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The Few, The Proud, The Deported: Race, Military Service, and the Politics of Immigration

Enforcement

A dissertation submitted in partial satisfaction of the requirements for the degree of Doctor of Philosophy in Political Science

by

Marco Antonio Durazo

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#### ABSTRACT OF THE DISSERTATION

The Few, The Proud, The Deported: Race, Military Service, and the Politics of Immigration Enforcement

by

Marco Antonio Durazo Doctor of Philosophy in Political Science University of California, Los Angeles, 2024 Professor Efrén Osvaldo Pérez, Chair

Despite an enduring reverence for our armed forces our nation has deported countless veterans. Government sourced data proves that veteran deportation is a factual and lived reality. Veterans who have served our nation since the Vietnam War and more recently the U.S. invasion of Afghanistan and Iraq have been subject to removal and deported by our nation's legal and immigration enforcement apparatuses. Many of these veterans are of Latino descent, were heavily recruited in the aftermath of the events of September 11, 2001, and enlisted as non-citizen green card holders with the promise of an expediated path to U.S. citizenship. Despite this many have been physically removed from the nation they served and defended in war. Why does our nation deport veterans? In what why does the experience of deported Latino veterans parallel that of other soldiers who utilized military service as a means to secure full membership in our society? What prompts the state to adjudicate the removal of veterans who have answered the call to service in moments of crisis and monumental geopolitical pressure? The argument advanced in this dissertation is that the experience of deported Latino veterans is unique, mediated by a racial project and discourse that harkens back the sociopolitical contours of the Mexican American War in 1848. Perceived illegality, perpetual foreignness, and an ambiguously defined relationship with state membership are consequences of this conflict and have defined the membership status of Latinos in the U.S. since 1848. Exogenous geopolitical pressure, as manifested on September 11, 2001 prompted the state to react by loosening the boundaries of membership in order to recruit additional soldiers needed for the military campaigns that would follow. Latinos, because of their tenuous status and claims on membership, became the most viable recruitment demographic by which to maintain the fighting readiness of our armed forces. The methodological framework of this dissertation was qualitative and consisted of semi-structured interviews with deported veterans residing in various cities México.

The dissertation of Marco Antonio Durazo is approved.

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2024

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enduring support. I love you all very much. Also, Frankie, I know you are proud and watching from above. I must also thank all the deported veterans who agreed to share their stories with me. The interviews were personal, emotional, and replete with hard realities, but their stories matter and I hope and expect that this vast injustice will be addressed and they will all be welcomed home.

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# **Chapter One**

#### **Introduction**

#### We Deport Veterans?

A Latino veteran stood in silent protest on the corner of a busy intersection in San Diego, CA. He was attired in a United States Marine Corps (USMC) uniform. The date was July 4th, 2019. He stood alone in protest as the smell of barbeque hovered in the warm breeze and people gathered to drink cold beverages in anticipation of the city's best firework show in nearby Coronado Bay. He exercised his right to protest in a dignified, resolute, quietly defiant manner while holding a sign over his head. His sign, scribed with bold letters, read: 'Stop deporting veterans.' The fact that he was intent on making this particular ask on the most patriotic day of the year was strategic and guaranteed to turn heads and raise eyebrows. As vehicles drove by, his sign was read, and onlookers could be seen enunciating the words on his sign. Then, reflexively, with puzzlement cast across their faces, the next series of words they uttered to each other as they went about their day transformed his directive into an inquiry: 'We deport veterans?' This question, posed amid patriotic celebrations centered around the values and principles our nation holds dear, undoubtedly surprised many given the approbation our country and our history bestow upon our armed forces and those who served and died for our nation.

The suggestion that non-citizens have become integral to our armed forces, coupled with the insinuation that our nation has mistreated them by physically removing them, is a novel and challenging concept for most Americans to grasp. Such a charge is at odds with and casts a shadow over the everyday rituals that place a celebratory spotlight on those who have served our country. The possibility that our nation would dishonor veterans, some of whom have served in combat and have been wounded, by denying them the right to live in the country they served is for many beyond the bounds of comprehension.

It was not long ago, however, in the wake of the terrorist attacks of September 11th, 2001, that President Bush signed Executive Order 13269 that 'expedited naturalization for aliens and non-citizen nationals serving in an active-duty status during the War on Terrorism.'<sup>1</sup> The executive order produced the desired effect. From 2001 to 2005, Latino enlistments in the military increased by eighteen percent overall. In the Army, it should be noted, the percentage was as high as twenty-eight percent.<sup>2</sup>

This increase was perhaps most notably demonstrated during the U.S.-led invasion of Iraq in March of 2003. Four of the first coalition soldiers to perish in the invasion were non-citizens. Marine Lance Cpl. José Gutiérrez (killed March 21, 2003) and reported as the first U.S. soldier killed was a native of Guatemala; Marine Lance Cpl. Jesús Suárez del Solar (March 27, 2003) and Cpl. José Angel Garibay (March 28, 2003) were from Mexico, and Army Pfc. Diego Rincón (March 29, 2003) was from Colombia.<sup>3</sup> These non-citizen casualties prompted the international media to proclaim that the U.S. armed forces were deploying Latino and Mexican immigrants to 'man the front line in the War on Terror.'<sup>4</sup>

The invasion also reanimated Vietnam War-era debates that demanded to know who truly fights our nation's wars. The questions generated in 2003, however, were uniquely tailored to the historical experience of Latinos, particularly Mexicans living in the U.S., and thus qualitatively

<sup>&</sup>lt;sup>1</sup> The complete language of Executive Order 13269:

https://www.justice.gov/sites/default/files/eoir/legacy/2003/07/09/pd08jy02\_txt-26.pdf

<sup>&</sup>lt;sup>2</sup> Reynolds, George M and Amanda Shendruk. 'Demographics of the U.S. Military.' *Council on Foreign Relations*, April 24, 2018.

<sup>&</sup>lt;sup>3</sup> Amaya, Hector. 'Dying American or the Violence of Citizenship: Latino in Iraq.' Latino Studies 2007, 5, (3-24).

<sup>&</sup>lt;sup>4</sup> Gumbel, Andrew. 'Pentagon Targets Latinos and Mexicans to Man Front Line in War on Terror.' *The Independent* (London), September 10, 2003.

and contextually different from those articulated during the anti-war movements that characterized the 1960s. In 2003, the ensuing questions and debates pivoted primarily on racial, imperial, and sovereign tension points generated by the Mexican-American War in 1848. The sociopolitical consequences of this conflict have endured as essential arbitrators of Latino life chances, conditions of membership, and ideals of illegality ever since the cessation of U.S. state-sanctioned violence.

The Mexican-American War of 1848, in which the U.S. government annexed half of Mexico's territory via military conquest, mandated Mexicans living in the newly annexed lands to choose to leave the newly acquired territories or undergo forced incorporation vis-a-vis the application of an imposed and dictated U.S. citizenship.<sup>5</sup> Making this discursive link, Amaya (2007) asks if bestowing citizenship upon the deceased non-citizen soldiers in 2003—a gesture that most interpret as a privilege and reward for giving one's life in war—is, in fact, more nuanced and complicated when considered along the backdrop of the Mexican-American War—an event that has defined and preconfigured the sociopolitical status of Latinos and Mexicans in the U.S. particularly those in the Southwest.<sup>6</sup>

Thus, the U.S. invasion of Iraq in 2003 did more than simply prompt questions about who serves and fights in our wars or highlight the U.S. strategy of enlisting Mexicans and Latino immigrants to 'man the front line in the War on Terror.' Of particular importance here, it brought into sharper focus questions about their non-citizen Latino citizenship status before and after military service and how this relationship is further mystified once they leave the military and or are deceased. Moreover, it underscored the position that the Latino relationship with the state, its

<sup>&</sup>lt;sup>5</sup> Almaguer, Tomas. *Racial Fault Lines: The Historical Origins of White Supremacy in California*. The University of California Press. 1994.

<sup>&</sup>lt;sup>6</sup> Amaya, Hector. 'Dying American or the Violence of Citizenship: Latino in Iraq.' Latino Studies 2007, 5, (3-24).

military apparatus, and enduring questions about race, citizenship, and illegality are mediated by powerful historical forces.

These factors, considered together, represent the inner logic and workings of the cognitive dissonance exhibited by so many Americans and policymakers concerning who serves in our armed forces and why our nation ultimately moves to deport some of these soldiers after their service is complete.

#### Dying to Belong

U.S. Marine Corps Lance Corporal Jose Gutierrez, a non-citizen and Green Card holder, was the very first casualty of the U.S. invasion of Iraq. He was killed in action on March 21, 2003. As his American flag-veiled coffin arrived at Dover Air Force base in Delaware before continuing to its final destination in Guatemala, his sister addressed the news media assembled outside her home in Antigua, Guatemala. Her brother, she said, was an orphan, a child refugee, who risked life and limb to make the perilous journey from Guatemala through Mexico and eventually to Los Angeles. Once in the U.S., he lived with foster parents, learned English, acquired permanent U.S. residency, and yearned to become a U.S. citizen so that they could one day be reunited in Los Angeles. In letters he sent to her, which were often accompanied by photos of himself proudly posing in his U.S. Marine Corps attire, he recounted the dangerous journey to the U.S., the train rides, brushes with death, his apprehension by INS, and how he managed to enter the U.S. 'God must have another plan for me,' he said to her in one letter, 'because I often wonder how I made it this far.'<sup>7</sup> The last time she spoke to him, on New Year's Eve 2002, as the Bush administration

<sup>&</sup>lt;sup>7</sup> https://www.cnn.com/SPECIALS/2003/iraq/heroes/jose.gutierrez.html

and the Pentagon finalized plans for the invasion of Iraq, he told her that he loved her and that his unit received its orders: 'I am going to war.'

As U.S. forces made their way into Iraq in the first hours of the invasion in March of 2003, Lance Corporal Gutierrez's unit was among them. Saddam Hussein's Republican Guard, in the initial stages of the conflict, fought to repeal the invasion. The fighting capabilities of the Republican Guard diminished as the Iraqi state dissolved and its military apparatus fragmented into disparate groups of forces organized around varying loyalties and religious affiliations. Lance Corporal Gutierrez's unit, positioned near the Iraqi port of Umm Qasr, encountered the brunt of Iraqi resistance and came under heavy fire. A single round fired by a Russian-manufactured AK-47 pierced Gutierrez's body armor. According to the U.S. Embassy official who knocked on his sister's door at 2:30 am, Gutierrez died within minutes. Gutierrez's death, his sister told the media, would make him immediately eligible for that which had eluded him in life: U.S. citizenship and burial in the United States with full military honors. Lance Corporal Jose Gutierrez's military service ended when he perished in Umm Qasr, Iraq.

The immigrant soldiers who were fortunate enough to return to the U.S. after their service was complete would soon have to answer questions about their citizenship, legacy, and what they consider their home in very different ways. Is it problematic that our nation is utilizing non-citizens to fight its wars? Military service offers many benefits to those who answer the call to service. Should exchanging your life for posthumous membership be a sanctioned exchange?

#### Go Ask Mexico for Help

Most non-citizen soldiers who served in the U.S. armed forces and were deployed to combat zones did not share Lance Corporal Gutierrez's ultimate fate. Evidence of this can be found

in the 'bunkers' situated in towns on the Mexican side of the international border.<sup>8</sup> Located just a few miles south of the international border that separates San Diego, California from Tijuana, México, the Tijuana bunker serves as both a refugee home for deported U.S. veterans and as a continual and lived confirmation that the U.S. does indeed deport soldiers who have honorably served in its armed forces. Its existence, moreover, is where the physical manifestation of immigration policies that have adjudicated the removal of honorably discharged veterans converge and often come into tension with idyllic notions of patriotism, service to the nation, and political posturing that make it hard to believe that U.S. immigration policies could be culpable in ordering the removal of those who served our country.

The 'bunker,' as it has been christened by the veterans that have sought refuge there, has become a central and defining site in the narrative and saga of veteran deportation. It is at the bunker where veterans make their way in a land that is often foreign to them, where they usually do not speak the language and have minimal legal recourse to seek, address, and challenge their forced removal. It has been difficult to quantify how many veterans the U.S. has ordered deported. A recent report released in 2019 by the Government Accountability Office (GAO) found that between 2013-2018, Immigration and Customs Enforcement (ICE) had failed to adequately track and document the number of veterans that it had removed from our nation's soil. The GAO study concluded that this shortcoming was routine and agency-wide.<sup>9</sup>

Further investigation, including an audit of Immigration and Customs Enforcement (ICE) databases, identified 250 veterans with pending removal orders and 92 that had already been deported.<sup>10</sup> These baseline figures offer a partial and incomplete picture of the scope and depth of

<sup>&</sup>lt;sup>8</sup> https://www.facebook.com/DeportedVeteransSupportHousePage/

<sup>&</sup>lt;sup>9</sup> Horton, Alex. 'ICE deported veterans while 'unaware' it was required to carefully screen them, report says.' *The Washington Post*, June 8, 2019.

<sup>&</sup>lt;sup>10</sup> https://www.gao.gov/products/gao-19-416

the adjudication and enforcement that has targeted veterans for physical removal. The thousands of deported veterans that have called the bunker in Tijuana home over the last few years provide some evidence that the ICE figures are artificially low, incomplete, and underreported.

For many deported veterans, the bunker is the only potential safety net that awaits them upon their mandated removal. Homelessness, suicide, petty criminal activity, and recruitment by México's powerful drug cartels who value veterans with military knowledge and the training to handle high-caliber weapons. Many deported veterans, moreover, do not speak Spanish. Illustrative of this scenario that has manifested hundreds if not thousands of times, upon being deported, as he was calmly escorted to the boundary that demarcates the United States from México, a soon-to-be deported veteran asked his ICE escort, 'Where do I go for help?' The U.S. government's response: 'Go ask México for help.'<sup>11</sup>

#### **Problem Statement**

As the preceding vignettes illustrate, non-citizen Latinos have served, fought, perished in battle, and have been deported by the United States government. Understanding why, how, and by what means the U.S. government deports veterans is the primary ambition of this dissertation. How it happens, its core implications, and how it is linked to a larger narrative of immigrant illegality are also corollaries of this project. This inquiry, moreover, seeks to explore how this removal policy impinges on future recruitment efforts, potentially undermines U.S. military combat readiness, and potentially curtails more expansive U.S. foreign objectives.

<sup>&</sup>lt;sup>11</sup> Gumbel, Andrew. 'Pentagon Targets Latinos and Mexicans to Man Front Line in War on Terror.' *The Independent* (London), September 10, 2003.

A 2022 RAND Study found that a majority of Americans (54.5%) would discourage a young person close to them from enlisting in the military.<sup>12</sup> By contrast, Latinos have become the most reliable recruitment demographic for the U.S. military in the last two decades. Statemandated deportation of non-citizen Latino veterans not only threatens to sunder this reservoir of future recruits but sends an ominous message to a group that has a long and proud tradition of military service in the United States.

