

# Dismantling Rights: Forthcoming Independence and the Revocation of US Military Benefits from Filipino WWII Veterans

Katrina Quisumbing King

*This article explores the plasticity of rights by examining how the US government promised and revoked naturalization rights and military benefits from Filipino colonial soldiers who served on behalf of the United States in World War II. Rarely have legal scholars of the US military, citizenship, and the welfare state addressed the rights of colonial subjects. Drawing on data collected from six libraries and archives, the Congressional Record, and oral histories, I document how key actors in the US government dismantled the rights of Filipino soldiers. I find that colonialism, war, and a rapidly changing geopolitical situation—forthcoming Philippine independence—allowed members of the US Congress and the administrator of Veterans Affairs to dismantle rights. By arguing that the Philippines was not a colony, that colonial subjects were not entitled to equal treatment, and that Filipino veterans were not US military, members of the US executive and legislative branches casually eroded rights. US state actors thus were able to claim that Filipino veterans' rights were merely cumbersome and expensive foreign aid. This case suggests that rights are more malleable during times of state transition.*

## INTRODUCTION

During World War II, Franco Arcebal was a young Filipino man who felt allegiance to the United States. Speaking of his high school education, he said, “we were trained to say ‘God Bless America.’ We were not trained to say, ‘God Bless the Philippines.’” As a citizen of the Philippine Commonwealth—a US colony under Japanese occupation during the war—Arcebal’s life reflects imperial

---

**Katrina Quisumbing King** is an Assistant Professor of Sociology at Northwestern University, US. Email: [kqk@northwestern.edu](mailto:kqk@northwestern.edu).

I am especially grateful to Franco Arcebal, Arturo Garcia, Pepi Nieva, and Cecilia Gaerlan for sharing personal, family, and political history with me. I also thank Christopher Capozzola, Sam Erman, Mike Cullinane, Amanda McMillan Lequieu, Mara Loveman, Pamela Oliver, Myra Marx Ferree, Jenna Nobles, Liz Escobedo, Tom Guglielmo, Laura Beth Nielsen, Daanika Gordon, Rose Ernst, Emma Johnson, and the anonymous reviewers for their helpful engagement at different points of this project. Earlier versions of this work were presented to the Race and Ethnicity Research Group at the University of Wisconsin – Madison, the Center for Research on Military Organization at the University of Maryland – College Park, and the Migration and Immigrant Incorporation Workshop at Harvard University. I thank the audiences of these spaces for their time and feedback.

This research was supported by a National Science Foundation Doctoral Dissertation Research Improvement Grant; the MIT School of Humanities, Arts and Social Sciences Diversity Predoctoral Fellowship; a Foreign Language and Area Studies Fellowship in Tagalog; the Harry S. Truman Library Institute; and the Franklin D. Roosevelt Institute.

entanglements and bonds forged through war. In July 1944, he met a Filipino officer fighting on behalf of the United States. The officer was traveling by foot and scouting Japanese activities on the largest northern Philippine island of Luzon. To complete the mission, Arcebal offered himself as a companion and his truck as a mode of transportation. On this trip Arcebal volunteered for the 121st infantry regiment of the Philippine guerrilla forces, fighting for the United States. He and the officer were captured by the Japanese, held as prisoners of war, and tortured. He was inducted into the military in November 1944. When he told me the story of his capture, he stood up from the table where we lunched and held his arms behind his back to demonstrate how the Japanese officers bound him and painfully forced his arms upward.

At the time I spoke with him, Arcebal was ninety-six years old. He lucidly recounted not only his war service, but also how he discovered that he was not eligible for veterans' benefits. Arcebal migrated to the United States in 1987. The following year, when he was living in the Los Angeles area, he had a problem with his dentures. Arcebal's friends, who knew of his military service, advised him to go to the local Veterans Affairs clinic. When he went and attempted to seek treatment, however, he was told he was not a veteran. He recounted: "The processor in the veterans' clinic told me: 'You are not qualified for veterans treatment because you have no benefits because you are not an American veteran.' And I was shocked. In my mind, I said, 'I risked my life for the American Flag!' And my dentures—they refused me. I said there is something wrong!"<sup>1</sup>

Stories like Arcebal's are not uncommon among Filipino veterans who fought in the Philippines for the United States during World War II.<sup>2</sup> They believed they were serving for the US military. In exchange for their service, they should have been eligible for rights like dental care. Nevertheless, even as the United States administered an expanded bundle of rights for returning veterans,<sup>3</sup> they also reclassified more than 200,000 Filipino veterans and denied them the right to naturalize and to military benefits (Golay 1997; Nakano 2002, 2004, 2000; Capozzola 2020).<sup>4</sup> The 1946 First Supplemental Surplus Appropriation Rescission Act, more commonly referred to as the Rescission Act, stated that "service . . . in the organized military forces of the government of the Commonwealth of the Philippines, while such forces were in the service of the Armed Forces of the United States . . . shall not be deemed to have been active military, naval, or air service for the purposes of any law of the United States conferring rights, privileges, or benefits."<sup>5</sup> Congress reclassified Filipino veterans—like

1. Oral History Interview with Franco Arcebal by author, July 10, 2019.

2. This article is about Filipino veterans who enlisted and served in the Philippines. This does not include those who, after the amendment to the 1940 Selective Service Act that allowed for the enlistment of Filipinos, were recruited and served in the United States. These individuals are known as the "First and Second Fil." The First Filipino Infantry Battalion was formed in San Luis Obispo, CA, in January 1942, and expanded to include a second regiment (Baldoz 2011, 211–13). Together, they were made of about 7,000 men (Capozzola 2020, 166).

3. Servicemen's Readjustment Act of 1944, Pub. L. No. 78-346 (1944).

4. Two hundred thousand is the most conservative estimate of the number of Filipino veterans who served in World War II and did not receive benefits. According to Franco Arcebal and Arturo Garcia, of Justice for Filipino American Veterans, the numbers from the Philippine government are closer to 425,000. Some numbers even suggest that there were over 700,000 people who served, including the unrecognized guerrillas.

5. First Supplemental Surplus Appropriation Rescission Act, 1946. Pub. L. No. 79-30 (1946).

Arcebal—who had served in an army under the command of the US military as having not served in or for the US military. This is the only case of a federal reclassification and denial of military benefits in US history. How and why did Congress revoke naturalization rights and benefits from Filipinos following World War II? What does this tell us about the durability of rights in the United States?

While the existing literatures on both rights and veterans help us understand how such rights are created, where they come from, and how people win them (Hartog 1987; Epp 1998; Mettler 2005; Whittington 2009), we know less about how rights, once promised, are dismantled. This is especially true of the rights of colonial military personnel. Legal professionals, politicians, scholars, and the public typically conceive of military personnel's enhanced citizenship rights as indestructible, and the United States has long rewarded soldiers with expanded rights in exchange for their martial sacrifice (Segal 1989; Skocpol 1997; Mettler 2005). Not only are US native-born individuals eligible for expanded rights based on military service, but so too are foreigners and colonial subjects serving in the US military.

This study uses the history of Filipino World War II veterans to reconsider the durability of rights at the intersection of colonialism, decolonization, war, and military service. Drawing on data collected from six libraries and archives, the US Congressional Record, and oral histories, I address what naturalization rights and social welfare benefits mean in changing geopolitical situations. The case of colonial soldiering is especially useful for understanding the flexibility of rights, as colonial subjects are people who both owe allegiance and are not full members of the proverbial nation (Burnett and Marshall 2001; Sparrow 2006; Erman 2018). While colonial subjects are partial members, colonial soldiers' status as military personnel offers them expanded rights. Since 1901, Filipinos have served in the US military and the US government has promised them naturalization rights and social welfare benefits, including pensions, in exchange for their service. In contrast to how, between 1923 and 1935,<sup>6</sup> the US government denied and rescinded the naturalization rights of other Asian veterans of World War I, Filipino veterans' rights were never in question until the 1946 Rescission Act. Given the durability of Filipino veterans' rights, even in the face of Asian exclusion, it is surprising that at a time when the US government was expanding rights for military personnel, Congress reclassified Filipino veterans of World War II as having not served in active duty.

Studying colonial soldiers at the moment of demobilization and on the eve of formal decolonization is not only important to establishing the historical record of who among state actors dismantles rights and how they do it, but also demonstrates how state actors reconceive of rights as geopolitical arrangements shift. The US Congress passed the Rescission Act on February 18, 1946, six months after World War II ended and five months before the Philippines was scheduled for independence. Looking to this moment as an exemplary case, I ask how US politicians and bureaucrats unceremoniously dismantled rights earned through martial sacrifice. I find that the durability of rights hinged on the definition of territorial status. A rapidly changing

---

6. *United States v. Bhagat Singh Thind* (1923) and *Toyota v. United States* (1925). In these cases, the Court decided that for Asians, unlike their earlier European counterparts, martial service was not a criterion for inclusion. The 1935 Nye-Lea Act restored rights for Asian veterans.

geopolitical situation allowed US politicians and bureaucrats to rethink a core principle of citizenship and martial service: mutual obligation. The end of World War II and forthcoming Philippine independence unsettled previously unquestioned assumptions about the state's responsibility to people it recruits and who, in turn, sacrifice in times of war. If the Philippines were not a US colony, then the United States owned nothing to Filipinos. In this moment, state actors also redefined Filipino soldiers' status: as non-American and nonmilitary. Redefining the Philippines as independent and Filipino veterans' status as non-US soldiers enabled state actors to rationalize revocation on economic and bureaucratic grounds.

By framing social welfare benefits and the path to expedited naturalization as unnecessary foreign aid, US legislators and administrators evaded explicit mention of race or imperial obligation. Nevertheless, how they reclassified Filipino soldiers and rationalized the Rescission Act drew on long-standing logics that were used to exclude nonwhite and colonial people from the full benefits of citizenship. The US commitment to white nationalism is built into the legal architecture of the state,<sup>7</sup> as evident in rulings on the constitutionality of colonialism (Burnett and Marshall 2001), migration and naturalization law (Ngai 2004; FitzGerald and Cook-Martín 2014), and the administration of social welfare benefits (Lieberman 1998; Katznelson 2005; Fox 2012). And in 1946, state actors accomplished racial exclusion without mention of race by transforming rights into aid.

To establish how US state actors casually expurgated rights without explicit mention of race, I first discuss how the language of inalienable rights and the history of citizenship in exchange for military service suggests that Filipino veterans would be able to claim their rights. I then highlight the importance of studying war and empire as moments when state actors reconfigure territorial boundaries, state power, and rights. I consider colonialism as an extended moment of war and draw attention to the historical constitution of rights in the US empire. After examining the consequences of shifting geopolitical arrangements on the rights of colonial subjects, I use original data to detail the legal history of how the United States created, affirmed, and then dismantled naturalization rights and social welfare benefits for Filipino WWII soldiers. I conclude by emphasizing that scholarship on rights needs more attention to moments of unstable geopolitical arrangements when state actors reconfigure boundaries of sovereignty.

## INALIENABLE RIGHTS AND MARTIAL SACRIFICE

The historical treatment of US soldiers as more deserving of rights would lead one to expect that Filipino veterans' rights would be durable. This expectation is consistent with how "Americans have often thought of the word 'right' in terms of constraints and barriers against change . . . [G]aining a constitutional right—gaining public recognition that you have a right, and not just a want—should mean that you have gained some protection against fickle and transitory political judgements" (Hartog 1987, 1028). Not

---

7. For discussion of national boundaries, white nationalism, US empire in the Philippines, and legal architecture, see Quisumbing King (2022).

only is the idea of “inalienable” rights core to US popular imagination, but the United States also has a long history of granting expanded rights to those who risk their lives in war. Dating back to the American Revolutionary War (1775–1783), the nascent US government granted noncitizens rights and military benefits. Scholars trace the idea of the citizen-soldier to early Greece and Rome, arguing that the French and American revolutions were the pinnacle of this norm (Janowitz 1976).<sup>8</sup> In these contexts, “state and society were yoked together by a mutual bond of violence, expressed through conscription and redeemed in the rights of citizenship” (Krebs 2006, 4, quoting Michael Geyer). Through their martial sacrifice, citizens and noncitizens alike demonstrate their responsibility, obligation, and allegiance to the state. And in return, they are often rewarded with expanded rights and benefits. This practice reflects how military service is understood as both a right and responsibility of citizenship (Segal 1989; Skocpol 1997; Mettler 2005).

