

**Loyal Soldier, Fearsome Terrorists: The Hmong as a Martial Race in Southeast Asia and  
the United States**

by

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**Abstract**

Martial race theory, an ideological construction used to organize colonial hegemony, acted as a lens through which the French and the United States understood the Hmong in Southeast Asia. In the early 20<sup>th</sup> century, Laotian Hmong resistance to French colonialism was interpreted as evidence of the martial qualities of the Hmong. Subsequently, a combined French-Hmong resistance against the Japanese occupation of Indochina cemented their “martial” status and both informed and retroactively “justified” the U.S. decision to recruit the Hmong during the Secret War. In the aftermath of the Secret War, the flight of Hmong refugees to the United States brought martial race theory to American soil, evidenced by legislation designed to honor Hmong veterans and by the designation of certain Hmong as terrorists following 9/11. Overall, this classification of the Hmong as a martial race illustrates the ways that colonial legacies remain impactful even today, both for the colonial subject and for the imperial power.

**Keywords:** Secret War, Hmong refugees, martial race theory

**Introduction**

As a historically diasporic people, the Hmong have a long history of flight in response to state persecution. Conversely, this history is accompanied by a history of rebellion and other forms of resistance, culminating in Hmong participation in the Secret War in Laos (1960-1975). Building on this history, this paper will deploy martial race theory, an ideological construction used to organize colonial hegemony, as a lens through which first the French and later the United States understood their Hmong subjects in the volatile context of 20<sup>th</sup> century Laos and beyond.

Beginning with anti-colonial rebellions in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries, Hmong resistance to French rule in Nong Het and other highland areas of Laos and Vietnam did much to label the Hmong as a martial race in the eyes of the French. Subsequently, the Japanese occupation of Indochina set the stage for Hmong participation in World War II, a development that cemented the burgeoning “martial” status of the Hmong and informed the United States’ decision to recruit the Hmong to fight in the Secret War.

In the aftermath of the Secret War, the movement of more than 100,000 Hmong refugees to the United States brought martial race theory to American soil (Robinson, 1998). Almost immediately, martial race theory seeped into both official and public discourse, evidenced by popular portrayals of the Hmong as first “loyal defenders of freedom” and later, in the aftermath of 9/11, as “fearsome terrorists”. Through the language included in legislation designed to honor Hmong veterans and the designation of the Hmong as a whole as terrorists under the Patriot and Real ID Acts, the shifting constructions of the Hmong in American policy and political discourse reveal the presence of a thriving colonial ideology. Taken as a whole, the classification of the Hmong as a martial race illustrates the ways that colonial legacies continue to influence the sociopolitical reality facing Hmong and Hmong Americans today, both in the United States and abroad.

Vitality, martial race theory relies on essentialization, painting colonial subjects with a broad brush in service of imperial powers who lack the enthusiasm or ability to govern with nuance. Thus, although this paper will specifically consider one group of Hmong (Laotian Hmong who fought with the French and later with the United States), it is important to note that Hmong history is incredibly diverse. Laotian Hmong fought for and against the Japanese, just as they attacked and defended the French. Likewise, during the Secret War period, Southeast Asian

Hmong took a variety of positions, from Vang Pao's Special Guerilla Units to the Thai Hmong who acted as a core constituency of the Communist Party of Thailand (Siriphon, 2006). In spite of these myriad histories, this essay, by virtue of focusing on imperial conceptions of the Hmong, will consider the ways that a small group of Hmong (in this case, French and American allies in Laos) ended up, in the eyes of colonial administrations, indicative of Indochinese Hmong more broadly. As a result, although an historical understanding appreciates the diversity of the Hmong experience in Southeast Asia, this essay will refer to the Hmong as a more broadly hegemonic group, not because of any basis in reality, but because it reflects the essentializing power of martial race theory.

Ultimately, this essay seeks to contribute to our understanding of Hmong history by helping to bridge the gap between Hmong experiences under imperial powers in Southeast Asia and their diasporic experiences in the United States. By offering an example of the continuities that occur across both time and space, this paper uses the experiences of one group of Hmong (initially anti-colonial, later anti-communist) as an example of the enduring impact of imperialism on colonized peoples as well as a compelling counterargument against those historians who would promote a narrative of Hmong history that begins with the Secret War and ends with the arrival of the first Hmong refugees in the United States. Vtally, this essay is by no means a stand-alone project. It is deeply indebted to the work of scholars like Mai Na Lee and Chia Youyee Vang, whose seminal studies of Hmong history, both prior to and after the Secret War, center the Hmong as primary actors in their own history. Simply put, this essay adds another layer to their work, focusing on how France and the United States reacted to Hmong agency while simultaneously ignoring their own ideological shortcomings. Thus, the focus of this work is not to put forth an overarching claim of the driving force behind the Hmong

historical experience, but rather to trace out one component of a complex history that, as of today, is yet to be resolved.

This essay will begin by tracing out the origins of the imperial conception of the Hmong as a martial race, beginning under French colonial rule with the Kaitong Rebellion and Pa Chay's War and continuing through the Japanese occupation of French Indochina. Subsequently, this paper will examine the U.S.-Hmong alliance during the Secret War as a transitional period, enabling martial race theory to continually impact Hmong Americans, evidenced by the Hmong Veterans' Naturalization Act of 2000 and the creation of a National Lao-Hmong Recognition Day. Finally, this essay will conclude with the classification of the Hmong as a terrorist group under the Patriot and Real ID acts, indicating the deleterious impact that martial race theory continues to have even now, in the very heart of the American metropole.

