

It's always been hard to say no to citizenship requests from soldiers. Trump's doing it.

Even conservatives have historically embraced programs that trade military service for naturalization. That may be why the administration is targeting them.

By Nicole Hemmer on July 9, 2018 2:00 pm



A naturalization service at the Library of Congress, 2013 | CQ-Roll Call, Inc./Getty Images

The US military has begun kicking out immigrants for whom service offered a pathway to citizenship. According to a recent report from **the Associated Press**, dozens of enlistees — part of a program called MAVNI (Military Accessions Vital to the National Interest) — have already been discharged. That's in addition to hundreds of recruits who had their contracts abruptly canceled last fall.

MAVNI, a program started in 2008, opened the door for immigrants who were in the country legally (including DACA recipients) to enroll in the military and, in reward for their service, have their citizenship fast-tracked.

Though the exact scope of the dismissals is unclear — the Pentagon has not supplied a number, and some enlistees say they've been told only that they failed an unspecified background check — the tightening restrictions on immigrants in the military (which goes **well beyond** this latest report) fits perfectly with the administration's anti-immigrant and nativist policies.

Historically, for immigrants excluded from the full rights of citizenship because of their race, the military has been the most powerful proving ground for their citizenship claims. From Asian Americans who won citizenship after serving in Europe in World War I to African Americans who won support for civil rights after returning from World War II, military service created an almost irrefutable case for citizenship.

American racists sometimes still fought those claims, but they led to real advances — which is exactly why the Trump administration would aim to end such a program.

The case of Asian Americans and World War I

Perhaps the most striking case of military citizenship featured Asian immigrants in the early 20th century. This was a time when immigration from most parts of the world went largely unrestricted, but Asian immigrants faced profound barriers. Chinese immigration had been halted in 1882, through the Chinese Exclusion Act, and that ban expanded to include Japan in 1907 and most of the rest of Asia in 1917.

Not only had immigration been shut off, but so had naturalization. The 14th Amendment and 1870 Naturalization Act created a black-and-white definition of citizenship. As always, white people could become citizens. But now, so could “people of African descent,” most notably, former slaves, who had been categorically denied citizenship by the 1857 *Dred Scott* decision.

For everyone who fell outside those categories, including Asian, Mexican, and some Middle Eastern immigrants, the question of citizenship was unclear. They were clearly not of African descent, but were they white? A series of lawsuits pressed the question, forcing judges to pin down a definition of whiteness that excluded Chinese, Japanese, and Asian Indian immigrants. As a result, while their children would become citizens thanks to the principle of birthright citizenship, immigrants of Asian descent could not become naturalized citizens of the United States.

This did not, however, prevent Asian immigrants from serving in the US military and fighting for citizenship in return for their service. Since 1862, the US government had recognized the value of immigrant military service, and offered expedited naturalization to “any alien” who had lived in the US for at least a year and fought for the US army.

The mass mobilization that accompanied US entrance into WWI brought hundreds of thousands of noncitizen immigrants into the armed forces (the **Selective Service Act** required any male immigrants who intended to become citizens to register for the draft), and between 1918 and 1920, **nearly a quarter-million** of those soldiers were naturalized, many even before shipping off to the front.

Even conservative military men saw the military as the ultimate melting pot

Throughout the war, the government repeatedly made the case that military service was the crucible of citizenship, the testing ground that allowed immigrants to prove their loyalty, their bravery, and their fitness as Americans. One captain surveying the intake of new immigrant soldiers cheered that “out of the melting pot of America’s admixture of races is

being poured a new American trained and ready to make the world safe for Democracy.” The War Department even included civics courses as part of **wartime training** to “Americanize” immigrants in the service.

Henry Breckinridge, the assistant secretary of war, saw this as a **great contribution of military service**. The soldier, “no matter from what race stock he comes — Teuton, Slav, Czech, Italian, Celt or Anglo-Saxon — all rubbing elbows in a common service to a common Fatherland — out comes the hyphen — up goes the Stars and Stripes and in a generation the melting pot will have melted.”

Note that Breckinridge did not include Asian immigrants in his list of nationalities, but those immigrants nonetheless heard the promise of soldier-citizenship and quickly moved to translate their work in the war into naturalization.

A fight for Asian-American rights

Yet had it not been for a sympathetic judge and federal agent, their efforts would have been wasted.

The initial position of the Bureau of Naturalization was that Asian immigrants remained ineligible for citizenship, being neither white nor black. But in December 1918, federal district court judge Horace W. Vaughan **announced** — to the surprise of the Bureau of Naturalization — that he would naturalize Chinese, Korean, and Japanese soldiers. “We had drafted them into our service,” he explained, “and they thought enough of us to be willing to serve, to risk their lives in our service.” He found an accomplice in the deputy commissioner of naturalization, Raymond Crist.

As historian Lucy E. Salyer **has shown**, the two worked to naturalize hundreds of Asian soldiers. They continued, fruitlessly, to issue naturalization papers to Asian soldiers even after the Supreme Court **ruled in 1925** that any veteran ineligible for citizenship by “color or race” remained ineligible, regardless of service. Crist argued anyone with naturalization papers was a citizen, regardless of the court’s stance, but his view did not have the force of law.

But a rogue federal agent can't save an entire group from the judiciary in perpetuity, and despite Crist's efforts, this category of immigrant was denied citizenship under the law. What Asian veterans needed was an act of Congress that would permit them to gain their citizenship — which they got, thanks to the work of veteran **Tokutaro Slocum**.

Slocum, who was born in Japan and moved to America at the age of 10, was studying law at Columbia when the US entered WWI. He left school, fought in France, attained the rank of sergeant major, and was rewarded with naturalization, which he lost after the Supreme Court ruling in 1925. As a member of the Japanese American Citizenship League, he lobbied Congress for the restoration of his citizenship, along with that of all other WWI veterans in his situation.

Vaughan, Crist, and Slocum were all appealing to the idea of service over race in an era in which citizenship was strongly tied to whiteness and when anti-immigrant sentiment ran high. Indeed, in the midst of the fight over the naturalization of Asian-American veterans, the US imposed strict racist quotas on immigration — in its infamous law of 1924 —and the Ku Klux Klan flourished under a program of “100 percent Americanism.”

Notably, the 1935 Nye-Lea Act that granted Slocum and other veterans citizenship opened no pathway to other Asian immigrants; it was for veterans alone. Nor did it save Slocum from other racist laws. In 1942, when the US began rounding up Japanese immigrants and Japanese-Americans, Slocum and his family were sent to Manzanar internment camp, in California's Owens Valley.

Slocum's fate reminds us of the limits of martial citizenship: If some people, because of their race or ethnicity, are forced to show exemplary bravery and sacrifice in order to prove their fitness for citizenship, something has already gone wrong. Yet the idea that military service can be a way for immigrants to earn rights has historically been potent enough to win over even cultural conservatives.

It should therefore come as no surprise that the Trump administration would like to shut that door, as part of its broader effort to demonize

migrants and restrict immigration. Since 2001, more than 100,000 immigrants have **become naturalized citizens** through military service (10,400 through Military Accessions Vital to the National Interest).

Slocum's story should remind us that even as the nation's laws and opportunities constrict — for racist reasons — activists, government workers, and judges can help pry back them back open.

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