Even Asian veterans, who were for a time excluded from rights promised to their white counterparts, gained expanded rights by appealing to militaristic patriotism (Salyer 2004; Sohoni and Vafa 2010). Exclusion began when, after World War I, local naturalization officers, judges, and US Supreme Court justices held that Asian origin was a bar to naturalization for veterans (Salyer 2004, 856). Although the Alien Naturalization Act of May 9, 1918, granted an expedited path to naturalization to “any native-born Filipino” and to “any alien or any Porto Rican [sic],” after three years of service, the Supreme Court held that Asian aliens were not eligible for citizenship in exchange for military service.<sup>9</sup> Although the Court did not refer to the 1918 Alien Naturalization Act, their decision suggests that Asian origin trumped military service in determining naturalization eligibility. In the 1925 case *Toyota v. United States*, the Court ruled that the May 9, 1918 Act was *not* intended to include any soldier.<sup>10</sup> Despite the Court’s rulings and after a decade of Asian veterans’ demands for citizenship, Congress passed the 1935 Nye-Lea Act, guaranteeing all alien veterans the right of naturalization (Salyer 2004; Sohoni and Vafa 2010). Congress affirmed that expanded rights would be granted in exchange for loyalty and martial sacrifice, regardless of national origin.

During World War II, the US government offered both a path to naturalization and expanded veterans’ benefits to all those who served in the US military. The 1944 GI Bill created expansive opportunities—including pensions, educational assistance, and job training—for all veterans, regardless of ethno-racial classification or national origin (Segal 1989, 78–79).<sup>11</sup> The language of the GI Bill itself was “comprehensive

---

8. For discussion on the demise of the citizen-soldier ideal see: Moskos (1986), Burk (2002), and Krebs (2009).

9. *United States v. Bhagat Singh Thind* (1923). The Court ruled that Thind, a Sikh Indian veteran of the United States, was not white and therefore could not naturalize.

10. See Haney-López (1996) for a discussion on how these opinions relied on pseudoscientific notions of racial difference.

11. Nonwhite veterans (including citizens of the United States, colonial subjects, and foreign nationals) were eligible for the benefits under the GI Bill. For example, Japanese Americans, while classified as enemy aliens by Congress, the War Department, and Immigration and Naturalization Services, could still enlist in the military and were recognized for their service. Black veterans made up 8.5 percent of the US military at the time (Mettler 2005, 29). Approximately 500,000 Latinos fought in World War II (Allsup 1982), of whom about 15,000 were citizens of Mexico.

and universalistic,” making “all veterans eligible without any further official reference to demography or need” (Katznelson and Mettler 2008). Providing noncitizens with expanded rights represents a way of thinking about the nation in more inclusionary terms. Given the history of racial exclusion in the United States, the GI Bill, and military service more generally, have been key sites for immigrants and nonwhite people to claim rights as citizens (Takaki 2000; Salyer 2004; Krebs 2006; Parker 2009; Sohoni and Vafa 2010; Phillips 2012).

While the aforementioned literature emphasizes how military service provides the opportunity for expanded rights, others have troubled the view of the military as a site of racial equity (Ray 2018; Guglielmo 2021). Not only has the military treated enlisted soldiers differently on the basis of race, administrators denied veterans military benefits through discretionary decision making. In debates over the aforementioned 1944 GI Bill, Southern Democrats demanded that Veterans Affairs (VA) administer it in a decentralized fashion (Katznelson 2005, 20–21). This enabled local and state administrators to discriminate against and exclude Mexicans and Mexican and Black American veterans in ways that they did not for white people (Onkst 1998; Katznelson 2005; Rosales 2011). The expansion of social welfare benefits for veterans was limited by racism. While much of the literature on rights, war, and soldiering suggests that rights in exchange for military service may be stable, the history of US racial exclusion points to the need for studying moments in which rights to social welfare benefits and naturalization are denied. The loss of rights helps us understand how US state actors enact narrow visions of the polity.

## WAR, EMPIRE, AND RIGHTS

To understand how rights are dismantled, it is important to look to war and geopolitical shifts. The US Congress revoked Filipino veterans’ right to naturalization and access to expanded social welfare benefits in a moment of demobilization and decolonization. As US boundaries and the scope of sovereignty changed, US state actors reimagined the relationship between obligation and rights. Perhaps the most recognized war-induced constitutional transformation in US history occurred between 1865 and 1877. As they reincorporated the Confederate States and passed the 1866 Civil Rights Act and the Thirteenth, Fourteenth, and Fifteenth Amendments, the US Congress created new rights for formerly enslaved people, radically expanding the definition of the US polity.<sup>12</sup> These amendments, also known as the Civil War or Reconstruction Amendments, abolished slavery, provided for citizenship and equal protection of freedmen (and all born on US soil), and provided for voting rights. As the US federal government created collective rights, they also dismantled those of slaveholders. Through retrenchment, lack of enforcement of rights, and

---

12. The Reconstruction Constitution reflected a shift in political culture and practices that, at least on the books, suggested greater inclusivity (Erman 2018). At the same time, under this new order, the freedom and equality of Black Americans also meant demolishing the rights of slaveholders to hold people as property. This way of thinking about rights reflects that, at times, the rights of some rest on the lack of rights for others. Indeed, white Southerners came to see their rights as directly in conflict with the newly freed and enfranchised Black Americans (Du Bois 1935).

abandonment of constitutional commitments, however, state legislators, the US Congress, and the US Supreme Court eroded the collective rights provided by the Civil War Amendments and circumscribed US membership in racially exclusionary ways (Woodward 1951; Gillette 1982; Valelly 2009; Foner 2011).<sup>13</sup> While the rights won by Black Americans in the Civil War and during Reconstruction provided a new constitution for the United States, they also demonstrate how fragile rights can be (Foner 2011; Millhiser 2015).

Civil wars and white backlash are not the only catalyst for the erosion of rights. State actors have also limited the rights of citizens and migrants in response to international affairs and global wars. War provides state actors with opportunities to diminish rights and constitutional protections in the name of or in favor of other priorities (Sinnar 2015; Erman 2018; Kessler 2018). For example, US politicians justified wartime hysteria-induced “internment,” or incarceration, of Japanese Americans in World War II in terms of national security priorities. Not only war, but foreign affairs and diplomacy provide opportunities to limit rights, especially for nonwhite migrant populations (Azuma 2005; Gabaccia 2012; FitzGerald and Cook-Martín 2014; Atkinson 2016; Hsu 2017; Lew-Williams 2018; Hong 2019), including those abroad (Reyes 2019, 118–23).<sup>14</sup> The very establishment and policing of US borders is an exercise of sovereignty that relies on the idea that those within are entitled to rights and those outside are not (Volpp 2005, 480). On the international stage, state actors cooperate to create enforcement regimes, circumscribing rights in accordance with national borders (Ngai 2004; Gutman 2019). War, shifting borders, and interstate affairs provide opportunities for state actors to expand and constrict rights, especially of people classified as nonwhite or deemed to be outsiders.

As extended moments of interstate conflict, empire and colonialism deserve special attention in the study of the social construction of rights. Empire, like war, can be understood as a state of exception in which state actors conquer, redraw boundaries, claim sovereignty, and (forcibly) incorporate new populations.<sup>15</sup> Empire has consequences for rights. In the United States, “the territories were fundamental to nearly every major constitutional controversy of the long nineteenth century: most notably slavery, but also religious freedom, property ownership, racial discrimination, citizenship, and the scope and nature of constitutional rights” (Ablavsky 2018, 1635–36). During US wars of western expansion and colonial conquest, the power of the administrative state grew, creating rights for whites and limiting rights of nonwhite people (Frymer 2004; Lawson and Seidman 2008; McCoy, Scarano, and Johnson 2009). Lack of rights for new populations derived from white settler rule of law and racial-imperial imperatives of exclusion (Rana 2010). To uphold white settler goals, the US Supreme Court created unequal spaces and citizenship statuses for nonwhite

---

13. Inconsistent federal policy, skepticism about federal power, lack of executive and judicial support for Reconstruction, loss of Republican control and radical voices in Congress, as well as Northern and liberal Republican ambivalence about equality all undermined the promise of equal citizenship. Although the Reconstruction Amendments continued to be the law of the land, the US Supreme Court largely stripped them of their radical meaning (Brandwein 1999; Millhiser 2015).

14. At the same time, geopolitical interests have created opportunities for greater inclusion of select populations such as those from Southwest Asia and North Africa (Khoshnevis 2021).

15. See Agamben (2005).

subjects (Jung 2015, 55–81). As the US federal government expanded its territorial sovereignty, it also limited the rights of nonwhite people and colonial subjects.

At the same time, US state actors created rights as part of the imperial project. In other words, rights within the empire state followed the expansion of US sovereign claims and denial of non-US sovereignty. US citizenship was thrust upon American Indians in 1924 after decades of violent wars and the expropriation of Indian lands through a policy known as allotment (Dunbar-Ortiz 2014, 167–75).<sup>16</sup> Although American Indians became US citizens, the US government still considers them wards in law.<sup>17</sup> In defining the relationship of American Indians to the US state, the US Supreme Court upheld white settler priorities of exclusion by chipping away at previously recognized tribal sovereignty. As the US government dismantled Indian sovereignty, they imposed rights of citizenship.

The project of US overseas empire raised similar questions about rights and legal citizenship. US state actors wrestled with whether and on what terms to incorporate new island territories and their people. Would new colonial subjects be treated like American Indians? What rights would they have in the metropole? State actors and elites addressed these questions as they both expanded territorial boundaries through imperial war and sought to maintain white settler priorities of racial exclusion. The conditions of war and conquest in the Philippines, however, were different from what the United States has previously experienced on the continent. First, the US government never recognized the sovereignty of Filipinos as they had in treaties with American Indian nations. Second, war and colonization of the Philippines happened in 1898, thirty years after the Fourteenth Amendment guaranteed rights to all those born on US soil. Third, in the Philippines, elimination of colonized people was not the aim.<sup>18</sup> Although white metropolitan politicians did not want to settle the Philippines, imperialists maintained sovereignty over the islands. Despite these differences in the colonization of American Indian nations and the Philippines, US politicians still wanted to minimize the presence and rights of nonwhite people in the metropole. In acts of war and conquest of the Philippines, the United States reconfigured state power and the nature of rights in the US empire.

After conquest, the US Supreme Court heard a series of cases, known as the *Insular Cases*, which would transform US definitions of territorial sovereignty and rights for colonial subjects (Burnett and Marshall 2001; Sparrow 2006). These cases dealt with the status of the 1898 territories of Puerto Rico, Guam, and the Philippines and their relationship to the metropole. In the oft-discussed case *Downes v. Bidwell* (1901), the Court decided that the territories were unincorporated or “foreign in a domestic sense.”

---

16. General Allotment Act, 24 Stat. 388, ch. 119 (1887). See also Stanciu (2021) on the settler imperial logic of the Indian Citizenship Act.

17. In *Cherokee Nation v. Georgia* (1831), the Court ambiguously defined the relationship of tribes to the US government. It defined American Indians as part of “domestic dependent nations,” thus limiting their sovereignty in US law, but also declaring them as not separate from the Union. This case also defined American Indians as wards of the United States, or as people who had limited legal standing. In *Worcester v. Georgia* (1832), the Court placed American Indians under a trust relationship with the United States, meaning that the federal government would determine what was in the best interest of American Indian nations.

18. For expanded discussion of these points, see Kramer (2006), Sparrow (2006), Go (2008), Thompson (2010), and Erman (2018).



