on photographing

flag-draped coffins. Media coverage now depends on whether individual families agree to such photographs and critics fret over the complications that will invariably arise.

If the use of DNA testing has in fact rendered the cultural phenomenon of the Tomb of the Unknowns outdated, even obsolete, what then takes its place in the "work of remembering" war dead?

Nevertheless, despite mixed reactions from family and veterans associations, the ban's reversal indexes a shift in the authority over commemoration from the government to the public, namely surviving relatives of killed soldiers. This shift mirrors a growing emphasis on the need to remember individual loss and identity, fostered by advancements in genetic testing and the achievements of US military's forensic facilities.

If the use of DNA testing has in fact rendered the cultural phenomenon of the Tomb of the Unknowns outdated, even obsolete, what then takes its place in the "work of remembering" war dead? Does the United States still need to memo-

rialize its fallen soldiers through collective or impersonal measures? Such questions arise in the wake of the US military's capacity to gather genetic profiles for each of its soldiers—to ensure that, if recovered, remains will be recognized and remembered individually. In attempting to answer these questions, we might look to the Vietnam Veterans Memorial in the nation's capital. Organic in its physical and metaphorical design, the monument is updated periodically to reflect ongoing forensic efforts to recover each and every MIA: beside each name a symbol indicates the soldier's status as recovered or still missing, and from time to time the successful results of the recovery, repatriation and identification process replace the missing marker with that of the permanently recovered. A living memorial, the wall thus not only accommodates changing forensic practice, but also allows for highly personalized and collectivized remembering to take place before its panels—addressing the casual and intimate onlooker alike.

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