Following the 2003 invasion of Iraq, as the Iraqi state collapsed, Saddam Hussein's whereabouts were unknown. As President Bush claimed victory prematurely, recruiting and replenishing our armed forces personnel became a persistent concern and challenge. Convincing young people to enlist in the armed forces in the face of looming and perpetual warfare was most notably showcased after the 2003 invasion but has remained a continual obstacle for the Department of Defense (DoD). The children of military families make up the majority of recruits in the U.S. military. A recent study found that this pipeline is under threat and is of concern to the Pentagon.<sup>13</sup> The study shared that' influencers' are not telling youth to join the military. "Moms and dads. Uncles, coaches, and pastors don't consider it a good choice." Years after the U.S. withdrew from both Afghanistan and Iraq, the recruitment objectives of the U.S. armed forces remain unfulfilled. This recruitment challenge, despite the strategic efforts to enlist Latino youth and non-citizens, has persisted in the two decades since the invasion of Iraq in 2003.

In 2022, the U.S. Army missed its recruitment goal by twenty-five percent. The Navy expects to fall short by as much as 10,000, the Air Force has said it will miss its goal by 3,000, and the Marine Corps met its target by sending 33,000 recruits to boot camp but described the effort

<sup>&</sup>lt;sup>12</sup> Kleykamp, Meredith, Daniel Schwam & Gilad Wenig. 'What Americans Think About Veterans and Military Service'' Findings from a Nationally Representative Survey.' *The RAND Corporation*. 2022.

<sup>&</sup>lt;sup>13</sup> Levinson, Andrew. 'The Military Recruiting Crisis/Even Veterans Don't Want Their Families to Join.' *The Wall Street Journal*, July 1, 2023.

as a continual challenge. According to Pentagon data, only 9% of young people ages 16-21 said they would consider military service.<sup>14</sup> U.S. recruiting shortfalls represent a long-term problem that, if left unaddressed, would compel the U.S. armed forces to reduce their size. China, by comparison, has around two million serving personnel versus a little under 1.4 million in the U.S. Armed Forces. A Senior Defense Department official said, 'I've been studying the recruiting market for about twenty years, and we've never seen a condition quite like this.' With the U.S. embarking on a new era of great-power competition with China and Russia—these recruitment challenges will have geopolitical ramifications for the United States.

In stark contrast, a widely cited study conducted by the Center for Naval Analysis (CNA) in 2004 found that the Marine Corps (USMC) had been very successful at recruiting Latinos and that Latinos did very well in the USMC. Hispanics—including non-citizens—illustrated a higher active-duty propensity than non-Hispanic youth (i.e., they say they are interested in enlisting in the military), were more likely than recruits of other races or ethnicities to compete boot camp and the first term of service—even after controlling for other differences.<sup>15</sup> The report concluded that Latino youth and non-Latino youth cite similar reasons for joining the military, such as economic incentives, job training, and the ability to travel, and concluded that advertising campaigns targeted at both groups do not need to be substantially modified.

The CNA report summarizes its findings in one sentence: The USMC's strategic recruitment of Latino youth is a 'win-win' situation.<sup>16</sup> Qualitative data collected for this dissertation suggests that this calculus is more complicated and holds more nuance than the CNA

 <sup>&</sup>lt;sup>15</sup> Hattiangadi, Anita U., Gary Lee, and Aline O. Quester. *Recruiting Hispanics: The Marine Corps Experience: Final Report.* Alexandria, Virginia: The Center for Naval Analyses (CNA), 2004.
<sup>16</sup> Ibid.

report reflects. When queried about the reasons that motivated their enlistment in the armed forces, many Latinos, like other soldiers of immigrant stock, couch their motivations for enlisting in patriotic terms. Furthermore, they did so by espousing the obligation to give back to the nation that has embraced them and their families as potential new Americans. Bradford (2021), moreover, finds that Latinx veterans articulate a particular form of "outsider patriotism" that reflects their uneasy location in the 'borderlands between idealized notions of white/U.S. born/cisgender male veterans as the highest embodiment of patriotism and racialized notions of all Latinx people as foreigners and illegals.

The thesis advanced here is that Latinos, including those born in foreign lands, have become the most reliable and consistent recruitment demographic for the U.S. military in the two decades that have followed the events of 9/11. This strategy is of concern and problematic because while Latino propensity to enlist in the military holds much in common with other racial and ethnic groups, the Latino experience in the U.S. is intertwined with continual immigration, tenuous claims on full membership and citizenship, and perceived illegality. The continual deportation of non-citizen soldiers' threats to dampen, curtail, and invalidate Latino veterans' desires to pay back or acknowledge what our nation has done for them when many of their peers have been dishonorably deported. These fears are not unfounded. In 2018, the wife of a Marine Corps veteran was deported after having lived in our nation for over two decades.<sup>17</sup> There are many other instances of the U.S. government taking similar action against veterans, their spouses, and extended family members.

The implications here are far-reaching. As of 2018, the number of veterans born outside the U.S. is approximately 530,000. Additionally, almost 1.9 million veterans are U.S.-born children of immigrants. Together, the 2.4 million veterans of immigrant origin, either because they

<sup>&</sup>lt;sup>17</sup> https://www.cnn.com/2018/08/03/us/florida-marine-wife-deported/index.html

are immigrants or are the children of immigrants, account for 13 percent of all veterans.<sup>18</sup> The state's deportation of veterans and their immediate families holds the potential to undermine, cast doubt upon, and damper the military service propensity of our nation's most reliable recruitment demographic in a manner that may imperil and hinder U.S. foreign policy ambitions.

#### Background and Significance

Recent academic efforts aimed at expanding our understanding of the long-standing relationship between our nation's foreign policy objectives and the utilization of immigrant soldiers have become more elaborate, theoretical, and inclusive of experiences beyond black-and-white racial discourses. Scholarship that has examined the relationship between military service, blackness, citizenship, racism, and the ideology of white supremacy have been instrumental and influential in the conceptualization of this dissertation. In many critical ways, the experience of African-American soldiers foretells, parallels, and overlaps with that of non-citizens. The key distinction here, and a significant theoretical pillar of this study, is that non-citizen soldiers, in both name and legal standing, are not full legal members of our polity, are subject to removal, and have a lived experience in the U.S. both in and out of uniform characterized by the legal mechanisms of illegality. To be explicit, they can be physically removed from the boundaries of the nation-state they served in war.

Latinos have become the most significant racial and ethnic minority in the U.S. This trend has also been reflected in their recruitment by the U.S. military. As the Latino population in the U.S. has grown, so has its representation in the military. The CNA report states that Latino accessions grew steadily in all services over the late 1980s and 1990s, but growth has been the

<sup>&</sup>lt;sup>18</sup> Zong, Jie & Jeanne Batalova. "Immigrant Veterans in the United States." *The Migration Policy Institute*, May 16, 2019.

strongest in the Marine Corps, rising from less than 5% in 1985 to 13.7% in 2002 to 20.5% in 2020.<sup>19</sup> The study concluded that 'Hispanic recruiting is important today and will be even more critical in the future'. It made a series of recommendations designed to help recruiters develop rapport with potential Latino recruits and their families and to generate inroads in the communities where they lived. The report title, 'Recruiting Hispanics,' and the strategies it advanced to the Pentagon made it clear that Latinos, non-citizens, immigration, culture, and race were all categories that would have to be considered, contended with, and aligned if the armed forces wanted to capitalize on the growth and potential of this demographic. The Pentagon heeded the CNA strategy and recruitment recommendations well. Among enlisted recruits, 43 percent of men and 56 percent of women are Latino. This has increased since 1985 when it was only 3.7%.<sup>20</sup>

The need to provide empirical context and understanding of the almost universal lack of awareness that our nation deports veterans, given the size and scope of their enlistment trends, is a foundational element of this dissertation and is significant to academic and policy audiences. By isolating the experience of Latino veterans who have been deported, this dissertation aims to shed light on and advance a theoretical and empirical understanding of this phenomenon. Furthermore, the objective here is not only to add nuance to the narrative of veteran deportation but to enhance the knowledge base on this topic in a broad array of literature that includes scholarship on race, citizenship, illegality, ethnic studies, military studies, and political science.

As such, this dissertation is an attempt to shed light on this dilemma and an effort to respond to the puzzle of how and why our nation deports honorably discharged veterans. More indicatively, it is an exploration into the plight of the growing number of veterans who find themselves in a

<sup>&</sup>lt;sup>19</sup> Ibid.

<sup>&</sup>lt;sup>20</sup> Reynolds, George M and Amanda Shendruk. "Demographics of the U.S. Military." *Council on Foreign Relations*, April 24, 2018.

state of deportability. Military service, both in antiquity and contemporary moments ranks among the highest acts of patriotism. The first losses in the U.S.-led invasion of Iraq in 2003 were noncitizen Latino immigrants.<sup>21</sup>

This enlistment data begins to tell a story that is part and parcel of the overarching goal of this dissertation. The research object here is to cast a bright light of inquiry on the deportability of Latino 'green card' holders who have served in our armed forces. To do this, I contend, requires that the lens of inquiry be expanded to include not only an empirical awareness of this process and its consequences but also an understanding of how specific categories of difference, such as race, deportability, and the socio-politically demarcated boundaries of citizenship have been configured and how these contours have worked in a non-linear process to facilitate Latino veteran deportability. This effort also mandates that the study of why our nation deports Latino veterans be bound to an understanding of how external factors like moments of state crisis and the state's foreign policy objectives, i.e., its use of military force, dovetail with its need for Latino soldiers.

#### Research Questions

The vignettes at the beginning of this chapter illustrate the social and political contours by which the dilemma of veteran deportation has unfolded in the last decade. They also generate the research questions that will guide this dissertation. Despite a rich history of military service that is only beginning to be explored and documented, it is not clear or even widely known that our nation deports immigrants who have served in our armed forces. It is essential not only to acknowledge that our country does indeed deport veterans but to explain why and illuminate the sociolegal dynamics that make veteran deportation a lived reality. It is also essential to explore the questions,

<sup>&</sup>lt;sup>21</sup> Gumbel, Andrew. "Pentagon Targets Latinos and Mexicans to Man Front Line in War on Terror." *The Independent* (London), September 10, 2003.

contradictions, and tensions that surface when soldiers are deported, banished to foreign lands, and can only return once they are deceased. As the second vignette illustrates, only in death can they be acknowledged, celebrated, and bestowed with military honors and given a final resting place in the country they served. Once deported, the experience of being forced to survive in a foreign land coupled with the mandated political and ideological re-alignment that many undergo as they are forced to question, challenge, and dismiss many of the patriotic tenets that initially encouraged them to enlist. The role of the state is also of critical importance in this analysis. These ideals are reevaluated as deported veterans find themselves banished to a land they do not recognize, whose language many do not speak, nor do they harbor allegiance to in any measurable way.

The quest for answers to this predicament encompasses the research agenda of this dissertation, and the following research questions guide it: Why does the United States deport immigrant veterans? The legal and political reality of veteran deportation is obfuscated by the position that our nation would never mandate the deportation of military veterans. The systematic deportation of veterans is a factual reality. This research question centers the dissertation on this fact and initiates the intellectual work of exploring how state action, race, illegality, and questions of citizenship operate together. How has military service uniquely configured the relationship Latinos would come to have with race, citizenship, and illegality? When did the historically situated accord that granted full non-negotiable citizenship in exchange for military service become invalid? How does the state's physical removal of deported veterans highlight this broken accord?

#### Chapter Overview

Chapter two will provide an overview of relevant literature to situate these questions and respond to them. The review in chapter two will also frame this dissertation's empirical and theoretical foundation. Chapter three will articulate the methodological framework of this dissertation. The next chapter will then engage with and analyze the collected qualitative data. The concluding chapter will link the dissertation and engage with the initial research questions that inspired the study.

# **Chapter Two**

## **Review of the Literature**

## *Soldados Deportados* Deported Veterans

"If we are good enough to serve and die for the U.S., then we should be good enough to live there."<sup>22</sup>

-Hector Lopez U.S. Army Deported Veteran

"Everything I am is American."23

-Alex Murillo U.S. Navy Deported Veteran

Introduction:

With sixty dollars to his name, less than ten days of prescription medicine to treat diagnosed

Post Traumatic Stress Disorder (PTSD) in his pocket, and brain injuries associated with two tours

<sup>&</sup>lt;sup>22</sup> Zamudio, Maria Ines. 'Deported U.S. Veterans Feel Abandoned by the Country They Defended.' *NPR*, June 21, 2019.

<sup>&</sup>lt;sup>23</sup> Jordan, Miriam. "Deported Veterans Long to Return from Exile. Some Will Get the Chance." *The New York Times*, July 26, 2021.

of duty in Afghanistan, Miguel Perez was calmly walked to a gate that demarcated the international boundary between the United States and México. The federal agent that escorted Perez offered him this advice as they approached their destination: 'You see those two green arrows? That's México. Go ask them for help.' This memory, Perez says, is punctuated by the loud sound of a metal gate quickly closing behind him. Perez's immediate instinct was to jump off the bridge that traversed the Rio Grande River, but the urge was quickly suppressed by mental images of his children flashing across his mind.

Miguel Perez grew up in Chicago and came legally to the United States as a small child. He does not have vivid memories of México or speak Spanish very well. He considers himself an American of immigrant stock and professes a deep love and admiration for the nation that welcomed his family in the early 1980s. Like many other Americans, he watched the events of September 11th unfold on television. He was compelled to join the effort to make America safe and respond to terrorism, and as an immigrant, he had the perpetual desire to pay it forward to the country that had embraced his family.

He enlisted in the U.S. Army in 2002 and completed two tours of duty in Afghanistan. The combat was heavy; he witnessed things that haunt him to this day and was discharged with brain injuries, hearing loss, and PTSD.<sup>24</sup> As a result of these combat-related medical challenges, Perez was unable to secure steady employment after he was discharged nor was he a U.S. citizen upon leaving the military.<sup>25</sup> Lured by what he mistakenly thought was quick and easy money, Perez agreed to transport cocaine from a seller to a buyer and was arrested. He was convicted and given a fifteen-year sentence. After his release, he was transferred to the custody of the Immigration and

<sup>&</sup>lt;sup>24</sup> https://www.cnn.com/2018/03/27/us/us-veteran-deported-to-mexico/index.html

<sup>&</sup>lt;sup>25</sup> Ibid.

Customs Enforcement (ICE), put on a plane to Brownsville, Texas, and ultimately escorted to the one-way gate that leads to México.

In México, Perez spent time living on the streets, avoided recruitment by the cartels, and was eventually connected with the deported veteran support bunker. Perez has since been engaged in advocacy efforts to repatriate deported veterans to the United States. Reflecting on his ordeal, Perez says: 'I am not a victim – but I am a witness to the policies of mass incarceration and mass deportation of this country. I am not a victim, but I am a witness to the way veterans are treated, disrespected, and thrown away after they sacrificed for the nation." Miguel Perez' story is essential and valuable because it frames the lived experiences of many deported veterans. It also serves to provide a bookend for relevant academic literature that speaks to and sheds light on Latino military service, deportation, and the role of the state in facilitating this process.