The constitutionality and applicability of particular metropolitan laws and accompanying rights were at the discretion of Congress. The decisions in *Downes* institutionalized a legally ambiguous and facially race-neutral relationship between the United States and its colonies, which would enable future flexibility in classification and legislative action (Quisumbing King 2022). When it came to US citizenship, at first, Congress only defined Puerto Ricans and Filipinos to be citizens of Puerto Rico and the Philippines, respectively. By defining Puerto Ricans and Filipinos as citizens of their own territories, US state actors limited nonwhite residency and naturalization in the metropolitan United States. Despite being citizens of the Philippines, Filipinos still owed allegiance to and were under the sovereignty of the United States.<sup>19</sup>

It was not clear, however, if these people were citizens of the United States. In 1904, the US Supreme Court decided that Puerto Ricans, and by extension Filipinos, were nonaliens, meaning they were not subject to migration restrictions applied to aliens.<sup>20</sup> The justices did not comment on their US citizenship, but after this point, Congress classified Puerto Ricans and Filipinos as US nationals (Burnett 2009; Erman 2018). As Burnett notes, this marked “a watershed moment in the legal history of American citizenship. Contrary to the language of the Fourteenth Amendment . . . the imperial policies developed in the wake of 1898 established that not all persons born within the internationally recognized boundaries of the United States and subject to its jurisdiction enjoyed the amendment’s guarantee of birthright citizenship” (2009, 332–33). In other words, while allowing free migration of colonial subjects, the US Supreme Court decision reaffirmed a legal hierarchy of racialized citizenship and distinguished between metropole and colony in constitutional law.

Despite these limitations, colonial subjects continued to access some rights denied to aliens. As US nationals, Filipinos freely migrated without the supervision or regulations of the Immigration and Naturalization Service. They could travel to and reside in the United States without restriction. This fact is remarkable given that Congress denied admission to others from the Asian region. Federal exclusion of Asian-origin migrants began in 1882 with the Chinese Exclusion Act. Restriction of Chinese and others from the Asian region was affirmed when Congress created the “Asiatic Barred Zone” in 1917 and again in 1924 with the National Origin Act, which limited Asian migration and naturalization.<sup>21</sup> As US nationals, Filipinos could freely migrate, but they could not naturalize as US citizens, except in the special case of veterans, which I discuss below.

As the Philippines gradually moved toward nominal independence, US state actors restricted migration rights associated with US membership. US rights declined as recognition of Philippine sovereignty grew. After the 1934 Tydings–McDuffie Act (which

---

19. Much has been written about politics and the construction of law in US colonies and the rights of colonial subjects as citizens of their territory (as in the rights of Filipinos as Philippine citizens). This literature includes discussion of how state elites attempted to translate American political culture and legal systems to the Philippines (Stanley 1974; Go 2008; Castañeda Anastacio 2016). The focus in this article, however, is on the rights colonial subjects can claim of and in the metropole, in particular rights associated with citizenship status and naturalization as US colonial subjects (or nationals) and not on the rights they may claim of the colonial state.

20. *Gonzales v. Williams* (1904).

21. The Asiatic Barred Zone did not include the Philippines, as it was a US colony. Neither did it include Japan, as the United States reached an agreement with Japan in 1907 in which Japan would limit emigration.

provided a pathway to Philippine independence), the US Congress reclassified Filipinos as aliens for the purposes of migration and limited Filipino migration to a quota of fifty people per year.<sup>22</sup> Increasing Philippine sovereignty meant that Filipinos could claim fewer migration and naturalization rights in the US metropole. This experience of Filipinos stands in contrast to Puerto Ricans, to whom the United States gave citizenship in the 1917 Jones Act. Whereas the United States moved the Philippines on a path toward independence and the colony was able to exercise more sovereignty over its affairs, the United States still maintains Puerto Rico as a colony.

In sum, the US history of racial-imperial rule provides myriad examples of how citizenship, naturalization, and migration rights are both created and dismantled during unsettling times. The expansion and revocation of rights reveals how state actors envision and define the membership of the United States. Although US state actors and elites limit rights of nonwhite people, they also grant rights in the empire state as they claim sovereignty over new territories and people. Conversely, state actors dismantle and reconfigure the meaning of rights and they relinquish sovereign claims. The destruction of rights for nonwhite, and, more specifically, colonial subjects represents extreme cases where legal and political boundaries are redrawn. The geopolitical conditions under which rights come and go deserve special consideration.

## THE MILITARY SERVICE AND RIGHTS OF COLONIAL SOLDIERS

Rarely have scholars of the US military, citizenship, and the welfare state addressed the rights of colonial soldiers. If, in US history, the expansion of rights is associated with incursions onto non-US sovereignty, what are the consequences of shifting geopolitical arrangements on the rights of people who are both loyal soldiers and partial members of the state? Imperial powers recruit colonial soldiers and promise them expanded naturalization rights and social welfare benefits, otherwise unavailable to their civilian counterparts.<sup>23</sup> Existing scholarship on non-US colonial soldiering draws attention to this as an understudied but global practice. Studying colonial soldiering can not only “tell an alternate story about coercion and legitimacy,” as Barkawi suggests (2017a, 6), but also illuminate how metropolitan state actors dismantle rights for a population who otherwise would seem to be the most deserving.

Metropolitan governments recruit, draft, and incorporate colonial soldiers into their military forces (Paralitic 1998; Mann 2017; Franqui-Rivera 2018).<sup>24</sup> Barkawi reports that hundreds of thousands of colonial soldiers have served in imperial wars

---

22. This was more than the zero Asians allowed in a year, but also less than the minimum one-hundred-person quota for non-Asian countries. See An Act to Provide for the Complete Independence of the Philippine Islands, to Provide for the Adoption of a Constitution and a Form of Government for the Philippine Islands, and for Other Purposes, Pub. L. No. 73-127 (1934), section 8(a)1.

23. At times, colonial soldiers are essentially mercenaries, or soldiers for hire, often used to defeat local elites and rulers. The line between mercenary and colonial soldier serving the metropolitan army, however, is fuzzy. For discussion of soldiering in the context of decolonization, see Simeon Man’s *Soldiering through Empire* (2018). Man discusses how in decolonizing the Pacific, the United States relied on racial and imperial labor of Asian and Asian American soldiers.

24. Empires often rely on colonial soldiers when metropolitan power is weak or aligning with local powers can increase strategic allegiances and geopolitical strength (Barkawi 2017b, 63).

(2017b, 64). For example, in 1863, the British empire commanded an Indian Army of 135,000 (Menezes 1999, 1989). In World War I, the French empire relied on over 200,000 West and North African soldiers (Clayton 1988, 98), while Britain used over 500,000 Indian soldiers in France, the Middle East, and Africa (Perry 1988, 96). In World War II, Fujitani also notes that over 214,000 Koreans served in the Japanese military (2011, 245). For the United States, in addition to the service of over 200,000 Filipino soldiers, about 80,000 Puerto Ricans served for the US Armed Forces.<sup>25</sup>

Metropolitan state actors have long made claims that through military service, colonial soldiers could assimilate into the “nation.”<sup>26</sup> As a part of France’s civilizing mission, early-twentieth-century French administrators argued that the military was “the school of the nation,” and therefore that colonial and French soldiers shared a common national identity (Fogarty 2008, 11, 232). In World War I, the French minister of the colonies stated that conscripted colonial soldiers would have the opportunity to naturalize, and Parliament passed legislation that treated colonial and metropolitan conscripts equally (235, 240). Similarly, during World War II, Japanese imperial officials conscripted Koreans for needed military labor. This was also part of Japan’s assimilationist policy in which officials emphasized Koreans’ “sameness” to metropolitan Japanese and suggested that military service could provide opportunities for educational attainment, franchise, and holding political office (Fujitani 2011, 23). Often these claims did not translate into on the ground practices, however. Anti-assimilationist French state actors and settlers in Algeria argued that conscription should not lead to enfranchisement of Algerian Muslims (Fogarty 2008; Mann 2017). French officials denied citizenship claims of Algerian military who served on the side of France in the Algerian war for independence (Roux 1991). Likewise, in Japan, after World War II, Japan’s Household Registration Law limited the rights of former colonial subjects (Fujitani 2011, 278). The rights of colonial soldiers, even when seemingly clearly articulated in wartime, are often not as durable as those of metropolitan soldiers.

The study of colonial soldiers—a population who, in US history, historically have been promised more rights than their civilian counterparts—draws attention to how naturalization, political, and social rights change during war. Their position as colonial also highlights the flexibility of status in shifting geopolitical arrangements. The service of colonial soldiers in imperial armies and during war offers focused insight into how, as geopolitical priorities shift, state actors reframe rights as unnecessary foreign aid. This is not only empirically important, but also expands the scope of how we consider the durability (or alternatively, the plasticity) of rights. To this end, I detail the legal history of Filipino soldiers’ service for the United States below.

---

25. G. B. Walker, Jr. to Assistant Chief of Staff, G-1. 1944, August 24. RG 165. Entry 43. 14.32 Aliens and Naturalization. National Archives II, College Park, MD.

26. Puerto Rican soldiers who served for the United States after 1917 already had citizenship. One month before joining World War I, the United States granted citizenship to Puerto Ricans, who would then be drafted into the US military and service en masse for the first time (Franqui-Rivera 2018). This is an unusual example of gaining citizenship before conscription.

## THE CASE OF FILIPINO VETERANS

The case of Filipino veterans of World War II reveals how, as ambitions for extra-territorial intervention expand, so too do rights. Metropolitan state actors create and expand rights to meet these new needs. After these needs are met, however, as state actors reconfigure territorial boundaries, they circumscribe rights. During World War II, the United States required more soldiers, particularly in the Pacific theater. And the United States offered the right of naturalization and expanded social welfare benefits to all those—citizen, alien, colonial subject—who served. Filipinos were promised rights, but after the war ended and as the United States prepared to decolonize the Philippines, the US Congress went back on its promise. This is significant in the case of Filipinos, who up until the 1946 Rescission Act had all reasons to anticipate that they were eligible for naturalization rights and expanded social welfare benefits.

At the time of World War II, there were four classes of Filipino military personnel who served on behalf of the United States in the Philippines. First, the Old Scouts, the unit from the Spanish-American and Philippine-American Wars, was composed of about 12,000 individuals. Congress did not dismantle their rights, and they are an exception to the Rescission Act. Second, there was the Philippine Commonwealth Army—composed of approximately 120,000 individuals—which was incorporated into the US military as the United States Armed Forces in the Far East (USAFFE) in 1941; the majority of Filipino WWII veterans were members of this military body. Third, the recognized guerillas served on behalf of the United States in World War II, and were, by order of the Philippine Commonwealth President, incorporated into USAFFE. Fourth, and finally, the US Army recruited the New Scouts after October 1945. Together the guerillas and the New Scouts were made up of about 70,000 individuals (Nakano 2002, 208). Congress revoked the right to naturalize and military benefits from the last three classes of Filipino veterans. For my analysis, I include all those from the Philippine Commonwealth Army (later USAFFE), the guerillas, and the New Scouts when I refer to “Filipino veterans.”

When I began data collection for this project in 2015, little had been published on the 1946 Rescission Act. Scholars, mostly in legal studies, focused on congressional attempts in the 1990s and 2000s to rectify the exclusions of the Rescission Act (Sherman 1985; Gonzalves 1995; Vergara 1997; Cabotaje 1999; Pimentel 1999; Nakano 2000, 2004; Iletto 2007; Honda 2009; Priagula 2010; Raimundo 2010; Rivera 2010). Despite these important contributions, the historical record of how Congress passed the Rescission Act and revoked Filipinos’ rights remained unclear. My research builds on the accounts of Golay (1997, 468–70), Nakano (2000, 2004), Baldoz (2011, 231–36), and Capozzola (2020), who each documented aspects of the Act. The first three authors focus primarily on retroactive justifications. Golay first documented that Congress passed the 1946 Rescission Act (1997, 468–70) as part of the US constellation of postwar, pre-independence legislation on the Philippines. He focused on *settling* back pay and equal pay for Filipino veterans and provided little insight into politicians’ rationales. More recently, Nakano (2000, 2004) and Baldoz (2011, 231–36) highlighted the concerns of the US Attorney General and Immigration and Naturalization (INS) officials. While Nakano drew attention to concerns over mass Filipino naturalization and what he called “immigration privileges”

(2004, 37), he, like the aforementioned legal scholars, primarily attended to attempts to restore these rights. Baldoz, addressing the puzzling classification of Filipinos at the end of the war, emphasized the “separate but equal” logic applied to Filipino veterans and the grave injustice of the Act. He argued that US politicians—in justifying the Act after it passed—reframed colonial obligations as charity rather than rights or responsibility. Capozzola (2020) not only drew attention to the possible concerns of US government bureaucrats about Filipino naturalization, but also to Senator Carl Hayden’s concerns over military benefits after Congress passed the Rescission Act.

These existing accounts have yet to fully document the actors involved and the promises made to Filipino veterans, or the discussions among the US president, military officials, administrators, colonial officials, and the legislative branch leading up to and through the Rescission Act. Below, building on the existing scholarship on the 1946 Rescission Act, I analyze data collected from six libraries and archives and the Congressional Record to address what rights mean in changing geopolitical situations.<sup>27</sup> I first show how the United States created and promised rights to Filipino veterans. I then detail which actors within the US metropole leveraged the end of World War II and forthcoming independence to dismantle Filipino veterans’ rights without so much as a second thought. Establishing this historical record is important from an empirical perspective, as my expanded contributions enable scholars and activists to understand who was involved in the step-by-step process of revoking rights. From a substantive and theoretical perspective, the justifications of a wider range of US state actors support the argument that shifting geopolitical situations are key to understanding the social construction (specifically the dismantling) of rights. State actors leveraged forthcoming independence (as in the expectation of Philippine sovereignty) to erase the colonial relationship and obligation and refashion rights into unnecessary foreign aid.

## CREATING AND AFFIRMING RIGHTS FOR FILIPINO WWII VETERANS

Congress’s decision to revoke military benefits from Filipino veterans at the close of World War II is puzzling not only in light of the assumed durability of these rights of veterans in a purportedly republican nation-state, but also because of specific precedents and promises made by federal state actors to Filipinos leading up to and during World War II. Filipinos, as colonial subjects serving in the metropole’s military, were obligated to the United States as if they were full members of the country. Up until the 1946 Rescission Act, they were promised the right to naturalize in the same way as foreign nationals and the benefits afforded to citizens. Members of the US federal government consistently and repeatedly acted in ways that suggested that Filipino veterans were

---

27. Daniel K. Inouye Papers, University of Hawai’i – Manoa; Harry S. Truman Presidential Library, Independence, MO; Lilly Library, University of Indiana, Bloomington, IN; National Archives and Record Administration (NARA II), College Park, MD; Sterling Library, Yale University, New Haven, CT; University of the Philippines Main Library, University of the Philippines – Diliman, Quezon City, Philippines. In addition to this material, I draw on my research at the Roosevelt Presidential Library in Hyde Park, NY, the MacArthur Memorial Archives in Norfolk, VA, and the National Archives I in Washington, DC, as well as my consultation of the papers of Manuel Quezon, Carlos P. Romulo, and Senators McKellar and Hayden.

**TABLE 1.**  
**Summary of Affirmation of Filipino Veterans' Rights**

Year	Event
1902	Old Scouts rewarded with social welfare benefits and pensions.
1918	Naturalization Act designating right of expedited naturalization for Filipinos who served in US Navy, Marine Corps, or Naval Auxiliary Service.
1925	<i>Toyota v. United States</i> . Court held that Filipino veterans can naturalize.
1934	Tydings–McDuffie Act. Filipinos owe allegiance to the United States.
1935	US General Douglass MacArthur organizes the Philippine Commonwealth Army, which is under control of the War Department.
1940	National Defense Bill. US considers Philippines as part of the United States.
1941	Roosevelt's military order calls Philippine Commonwealth Army into service for US, as USAFFE. MacArthur returns to work for US War Department and maintains command of USAFFE.
1942	Second War Powers Act provides for expedited naturalization of noncitizens. AG Francis Biddle affirms that Filipinos are eligible for National Service Life Insurance Act of 1940. USAFFE surrenders to Japanese, and MacArthur maintains command of guerilla units that formed. MacArthur promises equality to Filipino service people.
1944	Secretary of War Robert Patterson affirms that the War Department considers Filipinos eligible for military benefits, having affirmed Philippine Executive Orders inducting and recognizing guerillas.
1945	Richard Ely affirms that Philippine Scouts are under US authority. Veterans Affairs' Administrator Omar Bradley affirms that Filipinos are eligible for the same benefits as US soldiers. Commissioner of the INS Ugo Carusi affirms that the Second War Powers Act gave rights to the Philippine military (also approved by US Attorney General).

eligible for an expedited path to naturalization and benefits under the GI Bill. There are at least sixteen specific historical moments that lend support to this assumption, which I detail below.<sup>28</sup> (See Table 1 for a chronological summary.) Each of these moments, in times of peace and war, reflects how the US Congress, administrators, the US president, and military personnel spoke of rights in exchange for martial sacrifice as inalienable.

Since the early 1900s, the United States compensated Filipino veterans and awarded them social welfare benefits and an expedited path to naturalization in exchange for their service. The US government has confirmed this three times. Originally formed in 1901, before any formal plan for Philippine independence, the Regular Philippine Scouts (Old Scouts) fought on the side of the Americans in the Spanish-American and Philippine-American Wars. Throughout their existence, the US government considered the Old Scouts part of the US Army. Beginning in 1902, the US Congress recognized and rewarded these veterans (and later widows

28. In *Bound by War*, Capozzola shows how promises were made to Filipino veterans, citing Roosevelt's Executive Order, Osmeña's Executive Orders and guerilla incorporation, MacArthur's battlefield commands, and the 1942 amendment to the 1940 Nationality Act (2020, 147–48, 163, 194, 207).

and dependents) of the Spanish-American and Philippine-American Wars with social welfare benefits and pensions. Other Filipino veterans serving in the US military gained a path to naturalization under the 1918 Naturalization Act that passed at the close of World War I. In the Naturalization Act, Congress designated naturalization for Filipinos who served in the US Navy, Marine Corps, or the Naval Auxiliary Service. Then, in *Toyota v. United States* (1925), the Court argued that there was a separate clause intended for Filipinos and upheld that they could naturalize as colonial subjects, nationals, of the United States. In the realm of naturalization for military service, Filipino veterans were seen as unlike other Asians.

This affirmation of Filipino veterans' rights continued leading up to and through World War II. Thrice, the US federal government affirmed that Filipinos owed allegiance to the United States. In the 1934 Tydings–McDuffie Act, the US Congress stated that citizens of the Philippine Commonwealth (1934–1946), a colony of the United States, owed allegiance to the United States.<sup>29</sup> Then, in 1941, under a provision of the Tydings–McDuffie Act, Roosevelt issued a military order that called to service the military forces of the Philippine Commonwealth.<sup>30</sup> A provision of the Tydings–McDuffie Act stated that all officers of the Philippine Commonwealth government must “recognize and accept the supreme authority of” and “maintain true faith and allegiance to the United States.”<sup>31</sup> Related to wartime mobilization, the United States considered the Philippines as part of the United States. In 1940, in preparation for the war in the Pacific, Congress debated two national defense bills, as requested by President Roosevelt. One would mobilize the US National Guard in the Western Hemisphere and US possessions, including the Philippines, while the other would exclude the Philippines. The former won out (Jose 1992, 167–69). The Philippines was under the US flag and Filipinos owed allegiance.

Not only did the US government demand allegiance, but also US oversight of the Philippine military lends support to the fact that Filipinos were US military. General Douglas MacArthur organized the Philippine Commonwealth Army (PCA) beginning in 1935. While the PCA was not formally under the command of a paid army official, as General MacArthur had recently retired from the US military, the PCA did belong to the Commonwealth, and the Commonwealth was under control of the War Department and the Executive Office of the United States. In 1941, when President Roosevelt called the Philippine Commonwealth Army to service, they became the United States Armed Forces in the Far East (USAFFE).<sup>32</sup> This formal incorporation of the PCA into the US military was, alone, enough to make Filipino veterans eligible for benefits and an expedited path to naturalization. Returning to work for the US War

---

29. An Act to Provide for the Complete Independence of the Philippine Islands, to Provide for the Adoption of a Constitution and a Form of Government for the Philippine Islands, and for Other Purposes, Pub. L. No. 73-127 (1934), sections 2(a)1 and 2.

30. Military Order. Organized Military Forces of the Government of the Commonwealth of the Philippines Called into Service of the Armed Forces of the United States. July 26, 1941. Fed. Reg. 3825.

31. An Act to Provide for the Complete Independence of the Philippine Islands, to Provide for the Adoption of a Constitution and a Form of Government for the Philippine Islands, and for Other Purposes, section 2(a)2.

32. According to Jose, “the Philippine Army was called into the service of the United States, but it was not federalized: it was side by side with, but not an official part of the U.S. Army” (1992, 193). This interpretation departs from the historical record documented here.

Department, General MacArthur maintained his command of the PCA, now USAFFE. After USAFFE surrendered to the Japanese in May 1942, MacArthur continued to command the guerrilla units that formed in the absence of USAFFE. General MacArthur also promised equality to Filipino service people in his radio announcement at Bataan in 1942: "War is the great equalizer of men. Every member of my command shall receive equal pay and allowances based on the US Army pay scale, regardless of nationality."<sup>33</sup> As Richard R. Ely, Special Assistant to the United States High Commissioner noted, "the Philippine Scouts have always been purely a Federal organization over which the Philippine government never had any control whatsoever." He continued, "the people of the Philippines are still under American sovereignty."<sup>34</sup>

During the war, Congress, the War Department, and the VA also affirmed the incorporation of Filipino units, suggesting that Filipino veterans would be eligible for US military benefits. The US Congress passed the 1942 Second War Powers Act,<sup>35</sup> which provided for the expedited naturalization of noncitizens (Nakano 2004; Salyer 2004). That same year, on April 27, 1942, the Attorney General, Francis Biddle, wrote the Administrator of Veterans Affairs stating that military forces of the Philippine Commonwealth were considered in to be in the active service of the United States and thus were eligible for insurance associated with their service under the National Service Life Insurance Act of 1940.<sup>36</sup> Biddle emphasized, "it seems clear that personnel of the organized military forces" of the Philippines were in active service and that in his opinion they were entitled to insurance.<sup>37</sup> Memos from Secretary of War Robert Patterson also suggest that, as of 1944, the War Department considered Filipinos eligible for military benefits. On October 28, 1944, President of the Philippine Commonwealth Sergio Osmeña formally recognized the guerrillas in Executive Order No. 21, inducting recognized and qualified individuals into the Commonwealth Army, considered part of the US Armed Forces. The War Department recognized this order without contest.<sup>38</sup> And in September 1945, four months before Congress revoked its promise to Filipino veterans, the VA stated that Filipino veterans were eligible for the same benefits as American soldiers.<sup>39</sup> Even after the war, on December 4, 1945, the Commissioner of Immigration and Naturalization Service, Ugo Carusi, affirmed that the Second War Powers Act gave rights and benefits to members of the organized military forces of the Philippine Government. He also noted that this was approved by the US Attorney General.<sup>40</sup>

---

33. According to Paul V. McNutt. Paul V. McNutt to Harry S. Truman. February 11, 1947. WHCF: OF 1055. Truman Papers, Truman Library, Independence, MO.

34. Richard Ely to Felix Cohen. October 11, 1945. RG 126; Entry PI-151-1; Box 1 Army and Scouts, Philippine 1942-1946. National Archives II. College Park, MD.

35. Second War Powers Act of 1942, Pub. L. No. 77-507 (1942). Sections 701 and 702 provided for expedited naturalization of noncitizen veterans.

36. National Service Life Insurance Act of 1940, Pub. L. No. 76-801 (1940).

37. Francis Biddle to Omar Bradley. April 27, 1942. RG 126; Entry PI-151-1; Box 1 Army and Scouts, Philippine 1942-1946. National Archives II. College Park, MD.

38. Robert P. Patterson to Harry S. Truman. December 29, 1945. WHCF: OF 1055. Truman Papers, Truman Library, Independence, MO.

39. Paul V. McNutt to Harry S. Truman. February 11, 1947. WHCF: OF 1055. Truman Papers, Truman Library, Independence, MO.

40. Ugo Carusi to Paul McNutt. December 4, 1945. RG 126; Entry PI-151-1; Box 1 Army and Scouts, Philippine 1942-1946. National Archives II. College Park, MD.



In sum, leading up to and throughout World War II, the Philippine Commonwealth Army, USAFFE, and the guerrillas, were—by the accounts of Roosevelt, MacArthur, the War Department, the VA, Congress, and the INS—eligible for social welfare benefits and an expedited path to naturalization. Legislators, agencies, key actors in the military, and the president affirmed the rights of Filipino WWII veterans. Filipinos did not have to struggle for these rights. They were simply promised. It is peculiar then that at the close of World War II, Congress shifted the position of the US government toward Filipinos. Although during the war metropolitan state actors met soldiering needs with the promise of rights, the end of the war and shifting geopolitical arrangements provided the occasion and rationale to dismantle rights for soldiers whose service was no longer immediately needed.