This chapter will engage with the relevant literature of this dissertation and will be organized in the following manner:

#### Overview: The State→Latino Racial Project→Military Service→Illegality→Deportation

The first portion of this chapter will be centered on literature that sheds light on the state's role in facilitating veteran deportation. My argument here is that the state is the ultimate arbitrator of group membership and, in this capacity, determines and enforces the boundaries of group membership. The enforcement of membership, the ebb and flow of who is and is not considered a member, is conditioned by a range of spatial and temporal political pressures generated both internally and externally. As a first step, I begin by foregrounding the theory of racial formation and its conceptualization of racial projects at the locus of this review. This will allow me to isolate

the state's role in this process and highlight how additional elements in the larger puzzle of veteran deportation can be traced to state policy, its objectives, exogenous political pressures placed on the state, and how racial categories and *projects* are created.

The explicit goals of this review are to center the role of the state in the process by which veteran deportation becomes a lived reality. The state is the arbitrator of group membership, articulates racial common sense, and hold executive control over the armed forces. The objective of the literature review is to illustrate how these seemingly disparate bodies of literature when considered together help form the casual chain that serves to illustrate the reality of veteran deportation.

From here I turn to literature that contextualizes the link between Latinos and their service to our nation vis-à-vis military service. The historical legacy of Latinos and their service in our armed forces has been extensively articulated and researched. This dissertation does not seek to echo or replicate this stream of work. The analytical foci are the lived experience of veteran illegality and military service. To this point, (Lacayo 2017) has illustrated how Latinos, despite the group's historical presence in the U.S., have historically been depicted as perpetual foreigners. Their membership status as legal residents without citizenship continues to make them ideal military recruits. The conceptual goal here is not to examine how service in the military has made Latinos worthy of citizenship, as a great deal of relevant literature has seemingly sought to establish and articulate.

Instead, I synthesize the literature to understand how illegality, despite their service to our nation, has been intertwined in the state's rendering of who is worthy of membership, how this has been operationalized to recruit Latinos—including non-citizens strategically—and ultimately how this been utilized to justify their physical removal from the nation they swore an oath to as soldiers.

The dialogue generated between these seemingly disparate bodies of literature allows me to explore the themes, theoretical bonds, and empirical reality of veteran deportation while building a framework that helps me contextualize how and why our nation deports some of its veterans.

The core objective of this review is to situate and clearly articulate the linkages between various bodies of literature that, when considered together, help shed light on the reality of Latino veteran deportation. The state is the legal and judicial anchor of veteran deportation. Far from being a neutral arbitrator and enforcer of the boundaries that define group membership, illegality, and ultimately who is considered worthy of citizenship, the state dictate reserves the right to determine who is permitted to stay and who is ordered removed.

The events of September 11th, 2001, placed enormous external pressure on the state. This pressure altered, conditioned, and influenced the state's adjudication of the boundaries of a group membership. Relevant literature illustrates examples where similar dynamics have materialized such as in post-revolutionary Cuba. The lesson from this body of literature is that it helps illustrate that the state is not static but amiable to exogenous pressure that informs its policy positions, including those that govern immigration enforcement.

State-sponsored immigration policies have been among the chief architects of how Latinos have been racialized in the U.S. Scholars centered on the state, race, labor, and immigration enforcement have narrated and depicted the notion of immigrant illegality and how it has conditioned and informed the lived experiences of Latinos. This related literature provides the lens by which to engage and understand the state's mandated removal of Latinos, in this case, veterans, as an inherently racial project. The relevant literature reviewed here supports this assertion. It facilitates our understanding of how the state's motivation for expanding and contracting the boundaries of group membership is influenced by more than just economic, seasonal, and labor considerations.

To many, service in the U.S. armed forces is an alternative form of labor. Many researchers agree that joining the military is a vehicle for career and economic advancement. I would advance that military service has a range of ideological implications that speak directly to notions of patriotism, belonging, and the articulation of claims for full membership that other employment opportunities do not generate. Relevant literature on Latinos and their role and history in military service is extensive but lacks theoretical sophistication and often neglects considerations of state policy, race, and illegality. The goal here is to complicate this narrative to heighten awareness when discussing veteran deportation.

### The State

Retrospectively, the events of September 11th, 2001, represented a definitive moment in how deported veterans would come to define their relationship to the U.S., their obligations as potential new Americans, and the extent to which they would be prompted to fulfill these responsibilities in a moment of crisis. For the state, the events of that day were just as consequential and marked by the urgent need for political stabilization and a systematic mobilization of its military apparatus. Part and parcel of the states' response was the widespread recruitment of noncitizens for military service. This mobilization, however, would require a re-articulation of the legal boundaries of membership that have historically determined eligibility for full membership.

This literature review's thesis and an organizing objective are that 9/11 prompted and pressured the state to rearticulate, shift, and expand the line between citizens and non-citizens and the political and legal mechanisms that enforced these boundaries. The terrorist attacks, in essence,

had a profound impact on both non-citizen soldiers and the state as it mobilized its response. This analytical focus is also indicative of the proposed contribution this dissertation seeks to make and the void it aims to fill. Veteran deportation is a sociopolitical by-product of the state. Thus, this dissertation seeks to bring this inquiry into focus and is predicated on the argument that the state is centrally located in a constellation of factors that operate in unison to produce the reality of veteran deportation. Moments of state crisis, racialization, the calculus of group membership, and the political and legal enforcement of these physical contours all comprise pieces of the empirical puzzle that produces veteran deportation. The state then adjudicates who is considered for membership or when membership when these credentials are revoked.

Despite the state's decision-making authority in this process, its role remains understudied and undertheorized. This gap in the literature is noteworthy, given the amount of scholarly attention devoted to the study of race in the military and its connection to more significant questions of membership in our society.[1] The objective here is to link these disparate analytical categories together in a cohesive manner that will elucidate the state's role in creating and sustaining veteran deportation.

The state is the hub comprised of various geopolitical pressure points and administrative action. It is vested with the ultimate authority to mandate the physical removal of people, including those who served in its armed forces and fought in its wars. More precisely, I contend that it is the state that mandates and authorizes the DOD to recruit non-citizens for military service. The state also makes the executive decision and provides ICE the institutional discretion to deport many of these same people. The state is also the site by which, to paraphrase Omi and Winant's now classic study, racial categories are 'created, inhabited, transformed, and destroyed.'

From a theoretical and empirical perspective, the state has been front and center in this process. Yet the state's response to internal political duress, geopolitical pressures, and military necessity characterized by two decades of war in both Afghanistan and Iraq has remained unexplored as it relates to and may help shed light on why our nation deports veterans. Sawyer (2004), in his study of black political participation in revolutionary Cuba, argued that the bounds of state membership expanded and contracted based on internal and external political pressure placed on the island nation. A focus on state actions and their consequences is warranted here and delineates a gap in scholarly efforts to understand Latino veteran deportation.

Placing the state at the center of inquiry will establish the framework by which disparate and peripheral efforts can begin to be bounded to link how the state, moments of crisis, race, and military service serve as the midwife of veteran deportation. My goal here, then, is to formulate an elaboration of the structural and legal mechanisms that facilitate Latino veteran deportation. This review begins by engaging with a few power streams of social science literature. The racial formation, the body of scholarship that advances a state-centric narrative of race, its articulation, and how this process becomes the brick-and-mortar of various racial projects, is the incipience of this literature review.

#### The State, 9/11, and Crisis

The state's role in the deportation of military veterans is a central piece of the larger empirical puzzle that frames this dissertation. The centrality of the state in this process is crucial and offers a unique perspective on this political problem. The state is the ultimate arbitrator of group membership. The calculus by which the state determines the boundaries of group membership is conditioned and responsive to a range of spatial and temporal political pressures. It is important to note that while the deportation of Latino veterans is a factual occurrence, it is nonetheless difficult for many to comprehend and accept. Our nation bestows seemingly boundless admiration upon our armed forces. Why, then, do we deport those that have served in our armed forces? What is the legislative and institutional link between the state's response to external pressure and the demarcation of group membership? How do events that threaten the survival or legitimacy of the state such as 9/11 shift the partition by which the state delineates inclusion and exclusion? Finally—are there historical examples that might help inform our contemporary understanding of veteran deportation? A comprehensive response to these questions prompts an engagement with a body of literature that situates state decision making in a context characterized by exogenous political pressure and a multitude of claims for group inclusion.

It is for these reasons that I turn to an example of state consolidation in the face of external threat that had particular implications for group membership. Sawyer (2006) is both empirically and conceptually helpful here in that his work speaks to the relationship between the state, exogenous pressure, and how these elements induce policy that determines group membership. Sawyer's approach, articulated in the shadow of the post-revolutionary Cuban state, advances the thesis that moments of 'state crisis' such as wars, civil wars, and regime change can create unique moments for racial politics. Sawyer is one of the few to examine the role of the state in response to exogenous pressure and how this process has had a particular impact on racial politics and the parameters of group membership. Underscoring the applicability of the state as the subject of central inquiry and why its response to geopolitical pressure in moments of crisis is paramount, Sawyer adds the following, 'a state crisis is any situation in which the state or regime, or the sovereignty of the state or nation, is in jeopardy.'<sup>26</sup> Adding a conceptual layer, McAdam, Tarrow

<sup>&</sup>lt;sup>26</sup> Ibid.

and Tilly (2001) contribute to this definition by illuminating the link between moments of crisis and the political ramifications that are often discernable when state sovereignty is perceived to be in peril. Moments of state crisis, they argue, are 'externally generated influences on conditions affecting social life.' Both Sawyer and McAdam et al. provide the theoretical link between exogenous pressure and state decision making. Of insight here is the articulation of state action in response to exogenous political pressure that serve to foreshadow specific policy inclinations with respect to group membership.

Exogenous shocks to the state, such as 9/11 in the United States or the various Cuban examples that Sawyer chronicles in his study, are events that have had profound implications for racial politics.<sup>27</sup> The anterior of Sawyer's argument is that state racial politics follow a pattern of political opening and retrenchment that is driven by the need to mobilize a particular racial group to support state projects and to protect the state from hostile elements. Once the state's projects have been completed and the threat neutralized, Sawyer argues, the state consolidates around new racial orders. Within this process, racial ideology plays a critical role in setting the boundaries for improvement on racial issues and providing justifications for retrenchment.

The progression by which crisis prompts the state to ensure its survival, its mobilization and enlistment of racial groups for this objective creates temporary political opportunities for marginalized groups.<sup>28</sup> These opportunities can include increased attention to long-standing grievances, expanded political rights, increased elasticity among the boundaries of citizenship, and an increase in who is considered a member of a process Sawyer labels 'race cycles theory.' The

<sup>&</sup>lt;sup>27</sup> The Bay of Pigs, Cuban Missile Crisis, Collapse of the USSR are all examples Sawyer cites as examples of state crisis in post-revolutionary Cuba.

<sup>&</sup>lt;sup>28</sup> Sawyer argues that 'critical events are environmental mechanisms that shape racial politics outside the context of state crisis and transitional politics' and thus alter the 'landscape of contention.' (9)

political openings and retrenchment triggered by crisis are, according to Sawyer, are '*sporadic*, and do not necessarily cause racial politics to improve in a linear fashion.'

What is the relevance of Sawyer's 'race cycles' approach to this study, and how does it help contextualize the state's role in the political problem posed by veteran deportation? Sawyer provides the analytical framework and pivots needed to link state action and the geopolitical impulses that prompt the state to pursue specific legislative and executive mandates regarding group membership. This connection is often neglected and unaccounted for in academic efforts to comprehensively explore Latino veteran deportation.

In what way has the Cuban state's response to exogenous political pressures inform the experiences of Latino soldiers in a post 9/11 world with respect to their membership status? The argument here is the U.S. nation state moved swiftly to expand the boundaries of membership in the aftermath of the terrorist attacks with the prospect of prolonged military conflict in the Middle East dominating discussion in the Pentagon. The most relevant policy example and perhaps the most indictive example of race cycle theory's predictive utility is President Bush's 2002 Executive Order which expedited naturalization of 'aliens and noncitizen nationals serving in an active-duty status during the War on Terrorism.' This executive order is illustrative of process that articulates how exogenous pressure prompts the state to respond in a manner that aligns resources, mobilizes its racial population, and most importantly, expands the bound of who is considered a permanent member of the state.

The link between the state and its response to exogenous political pressure, and how this process articulates the boundaries of group membership is a foundational pillar of this dissertation and review. It is the empirical and theoretical scaffolding that will allow me to shed light on the research questions that inspired this study. This approach will fill the gap that exists in the current

literature in that it advances a comprehensive response to the question that asks why our nation deports some of its veterans. Race, the notion of perpetual 'foreignness' and draconian immigration enforcement measures are critical elements of this inquiry but state action in the manufacture of veteran illegality is a central to understanding the particular experiences of Latino soldier deportation.

#### The State, Racial Projects, and Relational Racism

The state is the political, legal, and judicial epicenter of Latino veteran deportation. Why veterans are deported, the legal mechanisms that facilitate it, and the consequences that are manifested by this political phenomenon represent the empirical and theoretical core of this dissertation and review. How, then, and to what degree does race inform state deliberations about membership in a context influenced by external political impulses and pressure? A response to this inquiry merits an engagement with a specific field of literature that is not only centered on the state but also a body of theory that conceptualizes how the state interacts with, shapes, and is in turn influenced by race. Two of the most prominent voices in this catalog of research belong to Omi & Winant (1996). Their landmark study has become foundational to the study of racism and how state institutions not only harbor racial ideology but can also regenerate and rearticulate racial meaning. The centrality of the state is warranted, they argue, because it has historically played a principal role in the 'organization and interpretation of race.'29 This insight is of utility because it provides the theoretical scaffolding needed to conceptualize not only the central role of the state but also begins to account for the manner in which the state influences external politics and plays a critical role in the production and rearticulation of *racial projects*.

<sup>&</sup>lt;sup>29</sup> Omi, Michael & Harold Winant. 1994. <u>Racial Formation in the United States</u>. Routledge Press.

Their elaboration of racial projects, a core feature of their theoretical framework, describes how racial categories are 'created, inhabited, transformed, and destroyed.' The centrality of the state, its articulation and construction of racial projects, and how this process is hitched to and provides meaning to a range of political phenomenon such as the politics of immigration enforcement and the geopolitical are critical to this review and the analysis of subsequent chapters of the dissertation.