### RIGHTS AS FOREIGN AID: DISMANTLING THE RIGHTS OF FILIPINO VETERANS

Despite the historical momentum up until 1946 toward Filipino veterans being eligible for expedited naturalization and the benefits provided under the 1944 GI Bill, members of the US legislative branch, supported by key officials in the executive branch, casually dismantled rights in the postwar and postcolonial transition. At the time, the US government was demobilizing from World War II, balancing the budget, and preparing for Philippine independence. In this transitional period, members of the federal government perpetuated an unclear colonial classification of Filipinos as subjects of US empire. While legislators and administrators voiced administrative and budgetary concerns, the ambiguity of Filipinos' status as colonial subjects and forthcoming independence provided US state actors with the opportunity to revoke rights from Filipino veterans. The only person who argued for maintaining rights was the US High Commissioner of the Philippines, Paul V. McNutt, a colonial officer appointed by the US president. The Rescission Act easily passed by voice vote on February 18, 1946,<sup>41</sup> despite McNutt's protestations, cementing that these Filipino veterans of USAFFE, the guerillas, and the New Scouts, and only them, would be excluded from the right to naturalize and the social welfare benefits of the GI Bill. For a chronological summary of key events, discussed in the following pages, see [Table 2](#).

While the 1946 Rescission Act was introduced in the House, the Senate Appropriations Committee amended it to contain one paragraph on Filipino WWII

---

41. The first version of the bill, first introduced on October 17, 1945, was vetoed for reasons unrelated to Filipino veterans. Although a variety of lobbyists and government agencies (the American Jewish Congress, the American Federation of Labor, the NAACP, United Federal Workers of America, State, County, and Municipal Workers of America, American Federation of the Physically Handicapped, Office of War and Mobilization, and the Bureau of the Budget) opposed the bill, there are no formal records of any opposition related to the revocation of benefits from Filipino Veterans. Truman's December 21 veto was primarily in response to lobbyists and the recommendation of the Direction of the Bureau of the Budget, Harold D. Smith, on another issue—the returning of the Employment Service to the States.

Roll call was not taken on the final vote. See "First Supplemental Surplus Rescission Bill, 1946." In *CQ Almanac 1946*, 2<sup>nd</sup> ed., 03-13. Washington, DC: Congressional Quarterly, 1947. The vote on the first version of the bill 79 H.R. 4407 received 262 yeas, 61 nays, with 109 not voting in the House. It was approved in the Senate after an amendment to another part of the bill.

**TABLE 2.**  
**Summary of Key Events Leading to the Revocation of Filipino Veterans' Rights**

Date	Event
August 21, 1945	War Department circulates policy notes suggesting a pause in Filipino enlistment until status of the Philippine Commonwealth is clarified.
August 27, 1945	Senator Hayden writes General Omar Bradley asking about Filipino veterans' eligibility for benefits.
October 9, 1945	Senator Hayden phones Richard Ely, of High Commissioner's office, asking about pay for Filipino veterans and their eligibility for the GI Bill. He also writes Secretary of War Patterson suggesting the War Department end enlistment of Filipinos.
October 17, 1945	First version of the First Supplemental Surplus and Rescission Bill introduced in the House. It does not contain a clause about the Philippine Army.
October 22, 1945	Bill referred to the Senate.
October 25, 1945	President Truman writes heads of several departments, including the VA, asking for recommendations for policy toward the Philippines after independence.
October 29, 1945	General Richards appears before the Senate Appropriations Committee defending Filipinos' active military service. Senators McKellar, Ball, and Hayden object to the appropriation of \$200 million for the Army of the Philippines.
October 30, 1945	Senator McKellar, in a hearing before the Senate Appropriations Committee, argues that Filipinos are not citizens, that they had not been sworn into service, but that the United States is paying them the same as the Regular Army.
October 31, 1945	General Omar Bradley replies to Truman with recommendations for veteran policy based on forthcoming Philippine independence.
November 14, 1945	Bill referred to the House with Amendments by the Senate containing clause about Philippine Army.
December 13, 1945	The First Supplemental Surplus and Rescission Bill, 79 H.R. 4407, is presented to Truman.
December 21, 1945	Truman's pocket veto of the First Supplemental Surplus and Rescission Bill, 79 H.R. 4407, for reasons unrelated to Philippine Army.
January 17, 1946	New version of the First Supplemental Surplus and Rescission Bill, which still contains clause about Philippine Army, is reintroduced in the House.
February 18, 1946	The revised First Supplemental Surplus and Rescission Bill, 79. H.R. 5158, becomes law.
February 29, 1946	Robert Hitch writes High Commissioner McNutt about the challenges of administering benefits in the Philippines.
March 25, 1946	Senator Hayden, in a hearing before the Senate Appropriations Committee, affirms that Filipino veterans do not need the same things as US veterans.

veterans, reclassifying them as not having served in active duty. By the terms of the act, Filipino veterans received only service-connected disability compensation, contract National Service Life Insurance, and hospital and outpatient treatment for

**TABLE 3.**  
**Benefits Available to Filipino Veterans, Compared to Eligibility Rules**

	Exclusive to US Citizen	Exclusive to US Territory	Old Scouts	Other Filipino Vets
Pension	X	X	✓	½ rate
Insurance	X	X	✓	½ rate
Insurance premium guaranty	X	✓	✓	X
Retirement	X	X	✓	X
Outpatient treatment, appliances, etc.	X	X	✓	½ rate
Burial allowances	X	X	✓	X
Vocational rehabilitation, education, or training	X	✓	✓	X
Guaranty of loans for purchases of homes, farms, or businesses	X	✓	✓	X
Readjustment allowances	X	✓	✓	X
Hospital and domiciliary care	X	✓	✓	X
Non-service-connected disability compensation	X	X	✓	X
Death pension	X	X	✓	X

Sources: Servicemen's Readjustment Act of 1944, 78 S. 1767, 58 Stat. 294, ch. 268 (1944); Omar N. Bradley to Harry S. Truman. October 31, 1945. WHCF: OF 1055; Truman Papers, Truman Library, Independence, MO; United States Retraining and Reemployment Administration. 1944. *Your Rights and Benefits: A Handy Guide For Veterans of the Armed Forces and Their Dependents*. Washington, DC: Office of War Mobilization.

service-connected disabilities, all paid at only half the rate for American veterans. Unlike US metropolitan veterans, Filipino colonial veterans did not receive non-service-connected disability or death pensions, vocational rehabilitation, education, or VA medical care (Cabotaje 1999).<sup>42</sup> Families of Filipino veterans could still claim life insurance and pensions for disability or death, to be paid at a rate of one Philippine peso per US dollar, which at the time was valued at half the price of the dollar (See Table 3 for comparison of benefits available to Filipino veterans, compared to G.I. Bill eligibility rules.). While Congress diminished benefits available to disabled or deceased Filipino veterans in the Philippines, they outright withdrew rights that would include Filipino veterans in the US polity—including naturalization rights, job and educational training, and medical care.

Although Congress dismantled these rights, conversations with members of the US executive branch shaped the final decision. With the end of the war and forthcoming independence, administrators and legislators no longer had an imperative to promise rights to Filipinos. Instead, they reframed rights as foreign aid. They did this by arguing that the colony was independent, that Filipinos were noncitizens, and that Filipino

42. Note also that in 1948 Congress did approve construction of a veteran hospital in Manila. The Philippine government and Congress do provide their own benefits at reduced rates under the Philippines GI Act. In 1951, veterans received funeral benefits and burial flags. See Nakano (2002). Despite the slow rolling out of benefits, inflation in the Philippines devalued the peso to the dollar, resulting in decrease in pensions (2002).

veterans were not military personnel. If the territorial, civic, and military status of Filipinos changed, then it was easy to argue that rights were an unnecessary administrative and budgetary problem.

## The Colony as Independent

The first documented events to trigger a conversation about Filipino veterans' rights occurred between August and October of 1945. In preparation for Philippine independence, members of the US executive and legislative branches reevaluated the responsibilities of United States to Filipino veterans. Prior to the Rescission Act, anticipating Philippine independence, Senator Carl Hayden (D-AZ) gathered information about enlistment, pay, and benefits for Filipino veterans. On August 27, 1945, Hayden wrote General Omar Bradley, Administrator of the VA. Among his questions, he wanted to know the cost of awarding benefits, how many Filipinos had received them, whether they were paid on a dollar or peso basis, and the effect of "complete independence" on benefits.<sup>43</sup> A month later, Hayden also phoned Richard Ely of the High Commissioner's office, inquiring about the pay of the Philippine Army and the GI Bill. On October 9, 1945, Hayden wrote the Secretary of War with a suggestion about what to do with the Philippine Armed Forces as the United States prepared for demobilization. At the time, the War Department was considering enlisting more Philippine military personnel. Hayden, however, advised against it, stating, "It seems to me that the first step to be taken is to stop further enlistments and definitely to advise the former Philippine Scouts who are now serving in the American Army, the soldiers of the Philippine Army, and the Philippine Guerrillas now being paid by the United States, that since the American Government is now demobilizing its own Army they likewise will have to be returned to civilian life."<sup>44</sup> In other words, Hayden, anticipating forthcoming Philippine independence, suggested changes to US policy toward Filipino veterans.

Around the same time, President Truman sent letters to several government administrators. He requested that each department submit recommendations for a US program of assistance to what would be the newly independent Philippines. Truman specifically asked that the VA "make a careful analysis of all phases of past and current benefits payable in the Philippine Islands to American and Filipino veterans" with "recommendations for any new legislation."<sup>45</sup> In this letter, Truman framed US responsibility to the Philippines as "assistance," rather than part of the metropolitan governments' obligation, duty, or promise.

On October 31, 1945, General Omar Bradley, Administrator of Veterans Affairs, replied to Truman's request for recommendations on legislation pertaining to US and Filipino veterans in the Philippines. Bradley emphasized that under current laws,

---

43. Carl Hayden to Omar Bradley. August 27, 1945. RG 126, Entry PI-151-2, Box 9 Pensions. National Archives II, College Park, MD.

44. Carl Hayden to Robert Patterson. October 9, 1945. RG 126; Entry PI-151-1; Box 1 Army and Scouts, Philippine 1942-1946. National Archives II, College Park, MD.

45. Harry S. Truman to General Omar N. Bradley. 1945, October 25. OF 1055, Truman Papers, Truman Library, Independence, MO.

Filipinos in active service would be eligible for benefits.<sup>46</sup> Nevertheless, in a section of his memo to Truman, titled “Effect of Complete Independence of Philippine Islands Upon Various Types of Benefits Now or Hereafter Awarded to Philippine Nationals,” Bradley wrote that after independence certain benefits “would no longer be available to veterans, or to veterans not American citizens, residing in the Philippine Islands after independence is established.” Thus, Bradley suggested that the United States and the Philippines should reach an agreement where the soon-to-be independent Philippines would take responsibility for these benefits. Bradley did not make a similar recommendation for any other colonial subjects, such as Puerto Ricans,<sup>47</sup> or foreign nationals. Bradley only constructed the Philippines as responsible for its citizens. Although Bradley portrayed the Philippines as a foreign country, he also conceded that Filipinos could receive certain benefits, including being buried with a US flag, which suggests a partial acknowledgment of their rights, at least in death.

### Filipinos as Noncitizens

As the VA and Senator Hayden envisioned the Philippines as an independent country, the War Department and another senator cast Filipinos as noncitizens. Independence made it possible to think of Filipinos as foreign people to whom the United States had no obligation. Of course, as colonial subjects, Filipinos’ status was unclear, but the United States made promises of citizenship rights and benefits in exchange for service. In August 1945, the War Department circulated policy notes on the “Acceptability of Aliens for Service in the Army.” One such memo stated that, “until national policy crystallizes with respect to the status of the Commonwealth of the Philippines, it is deemed inadvisable to permit wholesale enlistments in the Regular Army of citizens thereof.”<sup>48</sup> In this memo, the War Department both acknowledged the ambiguity of the colonial relationship and erased the colonial status of and metropolitan obligation to Filipinos. What is more peculiar is that even if Filipinos were aliens, this would not exclude them from accessing the rights of citizenship. Filipinos’ status as ambiguous colonial subjects, then, enabled some in the US federal

---

46. Omar N. Bradley to Harry S. Truman. 1945, October 31. WHCF: OF 1055; Truman Papers, Truman Library, Independence, MO.