Racial projects, according to Omi & Winant, connect what race means in a particular discursive practice and the ways in which both social structures and everyday experiences are racially organized based upon that meaning. An empirical example of this premise, I will argue, is the state's strategic effort to recruit Latinos, including non-citizens, for military service. The justification, rationale, and strategy behind this state objective represents the trope and the discursive link between state goals and policy. Racial formation as a theory of how race is articulated and how processes of racialization are produced is, according to Omi & Winant, a state enterprise. This conceptualization will expand our understanding of how the state has preconfigured the relationship between Latinos, military service, and eventually illegality. The casual links that connect these concepts are of central concern to this review and the questions that preface this dissertation.

How, given what Omi & Winant have elucidated about the state role in articulating and interpretating racial meaning, does this illuminate the relationship between military service and race? A commissioned study released just after 9/11/01 speaks to this question. The recruitment of Hispanic soldiers, in order facilitate the enlistment needs of the armed forces, was described as a 'win-win' situation based on vague attributes that made Latino recruits especially good soldiers

and particularly suited for warfare.<sup>30</sup> This connection between state objectives, crisis, and its production of racial tropes and scripts in service of these goals represent the core elements of a viable racial project. The relevant literature has established this precedent and link. Moments of state crisis that have mandated military responses such as World War Two, Vietnam, and most recently 9/11/01, have illustrated how state objectives have prompted the state to define and interpret racial meaning and construct racial projects to serve particulars ends.

This literature is critical to this review and dissertation because it operationalizes the state's role in the construction of racial projects that were manufactured in response to a particular state objective. The state's racialization of a group for military service in response to the events of 9/11 predicated on a promise that enhanced membership status would be obtained is a central discursive link of this project. This coupling, moreover, fills a void in current literature because it not only enters the state in this decision-making apparatus but assigns the state a role in how race is articulated in response to exogenous political pressure. It is critical to note that the creation of racial projects to facilitate state objectives is not a unique enterprise. Similar racial projects were constructed, for example, during the Second World War to recruit African Americans for military service. The exchange then hinged on access to the benefits and protections afforded by first class citizenship.<sup>31</sup>

The link between state production of racial meaning and how it preconfigures the relationship between Latinos, military service, and citizenship is a central tenant of this review and dissertation. This theoretical lift is facilitated by Molina (2014) and the idea of 'racial scripts' that highlight 'the ways in which the lives of racialized groups are linked across time and space and

<sup>&</sup>lt;sup>30</sup> Hattiangadi, Anita U. et al., *Recruiting Hispanics: The Marine Corps Experience: Final Report*. The Center for Naval Analysis, 2004.

<sup>&</sup>lt;sup>31</sup> Parker, Chris. 2009. <u>Fighting for Democracy</u>. University of California Press.

allows us to see different racial projects operating at the same time...' If we are to understand, Molina continues, 'why we think about race and citizenship as we do, we must thoroughly examine immigration laws and practices because they structure and lend meaning to these concepts.' This intervention is of utility here because it provides a degree of specificity and an illustration to how racial formation can produce a uniquely Latino racial project via the analytical lens of the 'legal, political, legislative, and cultural terrain during a particular period's immigration regime' (ibid). Molina's biggest theoretical contribution is her ability to illustrate how racial projects inform one another. From this I look to focus my lens on racial projects particularized on the experiences of Latinos.

Thus far the relevant literature has showcased that the state is heavily involved in the manufacture and interpretation of racial meaning and this process yields various racial projects. These racial projects are imbued with racial meaning. The building blocks of their racial DNA, Molina shows, is informed by the structural conditions germane to their sociohistorical environment. I am especially intrigued here by the particular racialization of Latinos and how this narrative has been generated historically, by structural entities like the state, via immigration laws and their adjudication, and the manner in which this process is produces tangible by products i.e., new recruits, in order to help satisfy overarching state objectives.

A fair amount has been written about the role Latinos have played in prior military conflicts (Carroll 2003; Rivas-Rodriguez 2005; Ybarra 2004; Oropeza, 2005) and more recently their role in military efforts in response to 9/11. Much of this work is focused on questions centered on patriotism, heroism, and how the experiences of Latino soldiers often intersected with that of African American soldiers. There exists, however, considerable theoretical and empirical overlap between the Latino experience in our armed forces and that of African Americans that should

accounted for and acknowledged. Current scholarship on race, citizenship, and military service reflects this parallelism. Segregation in the ranks, over recruitment, second-class citizenship, and the enduring legacy of racism are all staples of scholarship that explores the black experience in our armed forces (Moskos & Butler 1997). There is a qualitative and analytical distinction to be made, however, between the racial project that facilitated the recruitment of black soldiers for military service during World War Two and the Vietnam era and the racial project that has prioritized the enlistment of Latino bodies in the years following 9/11. These bodies of literature offer rich insight and the preliminary empirical and theoretical framework for additional intellectual inquiry. The goal of this review and dissertation, however, is more expansive and situated along a specific axis that seeks to link Latino military service with questions about citizenship, race, and eventual illegality. Illegality, I argue here, is a key distinction between these two bodies of literature in that it is characterized by physical removal from the nation state.

Physical removal via state adjudicated deportation is a key distinction of a state created racial project. Why our nation deports Latino veterans, the legislation that facilitates it, and institutional sites that mediate it, and how this in turn is contextualized by geopolitics factors is a process and political phenomena that is relatively unknow and understudied. These dynamics are what Omi & Winant (1996) and Molina (2014) describe as the inner workings of a racial projects. A principal task here is to link this process to the structural conditions and political realities that produce the lived experience of veteran illegality. This is the academic void that this dissertation seeks to address. Since the late 1990s Latino recruits have played a pivotal role in supplying our armed forces with the recruits needed to meet enlistment quotas. The progression, however, from recruitment, to service, and eventual physical removal from our nation remains undefined and under explored. Why they were removed after their service, which for many included tours of duty

in Iraq and Afghanistan, remains a question for many observers is the central empirical puzzle of this dissertation.

The U.S. military response to the events of 9/11 represents the thematic backdrop of this dissertation. These events profoundly altered our national narrative, increased the threat level, and mobilized our military apparatus in a manner that had not been observed since perhaps the Vietnam War. U.S. Sawyer (2006) argues that the political ramification of the events like 9/11, the military response, and the manner in which it altered the political terrain constituted a 'state crisis.' These episodic events, Sawyer continues, are 'situations in which the state or regime, or the sovereignty of the state or nation, is in jeopardy.' The events of 9/11 fit the bill described by Sawyer's definition and serve to highlight the pressures placed on the state that prompt it to not only align strategic goals with the production racial projects but how these variables interaction with one another and are aligned with the state's foreign policy objectives.

#### 'Illegality,' Citizenship, and Military Service

U.S. military history is replete with examples of immigrants and racial minorities utilizing their service to amplify and strengthen their claims to full and inclusive membership. Much of the contemporary literature has centered on the experience of citizen soldiers who have utilized their military service to highlight the legal and political disconnect between the rights associated with first-class citizenship and the often unsavory realities of second-class belonging.<sup>32</sup> This sociopolitical context interwoven with military service and the denial of the rights related to both scenarios prompts the following questions: what is the distinction between first and class

<sup>&</sup>lt;sup>32</sup> Some of the most extreme examples include white mobs lynching black soldiers returning home during World War one. Other examples include racial hostilities, denial of GI Bill benefits, and continued racial hostility (Katznelson, 2006).

citizenship and how has it manifested in a political and social manner? What is, moreover, the discursive framework that distinguishes second class citizenship from the lived experience of illegality? The literature presented here is bound by these two questions with the objective of distinguishing the difference between second class citizenship and the sociopolitical reality of illegality. It is illegality, as a lived manifestation of immigration enforcement, that has defined not only the experience of Latino veterans but has also created the sociolegal foundation of veteran deportation.

The case of Felix Longoria sheds light on this critical distinction. Killed in action during the second world war the circumstances that followed his death would come to have profound implications for the emerging Latino Civil Rights Movement, particularly the Chicano Movement, and illuminate the social and legal differences that separate first and second-class citizenship. Longoria's remains were refused by the mortuary in his hometown because he was of Mexican descent.<sup>33</sup> This episode of anti-Latino racism in South Texas highlighted the social and political gulf that exists between first- and second-class citizenship and prefaced the notions of perpetual foreignness and illegality that become part and parcel of the dilemma of veteran deportation.

The Longoria incident also parallels that of black veterans when they returning home from fighting abroad only to be denied basic civil rights. Parker (2006), for example, elucidates how Black veterans upon returning from Vietnam utilized the organizational skills inoculated by military training to supplement the bourgeoning civil rights movement with military might as means to demand first class citizenship.<sup>34</sup> One is less likely, the argument goes, to stand down in

<sup>&</sup>lt;sup>33</sup> The mortuary's owner, while sympathetic to Longoria's sacrifice on behalf of his nation, refused Longoria's body and declined to host the wake because the 'white people' in the deeply segregated town, 'would not like it.' After a great deal of public outcry and intervention by Dr. Hector P. Garcia—Texas Senator, and future U.S. President, Lyndon B. Johnson arranged to have Longoria buried with full military honors at Arlington National Cemetery. <sup>34</sup> Parker (2006) also discusses how military service and time in combat not only taught African American

organization skills and a high degree of competency with respect to military grade weaponry but also how this experience motivated the veterans to demand more—with respect to civil rights—of their nation when they returned

the face of white supremacy at home after fighting various isms abroad. The scholarship centered on Black military participation is theoretical, extensive, and narrated by the relationship between service and how it generated claims for first class citizenship rights.

The linkages between Black military service and that of Latinos are multifaceted. How, then, does this literature inform the experience of Latino veterans and what areas of this inquiry have remain obscured? More specifically, in what manner does the plight of deported Latino veterans parallel this experience and the specific claims articulated by Black veterans? What conceptual and theoretical distinctions can be made and how do they narrate a singular Latino experience with respect to military service, citizenship, and claims on belonging? I advance the notion that these questions illuminate a critical gap in the literature on race, military service, and citizenship. They extend inquiries beyond those defined by first-class citizenship. These questions, and the distinctions they seek to surface, the gaps in contemporary literature they have been outlined, amplify the contributions this dissertation seeks to make.

Here I argue that the lived reality of deportability—physical removal from the nation state—is what distinguishes the experience of Latino veterans from other racialized minorities. The enforcement of our nation's immigration laws against veterans who have served our nation represents the political problem at the center of this dissertation. The judicial act, moreover, of a nation physically removing veterans who served in its armed forces is without historical parallel. Therefore, relevant literature that poses questions relating to the experience of racial minorities and immigrants with respect to military service—although empirically and theoretically nuanced—has little to say and offer in regard to veteran deportation. The removal of military veterans is beyond the inquiry and scope of relevant literature.

home. The by-product of their service, to be more specific, had emotional and psychological components as well as physical and organizational.

This silence in the existing literature prompts an engagement with De Genova (2013) who is of utility here for both empirical and theoretical purposes. De Genova writes, 'Border policing, enforcement of immigration laws, and the 'spectacle' that this produces enacts a scene of 'exclusion.'<sup>35</sup> These spectacles render migrant 'illegality' visible. Immigrants who labor in service of our economy are rendered invisible subjects whose service, presence, and ultimate removal by the state often discreetly orchestrated. The enforcement of immigrant laws, De Genova, in the form of public 'spectacles' is what generates 'illegality.' This distinction, moreover, is what has problematized the legal and sociopolitical existence of deported veterans. To be more concise, they were adjudicated for removal, despite their service to our nation, and rendered illegal by our immigration laws and enforcement.

The notion of illegality plays a role not only in the manifestation of veteran deportation but is also imbued in the creation and articulation of racial projects articulated by the state when seeking to enlist young Latinos including those who are non-citizens. Illegality is a theme that is interwoven in the process. This experience is different and unique from the experience of other racial groups with respect to military service and the claims that they generate from the process of serving a nation they do not fully belong to as full members. This is the piece that makes this makes projects pivotal, different, and unique. A central tenet of this dissertation is predicated on the argument that that distinguishes Latinos, military service, and citizenship.

This sociopolitical status and progression is historically unique to the experience of Latino veterans. Non-citizen Latino soldiers who perished in the Iraqi invasion prior to becoming U.S. citizens were often bestowed with this accolade posthumously by the state. While some observe this as just due others link the process to larger historical practices that surfaced the imperial nature

<sup>&</sup>lt;sup>35</sup> ibid.

of U.S. citizenship and the manner in which it is delineated the Latino experience with race, membership, and military service in the U.S. Amaya's work (2007) speaks to this point and his work is critical here. Amaya argues that bestowing citizenship on soldiers who perished in combat posthumously is absent their consent and thus constitutes an illiberal act. In liberal philosophy, Amaya adds, dignity can only result from the exercise of personal choice, including the consent to be governed.' This act, moreover, replicates 'imperialistic practices of the 19<sup>th</sup> and early 20<sup>th</sup> century when the U.S. government also naturalized Mexicans and Puerto Ricans without their consent.<sup>36</sup>

### Latinos, Military Service, and Illegality

This research effort, then, is in response to the lack of inquiry about how the state via military service configures the relationship between Latinos, citizenship, and illegality. A great deal has been said and written about the role Latinos have played in prior military conflicts such as Vietnam but little on how the group became the center piece of military recruitment efforts and strategy in the wake of September 11, 2001. Even less has been explored and said about the military's increased reliance on non-citizen Latinos or 'green card soldiers' as new recruits or how this strategy has shifted the demographics of our armed forces in the last twenty years.<sup>37</sup> Symptomatic of this is invisibility is the widespread belief that contrary to government records and the physical existence of deported Latino veterans seeking refuge in support houses on the Mexican side of the U.S.-Mexico border, our nation would adjudicate the deportation of veterans who have served in our armed forces.<sup>38</sup> This inconspicuousness prefaces a central thesis of this

<sup>&</sup>lt;sup>36</sup> Amaya, Hector. 2007. 'Dying American or the Violence of Citizenship: Latinos in Iraq.' Latino Studies (3-24).

<sup>&</sup>lt;sup>37</sup> Gumbel, Andrew. 2003. 'Pentagon Targets Latinos and Mexicans to Man the Front Lines in War on Terror.' The Independent (London), September 10, 2003.

<sup>&</sup>lt;sup>38</sup> Garcia, Malcolm J. 2017. *Without a Country: The Untold Story of America's Deported Veterans*. Hot Books Press.

dissertation that is predicated on the position that the racial experience of Latinos is uniquely situated and preconfigures the terms of their membership in the racial hierarchy of the United States. This racial positioning takes on particular significance when considered within the context of the group's historically rooted relationship with our armed forces. How and to what degree exogenous political events such as September 11<sup>th</sup>, 2001 heighten or increase the saliency of particular aspects of this relationship are also integral to this study and the overview of relevant literature.

Although the racialization of Latinos, I argue, is uniquely situated and prefigures their relationship with military service and citizenship in a very particular way, there exists considerable theoretical and empirical overlap between the Latino experience in our armed forces and that of African Americans who have also served our nation in uniform. Current scholarship on race, citizenship, and military service reflects this parallelism. Segregation in the ranks, over recruitment, second-class citizenship, and the enduring legacy of racism are all staples of the scholarship that explores the black experience in our armed forces.<sup>39</sup> There is a qualitative and analytical distinction to be made, however, between the lived experience of second-class citizenship and physical removal via state-adjudicated deportation. State mandated removal of Latino veterans is the theoretical crux of this study. Why our nation deports Latino veterans, the legislation that facilitates it, and institutional sites that mediate it, and how this in turn is contextualized by geopolitics factors is a process and political phenomena that is relatively unknow and understudied.

This is the academic void that this review and dissertation seeks to address. Since the late 1990s Latino recruits have played a pivotal role in supplying our armed forces with the recruits needed to meet enlistment quotas. However, the progression from recruitment to service and

<sup>&</sup>lt;sup>39</sup> Moskos, Charles & John Sibley Butler. 1996. *All That We Can Be: Black Leadership and Racial Integration the Army Way*. Basic Books Press.

eventual physical removal from our nation still needs to be defined and explored. Why they were removed after their service, which for many included tours of duty in Iraq and Afghanistan, remains a question for many observers is the central empirical puzzle of this dissertation.

# **Chapter Three**

### Methods

This dissertation is a qualitative study informed by grounded theory. Grounded theory is a specific methodology developed by Glaser and Strauss (1967) to facilitate constructing a theory that helps provide meaning to a particular phenomenon. A qualitative approach anchored by grounded theory is useful from a generalizable and explanatory perspective and offers a degree of methodological alignment to this study. The inherent value of this approach, moreover, is underscored by (Bernard 2006; Charmaz 2006, Corbin & Strauss 2008, Creswell 2003; and Miles & Huberman 1994) when they collectively argue that this approach is well suited to shed light on and understand phenomena, processes, explore behaviors, perspectives, and experiences.

This dissertation seeks to explore and derive an understanding of how and why the state deports military veterans. Moreover, it aims to illuminate the political and legal mechanisms facilitating their deportation. Data collection, as with many studies, has been a challenge. Some of these data collection challenges are unique to this demographic, given the legal and physical exclusion mandates enforced by the United States. A common assumption by many, as highlighted in chapter one of this dissertation, is that our nation would not and does not deport people who have served in our armed forces. Official records collected and maintained by the Department of Homeland Security (ICE) are incomplete and wholly underestimate the number of veterans who have been deported.<sup>40</sup> Data collection is also further complicated by the geographical location of

<sup>&</sup>lt;sup>40</sup> ICE (U.S. Immigration and Customs Enforcement) is required to especially consider a veteran's health, deployment record and other 'circumstances that must elevate decisions of veteran removal to senior officials. This process nor detailed record keep was occurring because it was 'unaware of the policies.' 'Actions Needed to Better Handle, Identify, and Track Cases Involving Veterans.' United States Government Accountability Office (GAO). (June 2019). Moreover, in this same study, ICE estimated that only 250 veterans had been deported. The presence of hundreds of deported veterans living abroad in Tijuana, Juarez, and other locations including Africa and the Caribbean, cast serious doubt on that estimate.

deported veterans. Because of this study's legal and political dynamics, many interview subjects find themselves thousands of miles outside our nation's borders.

These two dynamics, taken together, make a compelling case for developing a qualitative methodology that will seek data to support this dissertation's goal of exploring the nature, pattern, and meaning of how and why state deportation of military veterans occurs. Moreover, one caveat of this methodological strategy is the necessity to be aware of the inherent power dynamic present when collecting qualitative data from a marginalized population. Deported veterans, as the legal terminology implies, have been forcefully removed from the nation-state they served and banished to locations outside its territorial boundaries. This sense of physical exclusion adds a layer of complexity to data collection procedures because of the inherently disempowered and marginalized status that is manifested as part of the lived reality of physical removal.<sup>41</sup>

The enhanced vulnerability that accompanies the status of deported veterans, along with their physical location, requires an improved degree of intentionality in the process by which qualitative data is solicited and collected. In this regard, counter-storytelling, an auxiliary of grounded theory, is an additional methodological strategy employed in this dissertation. This approach is defined by the effort to collect data derived from the collection of *testimonios* (testimonies). In essence, this approach is defined by data collection aimed at constructing meaning and understanding in response to complex social and political phenomena that have qualitatively affected the lives of oppressed or marginalized groups (Anzaldúa 1999; Pérez Huber 2009;

<sup>&</sup>lt;sup>41</sup> Esposito, Jennifer & Venus Evans-Winters (2022) offer an extensive elaboration of the need to account for hierarchy, power, and the notion of illegality in the qualitative research process. They illustrate how to center categories of difference in the methodological process, '…academic libraries are full of articles on the theory of intersectionality. But few scholars have attempted to turn the theory into a methodological approach.'

Solórzano & Yosso 2007). The emphasis here is on subjects subject to state violence or legal action.

Counter-storytelling or collecting and categorizing testimonials (testimonies) is rooted in Latin American Studies and heavily utilized in other academic disciplines, most notably in educational research. The empirical reality of this study supports the justification for enlisting this particular methodological approach. As highlighted in chapter one of this dissertation, the truth of Latino deportation is often obscured in more significant immigration policy debates. Few are aware that it happens, others refuse to acknowledge it, and those who can provide insight and testimony validating its occurrence find themselves in foreign lands and physically separated from the nation they call home. Many deported veterans ultimately die abroad and return posthumously to the United States.

As a result, the data collection procedure in this dissertation seeks to center the experiences of deported Latino veterans within this larger methodological framework. Cognizant of this, previous contact and personal relationships with deported veterans facilitated the identification of additional interview participants.<sup>42</sup> A snowball sample was utilized to identify individuals who self-identified as Latino, served in the U.S. armed forces, and had been detained *and* ordered deported by U.S. Immigration and Customs Enforcement (ICE). Most of these veterans live or once stayed in two of the 'bunkers' located in both Tijuana and Ciudad Juárez, México. Prior relationships, engagement with deported veteran advocacy networks that stretch across the southwest, and social media facilitated the identification of additional research participants.

<sup>&</sup>lt;sup>42</sup> I have spent a number of years supporting deported veterans from an advocacy perspective. This work and support have allowed me to build relationships with many of the deported veterans themselves, the network of individuals seeking to address their legal status, and others working to highlight and amplify efforts to bring them home. Genuine access to this network has facilitated the data collection efforts related to this dissertation.

Grounded theory principles influence these recruitment efforts and strategies. The collected interview data contributed to the identification and description of themes, institutional norms, and experiences that have operated in unison to create and structure the lived reality of Latino veteran deportation. To facilitate understanding of the themes and questions introduced in the previous chapters, this study involved multiple stages of data collection and the refinement of the interrelationship of categories of information and data (Corbin & Strauss 2008). Two primary characteristics of the grounded theory approach to analysis are the 'constant comparison of data with emerging categories and theoretical sampling of different groups to maximize the similarities and the differences of information (Creswell 2003).

However, the approach employed in this dissertation utilized Charmaz's constructivist grounded theory approach to analysis, which is less perspective than those outlined by classic grounded theorists (Glaser & Strauss 1967). Charmaz's constructivist grounded theory approach encourages theorizing with the interpretive tradition and gives this dissertation the flexibility to explore ideas interpretively (Charmaz 2006). These methods will be further articulated below.

### Sample and Recruitment

The objective of inductive qualitative research is to identify and highlight the uniqueness of a particular group. This inquiry may include cultural norms, interactions with various legal and political institutions such as the military, aspects of their racial identity, and shared collective experiences. Moreover, sampling for inductive research studies is often nonrandom and purposive (Creswell 2003). In light of these considerations, a snowball sampling technique was utilized in this study. Participants were recruited from two veteran 'bunkers' in Tijuana and Ciudad Juárez, México. The 'bunkers,' as christened by the veterans who call them home, serve as both shortterm and long-term housing for deported veterans, provide food, facilitate their connection to much-needed resources, and have served as a part of departure for a range of advocacy efforts to bring attention to their plight.

The study criteria that underpinned this effort included people who self-identified as Latino, served in any branch of the U.S. armed forces, and were ordered deported and subsequently physically removed from the United States. All participants spoke English. Some were bilingual. Some, despite being deported to México, spoke little to no Spanish.

#### Veteran Bunkers: Recruitment Setting

The first deported veteran interviewed for this study was Hector Barajas. Hector served in the U.S. Army as a non-citizen green card holder. After his service, which included a deployment to Kosovo, he was honorably discharged—while still holding a green card. After a weapons conviction, he was sentenced to six months in the Los Angeles County Men's Jail. Upon the end of his sentence, he was released, transferred to ICE custody, and deported to Tijuana, México. To survive, and with meager financial support from family in the U.S., he was able to rent an apartment that became the space for newly deported veterans to stay upon their deportation. Barajas' use of the internet and social media platforms to advocate for himself and others in similar situations drew attention. It signaled to others that they could rely on the bunker as a place for refugee after their deportation.<sup>43</sup> This bunker called the 'Deported Veterans Support House,' provided deported veterans a roof over their heads and meals and connected them to lawyers, psychologists, and job counseling programs.<sup>44</sup>

<sup>&</sup>lt;sup>43</sup> Ibid.

<sup>&</sup>lt;sup>44</sup> Hector Barajas was granted a full pardon by California Governor Jerry Brown in 2017. The pardon, according to the Governor's office, was based on the following: "Since his release from custody, [Barajas] has lived an honest and upright life, exhibited good moral character and conducted himself as a law-abiding citizen.' Indeed, Mr. Barajas served in the United States Army and received the Humanitarian Service Medal, Army Good Conduct

Soon afterward, and as the number of deported veterans increased, another bunker was established in Ciudad, Juárez. In 2017, a report revealed that the U.S. government had not adequately kept track of the number of veterans it had deported.<sup>45</sup> From this perspective, they argued, it was difficult to know how many people who had served in the U.S. military had been physically removed from our nation. ICE estimates claim that roughly 250 veterans with military records have been deported. Hector shared a log of the names of all the deported veterans who had arrived at the Tijuana bunker seeking shelter and refuge after their deportation, which easily exceeded 500 people up until 2018. The continual flow of deported veterans seeking refuge in the bunkers in both Tijuana and Ciudad Juárez provided both a more quantifiable estimate and a more nuanced perspective of how widespread this phenomenon had become. These reasons collectively justify employing a qualitative approach that situates the data collection strategies and efforts at the bunkers in both Tijuana and Ciudad Juárez, México.

### Recruitment Process and Data Collection

This researcher was engaged in advocacy efforts on behalf of deported veterans for many years before writing this dissertation. Relationships were developed, and rapport was generated with veterans deported to Tijuana and Ciudad Juárez. Working relationships and friendships were also created with community activists and others, like artists, elected officials, and attorneys, who

Medal, among other awards." The pardon also mentions the veteran's work with the Support House and adds that by completion of his sentence and good conduct, Barajas "has paid his debt to society and earned a full and unconditional pardon." With the pardon, Barajas was eligible to apply for re-entry in to the U.S. He is now a U.S. citizen, lives in San Diego, and continues to manage and support the work of the Deported Veterans Support House.

have been working collectively to bring deported veterans home.<sup>46</sup> This network provided a multifaceted understanding of this phenomenon and access to additional interview participants.

The initial contact and relationship developed was with Hector Barajas, and he introduced the researcher to other deported veterans and extended an invitation to join several advocacy groups seeking legal redress for the plight of those who had served but found themselves removed from the U.S. In response to the COVID-19 pandemic, many interviews scheduled to take place in person occurred over Zoom. One round of in-depth qualitative interviews was conducted with each participant over six months. The duration of the interviews was approximately one hour. All interviews were conducted between April 2022 and August 2022.

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Interview	1 1mel 11	ne l'able
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Table 3.1: Interview Time Period						
May 2022	May	June	July	Aug	Sept	
N=6	N=6					
	Analysis	Analysis				
		Results	Results			
Interviews						
Analysis						
Results write	up					

<sup>&</sup>lt;sup>46</sup> As an example, a veteran based in San Francisco is collaborating with local artists and the University of San Francisco (USF) to paint a mural that highlights and depicts the reality of veteran deportation as a means to bring awareness to the issue.

#### Sample Demographics

During the interviews, the comfort level of many participants seemed to pivot on the researcher's military status. This was the first question and inquiry asked by many of them. The researcher was transparent in that while not a veteran himself; he was raised in a military family that included two family members who served across two branches of the military.<sup>47</sup> This revelation garnered an implicit level of trust and respect from those interviewed and allowed the conversation to proceed as scheduled. Before agreeing to an interview, others examined the researcher's social media accounts and presence and indicated that a strong association and connection with other deported veterans positively affected their willingness to be interviewed.

A total of twelve (n=12) deported veterans were interviewed. Eighteen interviews were conducted with deported veterans living or who had lived in the Tijuana bunker, and two interviews with deported veterans associated with the bunker in Ciudad Juárez. The average age was 55 years, and all were male. All identified as Latino. Nineteen of the deported veterans traced their family roots to México and one to Nicaragua in Central America. All participants agreed to engage with and answer the interview questions (attached). Most participants were open and transparent about their criminal background. Some were explicit about criminal charges, and two said 'I got into some trouble'' or 'was hanging around the wrong crowd.' Nine veterans had been deported, and one was in the U.S. mounting a legal challenge to his deportation order. One—Hector Barajas—had been allowed to return and acquire citizenship. One other—Oscar Balladares—has been given a temporary Visa to seek medical care at the VA Hospital in West Los Angeles. A more complete set of summary statistics is presented below

<sup>&</sup>lt;sup>47</sup> My stepfather served 28 years in the U.S. military and is a Vietnam veteran. My older brother is also a veteran and was among the first federal troops dispatched to the L.A. riots in 1992.

### Table 3.2: Participants' Demographics Table

Table 3.2: Participants' Demographics

Veteran Characteristics	Latino Immigrant Veterans
Age	~55
Mean (range)	
Gender	
Male	12
Female	
Race/Ethnicity	
Central American	1
Mexican	11
Marital Status	
Married	
Separated/Divorced	
Single	
Living Arrangements	
Alone	
Current Location	
Language	
Spanish	12
Bilingual	12
Years in the United States	
Mean (range)	
Education	
Mean (range)	High School
Years served in the U.S. Military	
Mean (range)	3-20 years

### 3.2.2 Data Source and Instrument

The data for this study was taken from a sample of 20 veterans who had served in the U.S. military and had been deported. The data was collected using semi-structured interviews that call for an interview guide to direct discussion and provide probes when additional information is necessary (Bernard, 2006). The pre-screening questions and interview guide used during the

interview included the following information that speaks to the research question and specific aims

(see Appendix B for the complete interview guide):

### **Demographic Information**:

- Age
- Gender
- Education
- Marital Status
- Language
- Years in the U.S.
- Branch of the military

### Interview Guide Topics that Address Research Questions and Aims:

- Deportation
  - Discharged without naturalization
  - Legal trouble
  - Mandated removal
- Life and status as a deported veteran
- Implications of deportation
- Advocacy efforts from abroad

### 3.3 Data Preparation/Data Management

To maintain original meaning and avoid loss of meaning in translation, I transcribed interviews in their original language. All audio-recorded field notes and memos were also transcribed verbatim. Zoom was utilized for nine of the ten interviews. With participant permission, the interviews were recorded, downloaded, and saved in a file. The transcripts were arranged by participants. All complete interview transcripts were read once, along with the interview summaries, to bring myself into the participant's world. After reading the interviews, I began the coding process. This effort is described in the qualitative data analysis section.