47. Sixty-two thousand Puerto Ricans were inducted into the US Army between July 1, 1940, and August 31, 1945. 1948, Dec 2. Edward Witsell to Dorothy Gordon. RG 407 201 Puerto Rico. National Archives II, College Park, MD. For a discussion of Puerto Rican military service for the United States, see Paralitici (1998) and Franqui-Rivera (2018).

48. R.W. Berry. 1945, August 21. RG 165, Entry 43. 14.32 Aliens and Naturalization. National Archives II, College Park, MD. Notably, in these files, the War Department also states that “in the case of soldiers who are aliens, [the War Department policy] is not to order such personnel to the United States for the sole purpose of obtaining citizenship. However, there are no restrictions against the assignment of aliens to the United States for duty.” 1945, November 23 AGO to Commanding General, Africa-Middle East Theater. RG 165, Entry 43. 14.32 Aliens and Naturalization. National Archives II, College Park, MD. In other words, although Congress permitted for the naturalization of alien veterans, the War Department did not see it as within their duty to send said veterans to the United States for naturalization.

government to exclude them from the durable rights expected for any veteran who sacrificed in times of war.

It was not only the War Department that saw Filipinos as noncitizens, however. When discussing activities of the US Army in Germany, Senator McKellar (D-TN) digressed and raised questions about the status of Filipinos. He commented that the United States is “paying them [Filipinos] the same salaries as the Americans. They are not American citizens at all. They are Filipinos.”<sup>49</sup> In effect, based on their status as non-US citizens, McKellar argued that Filipinos were not entitled to the rights promised to them. Again, anticipating forthcoming independence, McKellar’s interpretation of Filipinos’ status emphasized their status as noncitizens over their current colonial status.

While neither McKellar nor any US state actor employed explicitly racial arguments about exclusion, his arguments reflect the established history of Southern Democrats’ racial exclusions and anti-statism. In the case of the Filipinos, in the early years of US empire, US administrators and politicians conceived of the United States as Anglo and white and Filipinos as “little brown brothers” in a foreign land (Go 2004; Kramer 2006). Nearly fifty years later, by claiming that Filipinos were not deserving of rights, McKellar leveraged a colonial status that reflected the racialized boundary between metropolitan and colonial subjects.<sup>50</sup>

### Filipino Veterans as Nonmilitary

In addition to deemphasizing US imperial rule of the Philippines and casting Filipinos as noncitizens, Senator McKellar also erroneously defined the military status of Filipino veterans. Again, his argument was enabled by forthcoming Philippine independence. On October 29, 1945, in a congressional hearing related to postwar budgets, McKellar asked General Richards of the War Department to account for the appropriation of \$200 million for the pay and supplies of the Army of the Philippines, “who fought the Japanese during the period of their occupation of the Philippines.”<sup>51</sup> Justifying the expense, Richards drew on the classification of Filipinos as both colonial subjects and active military, highlighting that these troops were called to service under the US Armed Forces by the president of the United States under the Military Order of July 26, 1941. The Senate Appropriations Committee did not agree with Richards’s interpretation, however. At this point in the hearing, Senators McKellar, Ball, and Hayden stated concerns about the nature of the appropriation, and Hayden asked to

49. Senator McKellar, speaking on H.R. 4407. 1945. “Present Information Activities of the Army in Germany.” *Hearing before the Subcommittee of the Committee on Appropriations*. Senate. 29<sup>th</sup> Congress, 1<sup>st</sup> session. October 30: 185.

50. See Hall (1992), Chatterjee (1993), and Hesse (2007) on the well-established logics and practices that bifurcated colony from metropole.

51. General Richards noted that the War Department needed \$363 million to cover the liability owed by the War Department to the Philippine Army for “the cost of pay, supplies, food, and other things, indebtedness which they incurred while fighting against the Japanese.” The War Department was allocating \$163 million of their own free cash, and requesting a transfer from Ordnance to the Philippine Army of \$200 million to cover the rest of the cost. *Hearing before the Subcommittee of the Committee on Appropriations United States Senate 1945*, October 29.

go off the record. What happened in this off-the-record portion of the meeting is unclear.

Although the War Department honored the classification of Filipinos under the Military Order of 1941 (which would entitle them to benefits), in the Congressional Record for October 30, 1945, McKellar rejected the War Department's classification of Filipino veterans. He argued that Filipinos "have never been sworn into service, but we are paying them at the Regular Army<sup>52</sup> rates." He continued: "We have to feed them and clothe them and everything else. I don't know whether that is for all time, as long as they live, or not. We haven't got the total yet, but it may cost us 20 billion before we get through. So it is incumbent upon those of us who are Americans and who have a regard, and some of us have the highest regard for the American Government and the American people, to look after their interests."<sup>53</sup> McKellar's budgetary concerns relied on half-truths about the status of the Philippine Army and in effect demoted them to mercenaries fighting for a foreign government. Filipinos, however, were sworn in as the Philippine Commonwealth Army, under the service of the United States, and then called to service by Roosevelt in 1941.

### Financial Obligation as an Administrative and Budgetary Problem

Because the VA and Congress prematurely defined the Philippines as independent and thus interpreted US colonial policy in a way that erased the colonial status of the Philippines and Filipinos, US politicians could argue that the expenditure of veterans' benefits for Filipinos was too high and cumbersome. In October 1945, Senator Hayden expressed concern about the financial expenditures for the Philippine Army and guerrillas. He acknowledged that there "may be sound political reasons for keeping the Philippine Army and the Guerrillas on American pay rolls," yet, he argued, "if members of either of those organizations are entitled to the full benefits of the existing pension laws and the 'G.I. Bill of Rights,' the American Government has assumed a very large obligation."<sup>54</sup> Senator McKellar also explained his caution toward expenditures in relation to costs of the Philippine Army, noting that the US Army asked for \$200 million to pay "Filipino Scouts, and it is estimated it will cost us before we get through something between two and three billion dollars,"<sup>55</sup> over the next fifty years.

Other US officials, including the Administrator of Veterans Affairs, asserted that the United States had, at best, a charitable duty, and, at worst, no obligation to the Philippines. General Bradley concluded his letter to Truman by suggesting that the

---

52. The Regular Army is composed of enlisted military (not drafted). Its members are permanent and on active duty.

53. *Congressional Record*. Hearing before the Subcommittee of the Committee on Appropriations United States Senate 1945, October 30.

54. Carl Hayden to Robert Patterson. October 9, 1945. RG 126; Entry PI-151-1; Box 1 Army and Scouts, Philippine 1942-1946. National Archives II, College Park, MD. In a letter to Richard Ely, General Richards, of the War Department stated that Senators Hayden and Cannon did not support making funds available for the Philippine Army. Richard Ely. "Memorandum for the High Commissioner." December 7, 1945. RG 126; Entry PI-151-1; Box 1 Army and Scouts, Philippine 1942-1946. National Archives II, College Park, MD.

55. *Congressional Record*. Hearing before the Subcommittee of the Committee on Appropriations United States Senate 1945, October 30.

United States unburden itself from the financial obligation to “the large number of Filipinos who are serving in the armed forces of the United States during the present war.” The “large number of Filipinos,” however, amounted to only 1.4 percent of the total number serving in World War II. Bradley had offered a second option to Truman, suggesting that if the Philippine government would not take responsibility for these veteran benefits, the United States could pay nationals of the Philippines on a different basis, other than the dollar, such as the peso. This could amount to 40 million pesos for seventy-five years, which would be \$20 million 1946 dollars.<sup>56</sup> Notably, Bradley’s estimate does not correspond with the amount suggested by Senator McKellar: \$20 million at the peso rate over seventy-five years versus \$3 billion for the United States over fifty years.

In his letter to President Truman, Bradley also emphasized that the VA could not send enough American citizens to provide services associated with veterans’ benefits at US VA hospitals in the Philippines. The VA, however, already had offices in the Philippines, and, together with the Department of State, worked to provide benefits in other locations abroad.<sup>57</sup> They even had “inferential” authority to operate in the Philippines after Philippine independence, according to the Solicitor of the VA.<sup>58</sup> Despite the existing infrastructure, Bradley argued that there were “impossible burdens,” making it “physically unable” for the VA to assist Filipino WWII veterans. He told Truman that providing for the Philippine veterans in addition to the nearly 20 million veterans of all wars under the provisions of the GI Bill would be difficult.

Other VA bureaucrats supported the claim that overseeing benefits for Filipino veterans would be challenging. In a letter to High Commissioner McNutt a few weeks after the Rescission Act passed, Robert A. Hitch, manager of the VA’s Philippines Regional Office, noted that the War Department could not provide enough ships, even if passage was promised to VA employees. According to Hitch, the State Department also limited air transport to “extremely urgent cases.” Not only was getting to the Philippines a bureaucratic problem but Hitch also detailed the lack of office space and quarters for VA employees in the Philippines. In other words, problems of inter-administration coordination made it harder to provide benefits even if VA employees were “anxious to send key personnel and other employees to the Philippines to administer benefits to veterans residing there.”<sup>59</sup>

After the Rescission Act passed, members of Congress continued to characterize the expenditure for Filipino veterans as an unnecessary cost. According to Senator Hayden, the GI Bill was “intended to benefit an American who served in the armed forces and who, upon his discharge from the service, returned to civil life in the United States, where American standards of living prevail.” Hayden argued that a Filipino veteran did not need as much as an American. The US government should adjust for the difference in cost of living and “help the Filipino people to help

---

56. Omar N. Bradley to Harry S. Truman. October 31, 1945. WHCF: OF 1055; Truman Papers, Truman Library, Independence, MO.

57. RG 59 CDF 103.9992, National Archives, College Park, MD.

58. “Findings and Recommendations of the High Commissioner on Veterans Benefits.” March 12, 1946. RG 126 PI 151 2 Box 14 Rehab Veterans Admin. National Archives II, College Park, MD.

59. Robert Hitch to Paul McNutt. February 29, 1946. RG 126 PI 151 2 Box 14 Rehab Veterans Admin. National Archives II, College Park, MD.



themselves,” implying the money would be better spent somewhere else. Hayden continued:

Where there was a choice between expenditures for rehabilitation of the economy of the Philippine Islands and payments in cash to Filipino veterans, I am sure it is better to spend any equal sum of money, for example, on improving roads and port facilities. What the Filipino veteran needs is steady employment rather than to depend for his living on a monthly payment sent from the United States.<sup>60</sup>

Hayden claimed to support the national reconstruction that would put Filipinos to work rather than sending them money for promised social welfare benefits. Like politicians who argued against New Deal–era domestic social welfare benefits for Black and Mexican people (Katznelson 2005; Fox 2012), Hayden saw Filipinos as potential (nonwhite) dependents. Both Congress and the VA minimized the colonial obligation to Filipino World War II veterans. Emphasizing administrative and budgetary challenges, they thus diminished the mutual obligation by which the government promised rights in exchange for service.

In sum, members of the US executive—though notably not the military—and legislative branches reframed rights as unnecessary foreign aid. They relied on the Philippines’ projected independence to revoke benefits and dismantle the rights of Filipino World War II veterans. They treated colonial subjects as outsider aliens to whom the state owed nothing. They reclassified Filipino personnel as nonmilitary. By redefining territorial, civic, and military status, US state actors transformed colonial mutual obligation to an administratively cumbersome financial burden. With the transfer of sovereignty on the horizon, US politicians and administrators not only reconfigured territorial boundaries, but also social ones. They rethought a core principle of citizenship: mutual obligation.