### **3.4 Qualitative Data Analysis**

I analyzed a qualitative dataset for 20 interviewees.<sup>48</sup> An inductive approach to analyzing interview data and minutes was conducted to answer this dissertation's research questions and overarching goals. My objective was to deconstruct explicit reality and reconstruct implicit reality in a manner that would allow me to see the world through the eyes of deported veterans. Interview questions sought to holistically understand who the deported veterans were before their military service, the factors that motivated them to enlist, gauge their values across a spectrum of dimensions, explore the legal implications that facilitated their deportation, and after their removal, the networks that have helped them survive and advocate for their return.

The first batch of questions were demographic. These inquiries sought to establish place of birth, age, military branch in which they served, language fluency, and a sense of where they grew up and how they defined their sense of home. These questions are critical because they speak to their sense of belonging and allegiance to a nation where they were not born. On this point, and this is a common misperception, these deported veterans did not lack legal authorization to be in the U.S. Many indicated they were brought to the U.S. by their parents, legalized, and acculturated as Americans via a host of U.S. institutions. This deep-seated sense of belonging and allegiance encouraged many interview participants to enlist in the military. Conversely, this moral and legal attachment to the U.S. is what also made their deportation challenging to accept and understand.

The following questions explored the legal, social, and emotional reasons for their decision to enlist in the armed forces. Participants were asked to walk me through the process, which saw them honorably discharged without naturalization. I then explored how they ran afoul of the law

<sup>&</sup>lt;sup>48</sup> Ibid.

and triggered legal foreclosure of their 'green card' status and ultimate deportation. Such an approach allows for in-depth exploration and inquiry of how and why our nation deports veterans.

### Questions:

- Full Name
- Place of Birth
- Where did you grow up? Where do you call home?
- Are your parents immigrants?
- Are you Latino? Where are your parents from?
- What branch of the military did you serve in?
- Did you grow up wanting to enlist?
- How did you feel about the military growing up?
- What was your legal status growing up?
- Were you patriotic growing up?
- What was your legal status when you came or were brought to the U.S.?
- Did you experiment with drugs and or alcohol as a youth?
- Did you have any brushes with the law growing up? Any convictions?
- Did you have mental health issues before enlisting in the military?
- What is your native language?
- Did other people in your family serve in the U.S. military?
- Did your parents encourage your enlistment?
- Can you describe the recruitment process?
- What was so enticing about joining the military?
- Describe your interaction with the recruiter.
- Are you interested in acquiring full citizenship in exchange for military service?
- What was your understanding of that process?
- Did you think the military oath automatically conferred/made you a U.S. citizen?
- Were you deployed?
- Do you think Latinos are a racial group?
- Do you think racism exists in America?
- Did you experience or observe racism in the military?
- How would you describe your experience in the military as a Latino?
- Military service made you eligible for U.S. citizenship—did you apply for it?
- Why did you leave the military?
- Did you have a plan for life after the military? Did you have children before joining the military?
- Describe the events that resulted in your deportation.
- Did you run afoul of the law?

- What was your immediate reaction to the thought that the nation you served and defended would deport you?
- Were you held in immigrant detention before being deported?
- What was said, and what resources were given to you when you were deported?
- What were your main concerns as you were being deported?
- How did you survive upon arriving in the country you were deported to?
- Can you describe the deported veteran network?
- Did you visit and or stay at one of the 'bunkers?'
- What was your thought process as you adjusted to life outside the U.S.?
- Do you have access to any veteran resources your service entitled you to?
- Are you involved in any of the advocacy efforts to repatriate deported veterans?
- If you work—what kind of work do you do?
- Have you used drugs since being deported?
- Have you abused alcohol since being deported?
- How would you describe your mental health since being deported?

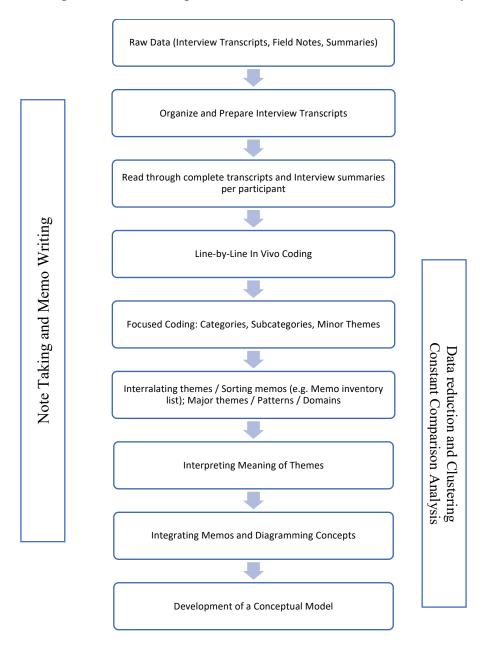


Figure 3.1: Visual Representation on the Overview of Data Analysis

### 3.4.1. Inductive Approach: Developing Domains/Model

The following describes the analysis and process using a step-wise method. The steps are presented in such a manner for the sake of clarity. This analysis is an iterative process of adding and updating codes, so there is a burring between steps (Figure 3.2). When multiple coders simultaneously code, this iterative process intensifies, and dialogue often brings resolution. In this study, I was the sole coder, and during this entire process, I wrote memos on any conceptual maps and questions generated from interviews. Additional questions were resolved in consultation with the faculty advisor. In addition, I maintained methodological notes during the coding process, identifying reasons for the inclusion and exclusion of specific codes, categories, and or themes. In addition to this, I recruited two USF undergraduate volunteers to code two transcripts.

### Step 1: Initial Phase of Coding (Developed Codes)

A sample of interview transcripts was read once without annotation to allow me, the coder, to enter into the participants' world. I then began the first level of coding. I conducted five lineby-line coding by hand, which consisted of reading each line of text and assigning a code to pertinent data. A line or phrase of text was divided, and a code was assigned using the interviewee's words directly from the transcript. This coding method is referred to as vivo coding, an essential initial phase to encourage the researcher to remain grounded in the data without imposing personal biases (Corbin & Strauss, 2008). This process yielded several codes across all 12 interviews and thus facilitated the development of an ongoing list of codes that were subsequently condensed into higher-order categories. Initiating the coding process automatically starts the data reduction and clustering process.

#### Step 2: Higher Level Coding (Grouping Codes into Categories/Minor Themes)

Once coding for a handful of transcripts was completed and the codebook approved, I coded all remaining transcripts, adding additional codes as they emerged. I grouped line-by-line codes into broader categories. Again, just like the initial coding phases, I conducted two higher-level code schemes/broader categories to develop themes. Transcripts were read multiple times to ensure all themes had been exhausted.

### Step 3: Higher Level Concepts (Grouping into Major Themes/Domains)

The categories that resulted from grouping multiple coders led to the development of several significant themes/domains. The conceptual model was developed based on specific domains that pertained to legal processes that facilitated Latino veteran deportation.

### **3.5 Data Interpretation**

A qualitative researcher is their own data collection instrument and thus wears multiple hats: observer, interviewer, and evaluator. A researcher is also embedded within their own ecosocial system and somehow interrelated to the participants, even if it is just by human nature. Being cognizant that the researcher's inherent biases, blinders, and issues of race/culture are essential to consider in the process of conducting research, memos were extensively used for selfreflection (Milner, 2007). During the data collection process, precautions were taken to avoid potential biases and blinders by recording and writing personal memos on all impressions regarding the interview, especially when questions and emotions were triggered. In closing, this chapter summarized the methods used in this study, the reasons for using the constructivist ground theory approach, the sample demographics, the recruitment setting, data collection, and data analysis.

## **Chapter Four**

I was like, 'What are you doing!?' It was mind-boggling. I served, dude. I served in the Army. Do I sound like someone who is not supposed to be here? I have been here all my life. How are you going to send me back to a country I know nothing about!? I served this country. To them, they were like, 'There's not much we can do.' It's up to a particular or regional supervisor whether they will let you go. I was like, go talk to them, what the fuck, let me go, you swear they are going to see a veteran and be like, 'Man, he should not be here.' They didn't care, 'just wow, that's crazy. This is my country. I served this country.'

- Oscar B., 44, Deported Army Veteran

*I* grew up in the hood but never owned a gun or held one until the military put one in my hand.

- Juan Q., 43, Deported Army Veteran

I don't want to die in México.

Juan R., 57, Deported Navy Veteran

### You Guys Deport Veterans?

Oscar Balladares never imagined that the nation he honorably served would deport him. Facing an immigration Judge, Balladares stressed his service to our country. He gave the U.S. Army four years of his life and was honorably discharged. He told the Judge that he was brought to the U.S. as a child by his mother, who was escaping the violence unleashed by civil war. The Samoza dictatorship, which had ruled Nicaragua for decades with impunity was toppled by the Sandinista National Liberation Front (FSLN) in 1979. Fearing for her life, her children's safety, and with only a few dollars in her pocket, his mother left Nicaragua and was admitted to the U.S. The family settled in Los Angeles. The U.S., weary of Nicaragua's new revolutionary government and its ideological affiliations with the Soviet Union, embraced Oscar and his family and others who left Nicaragua in the wake of the revolution and subsequent civil war. Eager to express gratitude to his adopted homeland and interested in acquiring the vocational skills advertised by the military, Oscar enlisted, served, and was honorably discharged. 'It was the honorable thing to do. I wanted to serve this country. I didn't even think of Nicaragua anymore. I didn't want to go back. America was my home.' After leaving the service, unaware that his service qualified him for expediated citizenship or a number of other veteran benefits, Oscar worked to support his wife and infant baby. Physical injuries, undiagnosed Post-Traumatic Stress Disorder (PTSD), coupled with an inability to secure stable employment soon facilitated substance abuse, the dissolution of his marriage, and homelessness. He was eventually incarcerated on a range of charges that included drug possession, unpaid child support and 'child abandonment.'

'I can't do much about it, the Judge told Oscar. 'Your conviction is an aggravated felony under immigration law. Unless you get it vacated, I am going to have to deport you. I was in the military for twenty-two years but my hands are tied under immigration law. I have no choice but to deport you.' Oscar was eventually deported to Nicaragua in May of 2020 and via social media connected with the deported veteran networks that were bring established in response to growing number of veterans that were being deported by the U.S. government. Attempting to make sense of and quantify the scale of this phenomenon, Oscar added: 'There are guys who have been in exile since the 1990s. I have always liked Bill Clinton but Clinton is the one who changed the law and because of that you see these deported veterans. Folks are starting to hear about us. Presidents too. But we cannot get any traction. Congress doesn't give a crap about us. When Trump was President he was signing executive orders left and right. Why can't Biden do that for us? Who is going help us? Who is going to tell our story?

One of the core objectives of this dissertation is tell the story of deported veterans in their words, through their eyes, and in light of their service to our nation. All of the veterans interviewed

in this study were deported and are physically and legally prevented from re-entering the U.S. at the time of their interview. All interviews were conducted via Zoom. Oscar's experience is poignant but in alignment with the experience of other veterans who have been deported: they came to the U.S. as children, enlisted, served, and after being discharged from custody faced a variety of challenges that exposed them to criminal repercussions that ultimately facilitated their deportation. Some deported veterans were convicted while driving intoxicated, others because of domestic violence convictions, others became involved in the sale and transportation of illegal drugs in order to compensate for their inability to secure legal employment after they left the military.

Their experiences and words matter. Oscar's reference to President Clinton's 1996 policy on immigration has been frequently cited by scholars and activists as a defining moment in immigration criminalization.<sup>49</sup> The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) sought to secure America's border's, deter undocumented immigrant, and aimed to facilitate the removal of immigrants to their countries of origin. Public opinion seemed to support a firmer approach to addressing what many perceive to be a pervious international border. It was not clear, however, in the years prior to the events of September 11<sup>th</sup>, that IIRIRA would also target and remove immigrants who had honorably served in our armed forces and fought in our wars. The consensus remains that IIRIRA focused on the immigrants that were a danger to public safety and should not be within or borders. The reality of veteran deportation has both complicated and challenged this narrative.

The narratives and experiences of deported veterans are critical to not only documenting that it occurs but also challenges the historical precedent and theoretical conjecture that have

<sup>&</sup>lt;sup>49</sup> Interview: 5.1.22

bonded military service with the rights associated with full citizenship. Glaser and Strauss (1967) are of utility here in their assertation that grounded theory is essential to the process of constructing theory that helps provide meaning to a particular phenomenon. A phenomenon, it should be noted, that many Americans have difficulty accepting is real. Oscar's experience, and that of other deported veterans, validates the value of grounded theory as a valuable tool in the methodological framework of this dissertation. The inherent value of this approach, moreover, is underscored by (Bernard 2006; Charmaz 2006; Corbin & Strauss 2008; Creswell 2003; Miles & Huberman 1994) when they collectively argue that this approach is well suited to shed light on and understand phenomena, processes, explore behaviors, perspectives, and experiences.

The deported veterans who participated in this study all involuntarily reside outside of our nation's boundaries. As their words will express, they interpret this both as a legal consequence of misguided immigration laws. They also argue, moreover, that their inability to access critical veteran healthcare has exasperated their physical and mental health challenges. This has resulted in the death of a number of veterans. For the U.S. to deny entry to the land they served and thereby prevent them from accessing care is in their perspective an example of state violence. The enhanced vulnerability that accompanies the status of deported veterans along with their physical location requires an enhanced degree of intentionality in the process by which qualitative data is solicitated and collected. In this regard, counter-story telling, an auxiliary of grounded theory, is an additional methodological strategy employed in this dissertation. This approach is defined by data collection aimed at constructing meaning and understanding in response to complex social and political phenomenon that have qualitatively affected the lives of

oppressed or marginalized groups (Anzaldúa 1999; Pérez Huber 2009; Solórzano & Yosso 2007). The emphasis here being on subjects that have been subject to state violence or legal action.

Counter-story telling or the collection and categorization of *testimonios* (testimonies) is rooted in the field of Latin American Studies and heavily utilized in other academic disciplines most notably in educational research. The empirical reality of this study supports the justification for enlisting this particular methodological approach. As highlighted in chapter one of this dissertation, the reality of Latino deportation is often obscured in larger immigration policy debates. Few are aware that it happens, others refuse to acknowledge it, and those who can provide insight and testimony validating its occurrence find themselves in foreign lands and physically separated from the nation that call home. Many deported veterans ultimately die abroad and return posthumously to the United States. As a result, the data collection procedure in this dissertation seeks to center the experiences of deported Latino veterans within this larger methodological framework.