## CONCLUSION

As one Filipino veteran reflected later in his life: “By one fell, foul act of the U.S. Congress, the Filipino World War II veterans were demoted to mere mercenaries. They were divested of rights, benefits and privileges” (Nieva 2016). For Filipinos in the Philippines, their commitment and service to the United States did not result in the fulfillment of what Mettler refers to as the “reciprocal obligations bind[ing] citizens and government” (2005, 166). The US government did not “invest in citizenship, incorporating individuals as full members of the polity who have a stake in its existence” (166). Instead, the administrator of the VA maintained that the United States should not pay benefits to the Philippines and the Senate Appropriations Committee added a legislative rider to a large omnibus bill in an off-the-record meeting. By envisioning the colony as independent, US legislators and administrators could emphasize budgetary

---

60. Senator Hayden, speaking on H.R. 5604. 1946. “Means of Aiding Filipino Veterans.” *Hearings before the Subcommittee of the Committee on Appropriations Senate*. 79<sup>th</sup> Congress, 2<sup>nd</sup> session. March 25: 61.

and bureaucratic priorities. The flexibility of the colony relationship enabled them to claim that Filipino veterans were not really Americans, while forthcoming independence facilitated the erasure of the mutual obligation binding the state to soldiers. As the Philippine state gained sovereignty, Filipino people would lose rights in the soon-to-be former metropole. No one was able to contest the rider with a clear, legal argument about the responsibility of the United States to the Commonwealth.

The norm of providing rights in exchange for military service did not hold true in the case of Filipino WWII veterans. As colonial soldiers, their rights were stripped away with little thought or notice from other government agencies. The existing literature suggests that wartime rights may be less stable. While this proved true for Black and Mexican veterans, whose rights suffered from discretionary lack of enforcement, Filipino veterans' rights were dismantled on the books. In both cases, the executive branch did not actively support equality, thus enabling the destruction of rights. The history of US racial exclusion together with colonial subjugation and forthcoming independence made it easier to think of Filipinos as people to whom the US government owed nothing. Formal decolonization and independence rendered otherwise durable rights evanescent.

The relative ease with which Congress dismantled rights could suggest that Filipinos WWII veterans' rights were merely rights in formation. After all, Filipinos did not have to struggle to gain these rights during the war. In this sense, because Filipinos en masse did not yet claim these rights, metropolitan state actors may have seen wartime rights as less durable or not yet crystalized. This suggests that rights fought for by social movement actors and then affirmed are more stable than ones merely promised. At the same time, the nearly undetected dismantling of rights draws attention to how, alongside white backlash to political mobilization by oppressed groups, the US government takes advantage of shifting geopolitical arrangements to erode rights and reframe them as unnecessary expenditures. Whereas political mobilization and backlash are highly visible moments in which rights are contested, Congress's revocation of Filipino veterans was off the record and unceremonious.

After the 1946 Rescission Act, however, Filipino veterans did engage in activism to restore the rights that the US metropolitan government dismantled. This provides additional support to the idea that ordinary people play an important role in maintaining rights. In 1987, Franco Arcebal, after learning that he was not eligible for US military benefits, formed the American Coalition for Filipino Veterans. Through this organization, he and others worked to recover disability and hospitalization care for Filipino veterans. In 1990, Filipino veterans of World War II were given the right to naturalize, "including those who had served honorably in the U.S. Armed Forces, or within the Philippine Army, or the Philippine Scouts (limited applications for naturalization to 2-year period from passage of Act)" (Sohoni and Vafa 2010). They did not need a period of residency in the United States.<sup>61</sup> In 2009, Congress promised the payment of a one-time lump sum of \$198 million to Filipino veterans. Eligible US citizens were able to claim \$15,000, and noncitizens \$9,000.<sup>62</sup> Then,

---

61. See Filipino World War II Veterans Naturalization Act of 1989. 101 H.R. 525 (1989-1990) and Immigration Act of 1990, Pub. L. No. 101-649 (1990), section 405.

62. American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5 (2009).

on November 30, 2016, the US House of Representatives approved the Senate bill awarding Filipino World War II veterans the Congressional Gold Medal.<sup>63</sup> The organization FilVetRep continues to pressure Congress to recognize the discriminatory effects of the Rescission Act.

Despite important organizing efforts, state actors have yet to fully restore the promises made to Filipino World War II veterans. Aging veterans are still fighting and marching for full recognition of their service. The Filipino veteran community claims that while 18,800 people have received payment from the 2009 Act, 25,000 people have been denied. Efforts by veterans and their allies to restore rights have proved more challenging than the rapid efforts by US state actors to dismantle them in 1946.

This history of how state actors created, affirmed, and dismantled rights must take seriously the fact of US empire as an extended event in which state actors reorganize geopolitical arrangements. Considering the service of colonial soldiers reveals how shifting geopolitical situations—including war and the end of colonial relations—provide opportunities for legislators and administrators to redefine status and dismantle rights. As the relationship between polities changes, state actors no longer need to consider the obligations and rights of conquered people. Metropolitan politicians and bureaucrats transform reciprocal bonds of citizenship and service into unnecessary aid. In the colonial relationship, this also means they erase mutual obligation and colonial history. In our scholarship, then, it is important to recover such promises and colonial relationships to better understand the nature of citizenship and the plasticity of rights.

## REFERENCES

- Ablavsky, Gregory. "Administrative Constitutionalism and the Northwest Ordinance." *University of Pennsylvania Law Review* 167, no. 7 (2018): 1631–68.
- Agamben, Giorgio. *State of Exception*. Chicago: University of Chicago Press, 2005.
- Allsup, Carl. *The American G.I. Forum: Origins and Evolution*. Austin, TX: University of Texas Press, 1982.
- Atkinson, David C. *The Burden of White Supremacy: Containing Asian Migration in the British Empire and the United States*. Chapel Hill, NC: UNC Press Books, 2016.
- Azuma, Eiichirō. *Between Two Empires: Race, History, and Transnationalism in Japanese America*. New York: Oxford University Press, 2005.
- Baldoz, Rick. *The Third Asiatic Invasion: Migration and Empire in Filipino America, 1898-1946*. New York: NYU Press, 2011.
- Barkawi, Tarak. *Soldiers of Empire: Indian and British Armies in World War II*. New York: Cambridge University Press, 2017a.
- . "States, Armies and Wars in Global Context." *Global Historical Sociology*, edited by Julian Go and George Lawson, 58–76. Cambridge, UK: Cambridge University Press, 2017b.
- Brandwein, Pamela. *Reconstructing Reconstruction: The Supreme Court and the Production of Historical Truth*. Durham, NC: Duke University Press, 1999.
- Burk, James. "Theories of Democratic Civil-Military Relations." *Armed Forces & Society* 29, no. 1 (2002): 7–29.

---

63. Filipino Veterans of World War II Congressional Gold Medal Act of 2015, Pub. L. No. 114-265 (2016).

- Burnett, Christina Duffy. "Empire and the Transformation of Citizenship." In *Colonial Crucible: Empire in the Making of the Modern American State*, edited by Alfred W. McCoy and Francisco A. Scarano, 332–41. Madison, WI: University of Wisconsin Press, 2009.
- Burnett, Christina Duffy, and Burke Marshall, eds. *Foreign in a Domestic Sense: Puerto Rico, American Expansion, and the Constitution*. Durham, NC: Duke University Press, 2001.
- Cabotaje, Michael A. "Equity Denied: Historical and Legal Analyses in Support of the Extension of US Veterans' Benefits to Filipino World War II Veterans." *Asian Law Journal* 6, no. 1 (1999): 67–97.
- Capozzola, Christopher. *Bound by War: How the United States and the Philippines Built America's First Pacific Century*. New York: Basic Books, 2020.
- Castañeda Anastacio, Leia. *The Foundations of the Modern Philippine State: Imperial Rule and the American Constitutional Tradition in the Philippine Islands, 1898–1935*. New York: Cambridge University Press, 2016.
- Chatterjee, Partha. *The Nation and Its Fragments: Colonial and Postcolonial Histories*. Princeton, NJ: Princeton University Press, 1993.
- Clayton, Anthony. *France, Soldiers, and Africa*. London: Brassey's Defence Publishers, 1988.
- Du Bois, W. E. B. *Black Reconstruction in America, 1860–1880*. New York: The Free Press, 1935.
- Dunbar-Ortiz, Roxanne. *An Indigenous Peoples' History of the United States*. Boston: Beacon Press, 2014.
- Epp, Charles R. *The Rights Revolution: Lawyers, Activists, and Supreme Courts in Comparative Perspective*. Chicago: University of Chicago Press, 1998.
- Erman, Sam. *Almost Citizens: Puerto Rico, the U.S. Constitution, and Empire*. New York: Cambridge University Press, 2018.
- FitzGerald, David Scott, and David Cook-Martín. *Culling the Masses*. Cambridge, MA: Harvard University Press, 2014.
- Fogarty, Richard S. *Race and War in France: Colonial Subjects in the French Army, 1914–1918*. Baltimore, MD: Johns Hopkins University Press, 2008.
- Foner, Eric. *Reconstruction: America's Unfinished Revolution, 1863–1877*. New York: Harper Collins, 2011.
- Fox, Cybelle. *Three Worlds of Relief: Race, Immigration, and the American Welfare State from the Progressive Era to the New Deal*. Princeton, NJ: Princeton University Press, 2012.
- Franqui-Rivera, Harry. *Soldiers of the Nation: Military Service and Modern Puerto Rico, 1868–1952*. Lincoln, NE: University of Nebraska Press, 2018.
- Frymer, Paul. "Race, Labor, and the Twentieth-Century American State." *Politics & Society* 32, no. 4 (2004): 475–509.
- Fujitani, Takashi. *Race for Empire: Koreans as Japanese and Japanese as Americans during World War II*. Berkeley and Los Angeles, CA: University of California Press, 2011.
- Gabaccia, Donna R. *Foreign Relations: American Immigration in Global Perspective*. Vol. 9. Princeton, NJ: Princeton University Press, 2012.
- Gillette, William. *Retreat from Reconstruction, 1869–1879*. Baton Rouge, LA: LSU Press, 1982.
- Go, Julian. "'Racism' and Colonialism: Meanings of Difference and Ruling Practices in America's Pacific Empire." *Qualitative Sociology* 27, no. 1 (2004): 35–58. <https://doi.org/10.1023/B:QUAS.0000015543.66075.b4>.
- . *American Empire and the Politics of Meaning: Elite Political Cultures in the Philippines and Puerto Rico during US Colonialism*. Durham, NC: Duke University Press, 2008.
- Golay, Frank Hindman. *Face of Empire: United States-Philippine Relations, 1898–1946*. Quezon City, Philippines: Ateneo de Manila University Press, 1997. <http://search.library.wisc.edu/catalog/ocm39253738>.
- Gonzalves, Theo. "'We Hold a Neatly Folded Hope': Filipino Veterans of World War II on Citizenship and Political Obligation." *Amerasia Journal* 21, no. 3 (1995): 155–74. <https://doi.org/10.17953/amer.21.3.g5mn36615v323501>.
- Guglielmo, Thomas A. *Divisions: The Untold Story of Racism and Resistance in America's World War II Military*. New York: Oxford University Press, 2021.
- Gutman, David. *The Politics of Armenian Migration to North America, 1885–1915. Sojourners, Smugglers and Dubious Citizens*. Edinburgh: Edinburgh University Press, 2019.