The words of deported veterans will structure this chapter. Their words will be intertwined with and in response to the research questions that are foundational to this dissertation. More specifically, the interviews aim to shed light on why the mechanism and reasons why our nation deports veterans. Secondly, in what manner is the configuration between military service, membership, and Latino racial identity unique to this phenomenon? And lastly, when, in their words, did the accord between military service and full membership become invalidated, altered, or subject to reinterpretation?

# I am an American who happens to be born in México: Why does the United States deport immigrant veterans?

'My recruiter told me that as 'a national of the U.S. and as a veteran...your allegiance will always be with America. No need to apply. I agreed with him and that was that.' Hector Lopez sighs as he recounts the conversation that prefaces his life and ordeal as a deported veteran. Hector served in the U.S. Army and always knew that he wanted to be a soldier. After coming to the U.S. from México as a two-year-old child his family settled in Fresno, CA. 'I did my six years. Right at the end the U.S. invaded Grenada and my unit was activated. Because of the short nature of the conflict, they gave us our 214s and told us to we were going home.'<sup>50</sup>

Like a number of other veterans Hector encountered legal challenges after his service was complete. He was willing to accept the legal accountability of his transgression but was dismayed, like Oscar was, that his crime included an enhancement that triggered his deportation. 'So, I got in trouble and I could not understand why I was being deported. I served. That didn't count? I did my time. That didn't count? Because I sold twenty pounds of Marijuana to an Narc (undercover officer)? When the Judge told me I was going to be deported, I said 'Fuck that. Get me out of here.' I was told I would not be deported because I am a veteran and now you are telling me that I am being deported even though I served my country and was willing to give my life for my country. It was depressing man...'

Macías-Rojas (2018) argues that the 1996 Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) 'recast undocumented immigration as a crime and fused immigration enforcement with crime control.'<sup>51</sup> Other scholars and immigrant rights activists have echoed similar critiques and in doing so have cast light on IRIRA's most controversial provisions. Among

<sup>&</sup>lt;sup>50</sup> The DD Form 214, according to the Department of the Army, is a key military document and represents a service member's complete and verified military service record. A more detailed explanation can be found here: <u>https://www.usar.army.mil/Portals/98/Documents/Publications/memos/Issuance</u>.

<sup>&</sup>lt;sup>51</sup> Macías-Rojas, Patrisia. 2018. 'Immigration and the War on Crime: Law and Order Politics and the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. *The Journal on Migration and Human Security*. Volume 6 Number 1, 1-25.

these provisions are an expanded list of crimes for which immigrants could be deported and legal permanent residency status revoked. The 1996 legislation also instituted fast-track deportations and mandatory detention for immigrants with convictions. It restricted access to relief from deportation. It also constrained the review of immigration court decisions and imposed barriers for filing class action lawsuits against the former US Immigration and Naturalization (INS).<sup>52</sup>

A by-product of IIRIRA was its effort to hold undocumented immigrants responsible for their transgressions and limit their access to a range of legal relief. It also inflicted harm and distributed punishment on to children and non-citizen veterans. These two categories of people became and represent the collateral damage of legislation that both criminally enhanced undocumented migration and facilitated the political and legal reality of veteran deportation. The tensions and contradictions of this outcome are palpable in discussions with deported veterans. 'I consider myself an American because 95% of my life was in America. I am an American who happens to be born in México. My kids are American born over there. All my family is American. If it would not have been for my wife moving over there, I probably would have went over there illegally.' Jose Lopez who served in the Army and is now living in Mexicali, a town along the U.S. and Mexican border, is more specific in discussing how IIRIRA facilitated the deportation of veterans who served our nation:

I got caught. I got caught with nine ounces of Cocaine. After I finished my sentence, I figured I would be turned loose—but no. They put an immigration hold on me as a result of the 'Anti-Terrorism and Effective Death Penalty Act of 1996. This was sponsored by Bill Clinton. Long story short—they eliminated all relief. If you were deported and has ties to the service, to the community, etc...before they would consider that. Now—they took discretion from the Judge with those laws. I was going to stay here. I stayed one year in immigration detention. I was a service

<sup>&</sup>lt;sup>52</sup> Macías-Rojas astutely organizes the legal observations from a number of academic disciplines that have explored the impact of IIRIRA. The end result, she argues as do the scholars she references, is that the 1996 legislation further criminalized undocumented immigration, removed legal discretion, hence the Judge's words to Oscar: '…I was in the military for twenty-two years, but my hands are tied under immigration law. I have no choice but to deport you.'

member. I was a veteran. I wasn't going to get deported. *They wouldn't dare*. And at the end they did. That happened in August of 1997. It has been almost twenty-five years.<sup>53</sup>

Jose Lopez' narrative played out like others who been deported despite their military record. Lopez was brought to the U.S. legally when he was a child. He worked in the Sugar Beet fields in Idaho with his family. 'We had to migrate from field to field. I had a hard time adjusting to American society. In school they wanted us to speak English and we didn't know how.' After high school Lopez enlisted in the Army. Seeking economic and educational opportunities he enlisted and completed his induction training in San Antonio, TX. 'I figured I was a citizen once I took the oath to serve in the military. It said 'defend the Constitution.' Why would we ask those who are not citizens or legal to defend our Constitution? It makes no sense.'

After his conviction—despite his military service—Lopez was deported. The last time Lopez had been in México was when he was a child.

All I said was 'I am never going back to the United States. I don't want to be back at a place I am not wanted. I am not going back illegal, ok? I have read the 'International Declaration of Human Rights' and it says you cannot uproot a people that have been twenty or thirty years in one place and just put them somewhere else. I paid for my crime. I did my time. I did my six years. Society said I should pay and I did. So, they sent me to immigration proceedings. The Lawyer said its two different proceedings. One is criminal and the other is civil but it is still double punishment. People are dying here. You cannot go back unless you are in a coffin. It's stupid and disrespectful.

Similar to Lopez and other deported veterans, Raul Rodriguez joined the military because he felt a sense of obligation to the nation that had welcomed him as a child.<sup>54</sup> Witnessing the start of the Gulf War 1990 compelled Rodriguez to enlist in the armed forces. It was August of 1990.

<sup>&</sup>lt;sup>53</sup> Interview: 5.12.22

<sup>&</sup>lt;sup>54</sup> Interview: 5.13.22

Rodriguez attempted to enlist in the Army but was denied because of hearing issues. He was eventually accepted by and enlisted in the U.S. Navy.

I have always wanted to serve. I wanted to be the first in my family. I was first generation. I wanted to make it a career because I have always liked law enforcement. I figured I would go into law enforcement in the Navy. I wanted my parents to feel proud of what I could do serving in the military. Nobody in my family ever served in the military. I didn't want to work in the fields or construction. I wanted to do more. I wanted to do it for the U.S. It is an accomplishment to serve with the U.S. Government. I felt it was my duty.

After being honorably discharged from the Navy, Rodriguez applied to work with the Department of Justice and was hired in 2000. As part of his duties, Rodriguez was working at the Progresso Port of Entry in Texas, 'checking cars, looking for drugs, illegals, illegal contraband, etc.' In 2005 Rodriguez filed an application to sponsor his brother who was living in Matamoros, México. After a very lengthy process, after his brother is getting close to the end, the background investigation determined that Rodriguez had a Mexican birth certificate. Rodriquez learned at age 50 that was born in México and not a U.S. citizen. His Department of Justice issued weapon, badge, and credentials revoked his U.S. citizenship.<sup>55</sup> His son's U.S. citizenship was also revoked, as was his ex-wife's, and he was told to appear before a U.S. immigration Judge.

If I ever get deported, and if I die, don't bring me back. I am entitled to full military honors, I get the flag, but I won't get the flag now that I am alive. What's that going to do for me? For my family? Its' not going to do anything. It's a slap in the face. They would allow me to come in, without documents, to be buried with full military honors in a national cemetery but I am not good enough to live in this country? Right now, we are working with a veteran who served during Vietnam. He's got symptoms of Agent Orange. He's got boils on his legs, he is partially blind, he fell down a flight of stairs because he could not see well. He's homeless in Matamoros because they won't let him seek medical attention. It's frustrating to see how we are being treated.

<sup>&</sup>lt;sup>55</sup> Rodriguez' story was also chronicled by CNN: https://www.cnn.com/2023/02/26/us/undocumented-border-officer-cec/index.html

Rodriguez' case is unique among deported veterans in that his deportation was triggered after he had been awarded and earned U.S. citizenship. The legalities of what transpired and why the U.S. government felt compelled to strip him of his citizenship is not he analytical focus on this inquiry. It does, however, speak to the notion of illegality that perpetual foreignness that has narrated the experience of Mexican origin Latinos in the U.S. since the Mexican-American War. Like many before him, Rodriguez served and pledged loyalty to his new nation only to be removed. In reflection he speaks to how his fidelity has shifted as he awaits a final decision, 'I was a hard-core Patriot meaning I would have fought to the death for this country. Now that has changed. I am left with a bitter taste because of what they are doing to us.' Although the circumstances surrounding his pending deportation are unique, Rodriguez is fully aware that are many more who have met a similar fate, 'I say *we* because there are 1000s of deported veterans. I took the oath twice. Even now as a Mexican I still pledge allegiance to the flag of the U.S.—I don't get it man.'

# How has military service uniquely configured the relationship Latinos would come to have with race, citizenship and illegality?

Rodriguez' deportation casts a light of inquiry on the tenuous relationship Latinos have historically had with the ideal and practice of full membership in the U.S. As articulated in chapter two of this dissertation, military service, in both times of peace and in particularly war, has served a vehicle in which immigrants have utilized to make demands for full legal and permanent inclusion to the U.S. IIRIRA was certainly pivotal in facilitating the deportation of veterans. The argument can be made that the reason why our nation deports those who have served in our armed forces is based on the immigration enforcement enhancements stipulated by IIRIRA in 1996. Hector Lopez articulates this very point:

The problem is they are grouping us together with all criminals. They are linking us together with all illegal immigrants. I had a problem when I was getting deported. The dude (ICE Agent) was trying to manhandle me and I was like motherfucker I am a veteran of the U.S. armed forces. He said 'So am I' and threw me on the ground. I didn't want to lift my legs to put my leg cuffs on. It was very disheartening for our nation to treat us this way.

Lopez is cognizant that IIRIRA facilitated his deportation. His physical removal despite his service to our nation breaks with the long-established tradition of immigrants and or other new comers exchanging military service for the right to become Americans with the associated ability to remain on U.S. soil. This broken accord is unprecedented. Since the Revolutionary War non-citizens have pleaded allegiance to and take up arms on behalf of the U.S. military. This includes World War Two when Japanese-Americans enlisted in the U.S. military and fought in the Pacific despite many of their relatives and extended kin being interned across the Western U.S.<sup>56</sup> The impact of IIRIRA is but one element in the larger constellation that facilitates the deportation of Latino veterans. Lopez speaks to this point in expressing that IIRIRA alone cannot account for the deportation of Latino veterans. He also acknowledges the presence of racism in both the political and legal proceedings that facilitated his deportation and in the manner he was treated.

I was treated worse than an illegal immigrant. There was some white racist motherfucker that said 'I am a veteran too' and threw me on down like I was nothing. Is this how the greatest country in the world treats its veterans!? I was willing to die for this country. It cost me. My handcuffs were tighter. I was made to wait longer. I had to wear a paper suit. It was going up my ass. Hurting. Ripping everywhere. That is not how you treat a veteran. Because I am a veteran and because I am Latino, I was thrown away like a piece of trash. Like some kind of animal.<sup>57</sup>

<sup>&</sup>lt;sup>56</sup> Okada, John. 2014. <u>No-No Boy</u>. The University of Washington Press.

<sup>&</sup>lt;sup>57</sup> Interview: 5.2.22

Lopez added that the despair of his situation often prompts him to think about taking his own life: 'The longing to be home is overwhelming. I feel like I should just shoot myself in the fuckin head and not have to worry about this.' It is clear that most of the deported veterans interviewed for this dissertation feel that their racial background was instrumental in how they were treated once in detention. Above and beyond the data, the deportation of veterans highlights the disjuncture that has occurred in veteran deportation. In no other time has our nation deported on such a large scale those who had served our nation in the armed forces.

The notion of perpetual foreignness is intertwined with the reality of veteran deportation. The words of deported veterans make clear that it is not only a legal transgression that has resulted in their removal but also a racialized norm of who is and is not an American and with rights and privileges associated with such a status. Ramji-Nogales (2023) echoes this very point when she argues: 'Immigration law plays a key role in embedding these invidious distinctions so deeply into the popular consciousness that even citizens of color are viewed as perpetual foreigners. The concept of national security amplifies the power of foreignness to exclude.' IIRIRA was undoubtedly created and framed as a bi-partisan solution to an immigration problem

This is the reason why a central inquiry of this dissertation is rooted in the relationship between Latinos, military service and race. IIRIRA undoubtedly facilitated and enhanced the criminalization of immigrant deportation. Veteran deportation was the collateral damage of this legislation. The removal, however, of those who served in our armed forces, is not only a consequence of overly expansive anti-immigrant legislation but also anchored in the ideologies and practices that have characterized Latinos as perpetual foreigners, racialized 'others' whose claims on full membership are contextual, elastic, and subject to reinterpretation. Highlighting this ambiguity, Jose Lopez, 'I figured I was a citizen once I took the oath. It had to make a commitment to protect and defend the U.S. Constitution against all enemies—foreign and domestic. When did I become the enemy?<sup>58</sup>

When did the historically situated accord that granted full citizenship in exchange for military service become invalid? How does the state's physical removal of deported veterans highlight this broken accord?

In the wake of the U.S. invasion of Iraq in 2003, as the first casualties were reported, many international observers were surprised to learn that non-citizen Latinos predominated the initial losses. These losses were reported by the Department of Defense (DoD). As elaborated in chapter two of this dissertation, this revelation would soon generate a series of inquires seeking to understand the method by which our armed forces recruit soldiers and who ultimately bears the burden of fighting our wars. Prior to March of 2003, however, it had become increasingly clear that the demographics of the U.S. military had undergone a substantial ethnic and racial shift.

For many, however, the utilization of Latinos for military service is not a novel concept and harkens to earlier periods when social and civil activists had vocally surfaced this issue and concern. During the Vietnam War, for example, activists argued that ethnic and racial minorities were being recruited and prioritized for combat. Prior studies have astutely made this connection and for reasons critical to this dissertation explored how Latino military service intersected with notions of race, citizenship, and an enduring sense of perpetual foreignness.<sup>59</sup>

<sup>&</sup>lt;sup>58</sup> Interview: 5.7.22

<sup>&</sup>lt;sup>59</sup> Oropeza, Lorena. 2005. <u>Raza Si, Guerra No: Chicano Protest and Patriotism during the Vietnam War Era</u>. The University of California Press.

This particular optic is of utility because it prefaces the questions posed in this dissertation and establishes the theoretical contribution it seeks to make. Latinos, including non-citizens, have a historical legacy of fighting America's wars but more specifically their service is uniquely connected to embedded to notions of citizenship that were borne out of their incorporation to the U.S. in the aftermath of the U.S.-México War. Amaya (2007) is instrumental in this regard for his analysis provides the historical and theoretical framework that many of the interviewed deported veterans referenced as they shared their stories.

Amaya's analysis anchored in the period that followed U.S. annexation of Mexican land after the war in 1848. U.S. citizenship, Amya underscores, was imposed on the Mexican citizens living in the acquired territories.<sup>60</sup> This imposition is problematic to Amaya because it both lacked the consent of the people it as being imposed upon. If the state can impose citizenship without permission, it can also conceptually revoke membership as well. The process roots the experience of Latinos in the U.S. in the context of annexation and provides a framework to understand their inherent sense of perpetual foreignness. In this regard Amaya questions the state's application of U.S. citizenship on deceased Latino soldiers not on the grounds that they were underserving but as an illiberal practice. He argues that bestowing citizenship upon dead soldiers was an illiberal act because they were naturalized without their consent and that this action 'replicates imperialistic practices of the 19<sup>th</sup> and 20<sup>th</sup>.' Furthermore, Amaya adds 'these legal, social, and discursive practices show deep ambivalences regarding the meaning of citizenship, naturalization, and liberalism and illustrate the conflicting role of the American military in the formation of citizenship and the State.<sup>61</sup>

 <sup>&</sup>lt;sup>60</sup> Amaya, Hector. 'Dying American or the Violence of Citizenship: Latino in Iraq.' *Latino Studies* 2007, 5, (3-24).
<sup>61</sup> Ibid.

This analysis speaks to not only why military service by Latinos, including non-citizens, is unique but also sheds lights on the larger questions and implications of their physical removal. Deporting veterans is a disjuncture from the accord that has granted full membership to those who have served in the armed forces. African-Americans utilized military service to strengthen their claims for equal rights; Japanese Americans served during World War Two while their relatives were interned along the West Coast; Latinos have also served but their relationship to the state and questions of their foreignness have endured despite their predominance in military recruitment and service.

Mario Martinez, who served eight years in the U.S. Army, and was deemed subject to deportation for a domestic violence conviction, understandably has a sense of grievance with the U.S. government because of the possibility that he may be asked to leave the nation he served.<sup>62</sup> His sense of grievance, more specifically, is focused on the manner in which citizenship, or the benefits of full membership, are applied and then seemingly taken away by the state, 'I ain't American anymore because I got in trouble? My service doesn't matter? That is bullshit. How is this country gonna embrace you then throw you away? Makes no sense. Sounds schizophrenic.' No other racial or immigrant group has been subject to deportation and physically removed at the scale Latino veterans have been in our nation's history.

'Citizenship does not seem to mean much if you are Mexican,' said Hector Lopez. Speaking directly to the elastic nature of how citizenship is essentially applied then revoked:

They came out with something that said if you served in the military, they are going to consider that and not deport you because we don't deserve to be deported. Which was a lie. I signed paperwork in Coachella State Prison, being detained, and I signed where it asks 'have you ever served in the armed forces? So, I saw that it on there, I know it was there. So, to have them reject that and say we are putting that on now. They rely on stupid people. I had my driver's license. They had all my IDs and cut

<sup>&</sup>lt;sup>62</sup> Martinez' is seeking to have his conviction vacated.

them up in front of me. I said 'I need those when I go back.' The ICE agent said: 'you aint going back.'

Like Lopez, Richard Avila, a former Marine who served in Vietnam, said his sense of patriotism, instilled by his father motivated him to enlist and volunteer for combat.<sup>63</sup> My father told us, 'This is your country, your home, your land, you need to defend it.' Avila, like a lot of U.S. soldiers became addicted to heroin in Vietnam. This addiction facilitated his criminal transgressions and resulted in his incarceration and eventual deportation. He never imagined, however, that his status as a veteran would ever come into question and that despite his patriotism and service, he would be deported from the nation he loved.

I grew up in East LA—the Boyle Heights area. I graduated from Garfield High School in 1972. I enlisted while I was a senior and still in school at the age of 17. I reported to boot camp a month after I graduated. My parents had to sign me over. You cannot enlist on your own. I served on my own accord. I enlisted before I could legally buy alcohol or vote. They will take me then but now I am no good?

Avila attributes his drug use to the addiction that he acquired in Vietnam. Avila did not see combat but says the pressure of being away from family at such a young age was emotional traumatic 'I got pretty bad. Once they discharged me, for the next 20-25 years, through AA (Alcoholics Anonymous) I was finally able to get clean. I was in and out of jail. That is how I dealt with my PTSD.'

Avila questions why the issues and challenges he acquired in service while in Vietnam that triggered his criminal transgressions would result in his deportation despite his veteran status. Like other deported veterans he never imagined that the nation he was willing to die for would banish

<sup>&</sup>lt;sup>63</sup> Avila shared that he became addicted to heroin in Vietnam. He says that drug use and abuse in Vietnam among U.S. personnel was widespread and that he brought his addiction home with him when he returned stateside. He battled this addiction for decades and says it ultimately the reason why he ran afoul of the law and was ultimately deported.

him for life. Many veterans have returned home with bearing the scars of being in combat zones along with the emotional and psychological toil that accompanies them for a lifetime.

## Conclusion

All of the veterans interviewed for this dissertation expressed surprise that the nation they served would adjudicate them subject to deportation and or physically remove them. Their words and reflections indicate and converge on the notion that IIRIRA is the legal framework and fulcrum point that facilitated their sense of illegality and eventual deportation. IIRIRA furthered criminalized undocumented immigration and added a range of enhancements that among things removed judicial discretion from sentencing decisions. IIRIRA was designed to deter and penalize undocumented immigration and added to the narrative that being in the U.S. without authorization is a criminal. Many veterans spoke to this nexus point and expressed displeasure and anger that they were being linked to 'illegal immigrants.' Based on the qualitative data collected for this dissertation I would posit that that IIRIRA facilitated veteran deportation but they were ultimately the collateral damage of the legislation.

I would not, however, second the distinction made by many deported veterans who argued that their service should have or would exempt them from the harsher elements of IIRIRA. It is important to distinguish between the language of the legislation and its intent and implementation. IIRIRA's intent was to further criminalization undocumented immigration and to enhance punitive measures that were tailored to a specific demographic. Latino immigrants bore the brunt of IIRIRA. Scholars, activists, and others have referenced and in this prior chapters of this dissertation this point. It is the intent, implications and 'dog whistle' of IIRIRA that pulled immigrants with records of military service into its vast legal, political and detention dragnet. Anger, hostility, and resentment are all emotional responses that were evoked by the deported veterans who agreed to be interviewed for this project. Surprise, astonishment, and downright disbelief, were universally referenced by all interview subjects. There is a robust body of literature that has advanced the argument that Latinos, despite their historical legacy in the U.S., have been perceived as perpetual foreigners via legislation, custom and popular imagination. This is a central reason why a majority of Americans refuse to believe that our nation would deport those who served in our armed forces. Foreigners, or those in the country 'illegally' in the popular imagination, are not servicemembers, heroes, or worthy of valor. This point was echoed by numerous interview subjects.

These sentiments help focus the inquiry of veteran deportation on the extra-legal issues, historical context, and imperialistic ideologies that have resulted in state removal of armed forces veterans. The interviews also made clear that a range of emotions followed veteran deportation but also in the calculations that prefaced their decisions to enlist. Patriotism, service to nation, and a recognition that they and their families had been embraced in times of crisis and turmoil are common among the deported veterans. They were cognizant of their newcomer status but expected that military service would have an equalizing affect like it has historically in the past for countless other generations of veterans. This misalignment between service to nation and expanded membership rights that include a degree of permeance speak to why this political reality and problem are much more expansive than the implications of just IIRIRA. It is clear to those interviewed that the events of September 11<sup>th</sup> were pivotal in their decision to enlist and serve. Many spoke to the state of crisis the nation was under that day and how the events that followed mandated the need to mobilize large segments of the population. Given their newcomer status they felt obligated and sense that the crisis of terrorism had created an opening for immigrant soldiers

to prove their commitment, worthiness and patriotism to the U.S. This belief is not unfounded because prior historical events and moments of crisis have aligned to create these moments of opportunity in which immigrants have utilized military service as a means to expand claims on full membership and citizenship. IIRIRA initiated a process, that perpetual foreignness exacerbated, and it resulted in the systematic and continual deportation of countless Latino veterans.

#### **Chapter Five**

### Conclusion

'I am an American, I just happen to be born in México.'

Hector Lopez offered this reflection about his identity and plight as our conversation came to a close. Lopez had by this time accepted the fact that he would never return to the country he considered home. His resignation was both philosophical and practical and imbued with a degree of desperation and animosity. As articulated in chapter three, Hector served six years with the U.S. Army before being deported. The nation he served, offered his life to, and wanted to remain in ordered him deported and adjudicated his physical removal. Hector's story is like that many of the other deported veterans who were interviewed in this dissertation.

Against the backdrop of powerful historical forces and monumental geopolitical pressures these soldiers were courted, recruited and sent into harm's way with the lure and promise of becoming U.S. citizens. Many returned home with the physical and psychological scars that are part and parcel of fighting in war and absent the legal credentials that guaranteed their full membership in the polity they had defended in war. Once home, these veterans, many born in México or hailing from other nations in Latin America, faced deportation and were forced to not only navigate our nation's byzantine immigration laws but also incarcerated for transgressions that many say were motivated or associated with the conditions they acquired as a result of their military service.

Thus, despite our nation's reverence for our armed forces veterans continue to be deported. Questions about how, why, and to what extend this occurs remain, but the reality remains that veterans continue to be deported from our nation. This factual reality of veteran deportation is a truth that many struggle to accept.

A reiteration of the research questions that motivated this dissertation is warranted: Why does our nation deport veterans? The intellectual objective of this dissertation is to center this project on the lived reality of veteran deportation and to serve as an empirical and theoretical platform by which to interrogate how state action, race, illegality, and questions of citizenship operate together. How has military service uniquely configured the relationship Latinos would come to have with race, citizenship, and illegality? When did the historically situated accord that granted full non-negotiable citizenship in exchange for military service become invalid? How does the state's physical removal of deported veterans highlight this broken accord?

I advanced the argument that to understand the how and why of veteran deportation the role of the state must not only be accounted for but central to the analysis. Sawyer's 'race cycles' work was instrumental here in that it allowed me to think more critically about how geopolitical pressures administered on the state initiate a process by which it creates access, opportunity and lowers the threshold required for full membership for groups that have historically resided outside its 'imagine community.' This process materialized in post-revolutionary Cuba as Sawyer illustrated and I argue here also manifested in post September 11<sup>th</sup> world here at home as well.

This project also delineated the experience of Latino soldiers from that of their African American predecessors. Despite the fact, as articulated in chapter two, that the experience of African American soldiers offered considerable empirical and theoretical purchase to this project the prevailing argument here is that notions of illegality, perpetual foreignness, and the historical backdrop of annexation shifted the contours of this inquiry in a manner that was unique to deported veterans of Latino descent. The argument is that Latino veterans are deported because they originate from a group that has had a precarious relationship with the state with respect to citizenship and full membership. The state extends or flexes the bounds of citizenship when its faces external pressure or a moment of crisis. State action in the wake of the terror attacks of September 11 speak to this. President Bush introduced an executive order to expediate the citizenship process to accelerate the recruitment of Latino soldiers. Once the moment of imminent crisis had subsided the bounds of citizenship once again retracted and, in the process, left many soldiers and veterans outside the bounds of membership and in a tenuous state of illegality. Immigration reform and draconian polices absolutely facilitated veteran deportation but their recruitment and subsequent removal resides in state action in response to external crisis and geopolitical threat. The cyclical nature of the 'race cycles' argument lends credence to the believe that phenomena will occur again.

## Limitations

This study was inspired by the service of African American soldiers and learned from their experiences with segregation, second-class citizenship, and the enduring legacy of white supremacy. From this intellectual inspiration this dissertation sought to carve our theoretical space to understand how and why a nation would deport veterans who endured similar experiences. The notion of illegality, and state mandated physical removal, was legal action that I believed drew a theoretical boundary between the experience of the two groups.

When interviewing a deported veteran advocate, the focus of my inquiry was centered on the experience of deported Latino veterans. I inquired about the factors that facilitated their removal, the legalities that justified it, their experiences once deported, and their engagement with advocacy efforts. I was interrupted midpoint through a question and told, 'You keep asking about Latinos, but you are ignoring or failing to understand that there also exists an exiled community of Black deported veterans.'

There are indeed deported veterans who hail from places in the Caribbean and Africa who have joined the U.S. armed forces, had similar experiences to that of their Latino counterparts, and have been subsequently deported by the state. How their experiences either challenge, align with, or complicate deported Latino veterans' experience with respect to illegality, is an obvious area for further exploration. It also an obvious limitation of this study.

The data collection strategy of this dissertation is also worth noting here. The methodology of the study is justified by, as elaborated in chapter three, by the absence of verifiable deportation cases. It is still not clear how many veterans have been deported by our nation. Estimates are as low as 250 and as high as 10,000. The Department of Homeland Security failed to note how many immigrants with service records it deported despite being ordered to keep these records. In order to get a firmer sense of the scope of veteran deportation this dissertation sought to triangulate available data as a means to produce a firmer estimate. The veteran 'bunker' described in chapter one displays a white board with the names of thousands of deported veterans that have sought refuge there over the last ten to twenty years in Tijuana. Despite these methodological limitations and efforts to compensate for a lack of verifiable data a more robust data collection process should include the development of a survey instrument to help establish a proximate number of deported veteran cases and to assess if geography, regional differences, and or other factors influence the experiences of this population.

## Contribution

The experiences of Latinos in the military have been extensively examined. From the Revolutionary War, to Vietnam, to the most recent events in the Middle East, there exists a body of scholarship that explores the themes of race, citizenship, and how serving in our armed forces reconfigured their relationship with the U.S. nation state. The contribution of the dissertation is both empirical and conceptual. This dissertation enhanced the literature that explored the relationship between race, military service and citizenship by enjoining the categories of illegality and deportability. This conceptual addition allowed for an understanding of the role the state plays in the facilitation of how and why those who have served our nation are physically removed from our nation despite their service. Exogenous pressures like the events of September of 11, 2001 trigger state crisis. The state's response to this unprecedented crisis facilitated a process that ultimately resulted veterans being removed from its boundaries. Race, citizenship, and a historically situated relationship with the armed forces are all relevant features of this narrative but state action is the engine that drives the process and the casual links that help explain why we deport veterans.

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