- Hall, Stuart. "The West and the Rest: Discourse and Power." *Race and Racialization: Essential Readings*, 2<sup>nd</sup> ed., edited by Tania Das Gupta et al., 85–95. Toronto, CSP Books: 1992.
- Haney-López, Ian. *White by Law: The Legal Construction of Race*. New York: New York University Press, 1996.
- Hartog, Hendrik. "The Constitution of Aspiration and 'The Rights That Belong to Us All.'" *The Journal of American History* 74, no. 3 (1987): 1013–34. <https://doi.org/10.2307/1902163>.
- Hesse, Barnor. "Racialized Modernity: An Analytics of White Mythologies." *Ethnic and Racial Studies* 30, no. 4 (2007): 643–63. <https://doi.org/10.1080/01419870701356064>.
- Honda, Michael. "Justice for Filipino Veterans, at Long Last." *Asian American Law Journal* 16 (2009): 193–96.
- Hong, Jane H. *Opening the Gates to Asia: A Transpacific History of How America Repealed Asian Exclusion*. Chapel Hill, NC: UNC Press Books, 2019.
- Hsu, Madeline Y. *The Good Immigrants: How the Yellow Peril Became the Model Minority*. Princeton, NJ: Princeton University Press, 2017.
- Ileto, Reynaldo C. "World War II: Transient and Enduring Legacies for the Philippines." In *Legacies of World War II in South and East Asia*, edited by David Koh Wee Hock, 74–91. Singapore: ISEAS-Yusof Ishak Institute, 2007.
- Janowitz, Morris. "Military Institutions and Citizenship in Western Societies." *Armed Forces & Society* 2, no. 2 (1976): 185–204.
- Jose, Ricardo Trota. *The Philippine Army: 1935-1942*. Quezon City, Philippines: Ateneo de Manila University Press, 1992. <http://search.library.wisc.edu/catalog/ocm29206631>.
- Jung, Moon-Kie. *Beneath the Surface of White Supremacy: Denaturalizing U.S. Racisms Past and Present*. Palo Alto, CA: Stanford University Press, 2015.
- Katznelson, Ira. *When Affirmative Action Was White: An Untold History of Racial Inequality in Twentieth-Century America*. New York: W.W. Norton, 2005.
- Katznelson, Ira, and Suzanne Mettler. "On Race and Policy History: A Dialogue about the G.I. Bill." *Perspectives on Politics* 6, no. 3 (2008): 519–37. <https://doi.org/10.1017/S1537592708081267>.
- Kessler, Jeremy K. "New Look Constitutionalism: The Cold War Critique of Military Manpower Administration." *University of Pennsylvania Law Review* 167, no. 7 (2018): 1749–82.
- Khoshnevis, Hadi. "Accruing Whiteness: Power and Resistance in Prerequisite Citizenship Cases of Immigrants from the 'Middle East.'" *Citizenship Studies* 25, no. 5 (2021): 620–35. <https://doi.org/10.1080/13621025.2021.1923658>.
- Kramer, Paul A. *The Blood of Government: Race, Empire, the United States, and the Philippines*. Chapel Hill, NC: University of North Carolina Press, 2006.
- Krebs, Ronald R. *Fighting for Rights: Military Service and the Politics of Citizenship*. Ithaca, NY: Cornell University Press, 2006.
- . "The Citizen-Soldier Tradition in the United States: Has Its Demise Been Greatly Exaggerated?" *Armed Forces & Society* 36, no. 1 (2009): 153–74.
- Lawson, Gary, and Guy Seidman. *The Constitution of Empire: Territorial Expansion and American Legal History*. New Haven, CT: Yale University Press, 2008.
- Lew-Williams, Beth. *The Chinese Must Go: Violence, Exclusion, and the Making of the Alien in America*. Cambridge, MA: Harvard University Press, 2018.
- Lieberman, Robert C. *Shifting the Color Line: Race and the American Welfare State*. Cambridge, MA: Harvard University Press, 1998.
- Man, Simeon. *Soldiering through Empire: Race and the Making of the Decolonizing Pacific*. Oakland, CA: University of California Press, 2018.
- Mann, Michelle. "The Young Algerians and the Question of the Muslim Draft, 1900–14." In *Algeria Revisited: History, Culture and Identity*, 39–55. London: Bloomsbury, 2017.
- McCoy, Alfred W., Francisco A. Scarano, and Courtney Johnson. "On the Tropic of Cancer: Transitions and Transformations in the US Imperial State." In *Colonial Crucible: Empire in the Making of the Modern American State*, edited by Alfred W. McCoy and Francisco A. Scarano, 3–33. Madison, WI: University of Wisconsin Press, 2009.
- Menezes, Lt. General S. L. *Fidelity and Honour: The Indian Army from the Seventeenth to the Twenty-First Century*. New Delhi: Oxford University Press, 1999.

- Mettler, Suzanne. *Soldiers to Citizens: The G.I. Bill and the Making of the Greatest Generation*. New York: Oxford University Press, 2005.
- Millhiser, Ian. *Injustices: The Supreme Court's History of Comforting the Comfortable and Afflicting the Afflicted*. New York: Nation Books, 2015.
- Moskos, Charles C., Jr., William Bowman, Roger Little, and G. Thomas Sicilia. "The Marketplace All-Volunteer Force: A Critique." In *The All-Volunteer Force after a Decade: Retrospect and Prospect*, 15–17. Oxford, UK: Pergamon Press, 1986.
- Nakano, Satoshi. "Nation, Nationalism and Citizenship in the Filipino World War II Veterans Equity Movement, 1945-1999." *Hitotsubashi Journal of Social Studies* 32, no. 2 (2000): 33–53.
- . "Nation and Citizenship in the Filipino World War II Veterans Equity Movement, 1945-2011." In *"We the People" in the Global Age: Re-Examination of Nationalism and Citizenship*, edited by Ryo Oshiba, Edward Rhodes, and Chieko Kitagawa Otsuru, 205–28. Osaka: The Japan Center for Area Studies, 2002.
- . "The Filipino World War II Veterans Equity Movement and the Filipino American Community." In *International Philippine Studies Conference*, 1–34. 2004.
- Ngai, Mae M. *Impossible Subjects: Illegal Aliens and the Making of Modern America*. Princeton, NJ: Princeton University Press, 2004.
- Nieva, Antonio A. *Cadet, Soldier, Guerilla Fighter: Remembering Bataan and Corregidor*. 2<sup>nd</sup> ed., edited by P. Nieva. CreateSpace Independent Publishing Platform, 2016.
- Onkst, David H. "'First a Negro . . . Incidentally a Veteran': Black World War Two Veterans and the G. I. Bill of Rights in the Deep South, 1944-1948." *Journal of Social History* 31, no. 3 (1998): 517–43.
- Paralitici, Ché. *No Quiero Mi Cuerpo Pa'tambor: El Servicio Militar Obligatorio En Puerto Rico*. San Juan, PR: Ediciones Puerto, 1998.
- Parker, Christopher S. *Fighting for Democracy: Black Veterans and the Struggle against White Supremacy in the Postwar South*. Princeton, NJ: Princeton University Press, 2009.
- Perry, Frederick William. *The Commonwealth Armies: Manpower and Organisation in Two World Wars*. Manchester: Manchester University Press, 1988.
- Phillips, Kimberley L. *War! What Is It Good For?: Black Freedom Struggles and the US Military from World War II to Iraq*. Chapel Hill, NC: University of North Carolina Press, 2012.
- Pimentel, Kevin. "To Yick Wo, Thanks for Nothing: Citizenship for Filipino Veterans." *Michigan Journal of Race and Law* 4, no. 2 (1999): 459–93.
- Priagula, Citadelle B. "Examining Race-Conscious Remediation through the Pilipino/a American Experience." *Asian Pacific American Law Journal* 15, no. 1 (2010): 135–59.
- Quisumbing King, Katrina. "The Structural Sources of Ambiguity in the Modern State: Race, Empire, and Conflicts over Membership." *American Journal of Sociology* 128, no. 3 (2022): 768–819.
- Raimundo, Antonio. "The Filipino Veterans Equity Movement: A Case Study in Reparations Theory." *California Law Review* 98, no. 2 (2010): 575–623.
- Rana, Aziz. *The Two Faces of American Freedom*. Cambridge, MA: Harvard University Press, 2010.
- Ray, Victor. "Militarism as a Racial Project." In *Handbook of the Sociology of Racial and Ethnic Relations, Handbooks of Sociology and Social Research*, edited by Pinar Batur and Joe R. Feagin, 161–68. New York: Springer International Publishing, 2018.
- Reyes, Victoria. *Global Borderlands: Fantasy, Violence, and Empire in Subic Bay, Philippines*. Stanford, CA: Stanford University Press, 2019.
- Rivera, Paul Daniel. "We've Been Waiting a Long Time - The Struggle to Pass the Filipino Veterans Equity Act and a Bittersweet Ending to a Sixty-Three-Year Battle." *Hastings Race & Poverty Law Journal* 7 (2010): 447–82.
- Rosales, Steven. "Fighting the Peace at Home: Mexican American Veterans and the 1944 GI Bill of Rights." *Pacific Historical Review* 80, no. 4 (2011): 597–627.
- Roux, Michel. *Les harkis, ou, Les oubliés de l'histoire*. Textes à l'appui. Série Histoire contemporaine. Paris: La Découverte, 1991.
- Salyer, Lucy E. "Baptism by Fire: Race, Military Service, and US Citizenship Policy, 1918–1935." *Journal of American History* 91, no. 3 (2004): 847–76.

- Segal, David R. *Recruiting for Uncle Sam: Citizenship and Military Manpower Policy*. Lawrence, KS: University Press of Kansas, 1989.
- Sherman, David W. "Naturalization of Filipino War Veterans." *San Diego Law Review* 22, no. 5 (1985): 1171–92.
- Sinnar, Shirin. "Institutionalizing Rights in the National Security Executive." *Harvard Civil Rights-Civil Liberties Law Review* 50 (2015): 289–357. <https://doi.org/10.2139/ssrn.2636326>.
- Skocpol, Theda. "The GI Bill and US Social Policy, Past and Future." *Social Philosophy and Policy* 14, no. 2 (1997): 95–115.
- Sohoni, Deenesh, and Amin Vafa. "The Fight to Be American: Military Naturalization and Asian Citizenship." *Asian American Law Journal* 17 (2010): 119–51.
- Sparrow, Bartholomew H. *The Insular Cases and the Emergence of American Empire*. Lawrence, KS: University Press of Kansas, 2006.
- Stanciu, Cristina. "Native Acts, Immigrant Acts: Citizenship, Naturalization, and the Performance of Civic Identity during the Progressive Era." *Journal of the Gilded Age and Progressive Era* 20, no. 2 (2021): 252–76. <https://doi.org/10.1017/S1537781420000080>.
- Stanley, Peter W. *A Nation in the Making: The Philippines and the United States, 1899-1921*. Vol. 4. Cambridge, MA: Harvard University Press, 1974.
- Takaki, Ronald. *Double Victory: A Multicultural History of America in World War II*. New York: Back Bay Books, 2000.
- Thompson, Lanny. *Imperial Archipelago: Representation and Rule in the Insular Territories under US Dominion after 1898*. Honolulu: University of Hawai'i Press, 2010.
- Valelly, Richard M. *The Two Reconstructions: The Struggle for Black Enfranchisement*. Chicago: University of Chicago Press, 2009.
- Vergara, Vanessa. "Broken Promises and Aging Patriots: An Assessment of US Veteran Benefits for Filipino World War II Veterans." *Asian American Policy Review* 7 (1997): 163–82.
- Volpp, Leti. "Divesting Citizenship: On Asian American History and the Loss of Citizenship through Marriage." *UCLA Law Review* 53, no. 2 (2005): 405–84.
- Whittington, Keith E. *Constitutional Construction: Divided Powers and Constitutional Meaning*. Cambridge, MA: Harvard University Press, 2009.
- Woodward, C. Vann. *Reunion and Reaction: The Compromise of 1877 and the End of Reconstruction*. New York: Oxford University Press, 1951.

## CASES CITED

- Cherokee Nation v. Georgia*, 30 U.S. 1 (1831).
- Downes v. Bidwell*, 182 U.S. 244 (1901).
- Gonzales v. Williams*, 192 U.S. 1 (1904).
- Toyota v. United States*, 268 U.S. 402 (1925).
- United States v. Bhagat Singh Thind*, 261 U.S. 204 (1923).
- Worcester v. Georgia*, 31 U.S. 515 (1832).

## STATUTES CITED

- Alien Naturalization Act, 40 Stat. 542 (1918).
- 1935 Alien Veteran Naturalization Act (Nye-Lea Act), Pub. L. No. 74-162 (1935).
- American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5 (2009).
- An Act to Provide for the Complete Independence of the Philippine Islands, to Provide for the Adoption of a Constitution and a Form of Government for the Philippine Islands, and for Other Purposes (Tydings–McDuffie Act), Pub. L. No. 73-127 (1934).
- Filipino Veterans of World War II Congressional Gold Medal Act of 2015, Pub. L. No. 114-265 (2016).

Filipino World War II Veterans Naturalization Act of 1989, 101 H.R. 525 (1989-1990).  
First Supplemental Surplus Appropriation Rescission Act, 1946. Pub. L. No. 79-30 (1946).  
General Allotment Act, 24 Stat. 388 (1887).  
Immigration Act of 1990, Pub. L. No. 101-649 (1990).  
The Jones-Shafroth Act, Pub. L. No. 64-368 (1917).  
National Service Life Insurance Act of 1940, Pub. L. No. 76-801 (1940).  
Second War Powers Act of 1942, Pub. L. No. 77-507 (1942).  
Servicemen's Readjustment Act of 1944, Pub. L. No. 78-346 (1944).