### **Southeast Asia: Constructing the Myth of the Hmong as a "Martial Race"**

For even the most ardent colonialist, the practice of exercising control over another people at the level of dominance perpetrated by the high colonial empires of Britain and France required some level of ideological justification. It is within this tradition that we find the roots of martial race theory, arising, as it did, as a way to render legible an empire's colonial subjects and subsequently guide the organization of the indigenous collaborators so necessary to the imperial project (Rand & Wagner, 2012). Like other ideologies of the time, martial race theory was tied directly to the assumption that certain inherent cultural and biological differences delineate the role of an ethnic group in any given society. As a result, "certain ethnic, religious, caste or social groups were regarded as possessing a more masculine character, as being loyal and therefore especially suited for military service. On the other hand, 'non-martial races' were regarded as unfit for fighting" (Liebau, 2017). While the rigidity of biological distinctions would seem to

make “martial races” a rather static category, the theory was far more useful as an easily manipulated tool of imperial governance than as a true scientific classification. Thus, martial race theory is best understood as “a construct which was constantly adapted and changed by colonial military officials according to various political and military calculations” (Liebau, 2017). While these assumptions traditionally involved finding trustworthy groups to help maintain imperial hegemony within their respective colonies (as in the case of British India), martial race theory was also used to help determine, in part, the ethnic hierarchy of any given colony. In many cases, non-martial races were increasingly exploited by both imperial powers and subordinate elites, as the ideological framework offered a ready justification that rationalized colonial hierarchies. In sum, martial race theory is an imperial ideology that, on the surface, claims to organize colonial subjects into essentialized categories upon which policy decisions could be based; in reality, however, martial race theory was a fluid tool used to justify political and military decisions, subject to continual renegotiation as imperial powers sought a favorable balance between scientific certainty and predetermined policy goals.

It is precisely this fluidity that complicates the historical relationship between Hmong under colonial rule in French Indochina and martial race theory. Two major anti-colonial rebellions, the Kaitong Rebellion in 1896 and Pa Chay’s War, from 1918-1921, changed the perception of the Hmong in the eyes of the French from an inconsequential and easily exploitable minority to a martial race whose warlike tendencies necessitated appeasement and, eventually, justified alliance.

Shortly after the advent of colonial rule in French-claimed Laos in the 1890s, oppressive taxation on the part of a French government desperate to find sources of profit to finance their

empire motivated some Laotian Hmong to rebel. Mai Na Lee (2015) chronicles this exploitation in her seminal history of the Hmong under French rule, describing how,

The manipulation of opium prices and the imposition of a new, two-tiered tax system aroused the Hmong of Nong Het to revolt... The Hmong found themselves squeezed by two masters, the French, who dominated the newly established colonial hierarchy, and the Phouan lords (p. 98).

The Phouan, a powerful ethnic group situated above the Hmong on the ethnic hierarchy imposed by the French, thus further exacerbated the exploitation of the Hmong. As a result, in 1896, the Kaitong Rebellion, an armed anticolonial movement in the Nong Het region of Laos, broke out. Although successfully put down by the French after some modest military success, the peace settlement was surprisingly favorable to the Hmong of this region. Reorganized to be free of the yolk of the Phouan, the Hmong of Nong Het found themselves able to self-administer, reporting directly and exclusively to the French. As Mai Na Lee (n.d.) again explains, “The 1896 revolt, therefore, resulted in a close French-Hmong alliance that endured to the end of the colonial period” (p. 90). Interestingly, the peace settlement itself shows the importance of martial race theory for the policy decisions of French colonial bureaucrats. The Hmong of Nong Het gained a favored position in French Indochina not by willing acquiescence to colonial rule, but rather through showcasing a military potential to disrupt colonial hegemony. Consequently, the 1896 Kaitong Rebellion illustrates the importance of martial race theory in the earliest phases of French control over the Hmong, as militarism and a willingness to rebel ironically translated into a better social and economic position for the Hmong in French Indochina.

Although the aftermath of the Kaitong Rebellion would see a period of relative peace for the next 25 years, a new source of rebellion, this time significantly more expansive, would

irrevocably alter the French perception of the Hmong as a martial race. Pa Chay's Rebellion, ranging from 1918-1921, encompassed much of highland French Indochina, originating in Tonkin and spreading quickly into Laos. While the Hmong of Nong Het had a much better position in the colonial hierarchy following the 1896 Kaitong Rebellion, Hmong living in the Tonkin region found themselves heavily exploited by both the French and the local Tai minority, both of whom sought to profit off of lucrative Hmong opium trade (Lee, n.d.). Combined with the powerful messianism of Pa Chay Vue, the mix of religious inspiration and frustration with the French state resulted in a wide-ranging, prolonged rebellion that shook the French to the core, even as the rebels were summarily defeated following a moderately successful guerilla campaign. This time, when the French came to the negotiating table, they did so with a more explicit understanding that the Hmong, not just in Nong Het but across the highlands of Laos and Vietnam, were now, firmly, a martial race that must be treated accordingly.

Two main sources of evidence support this view. First, Mai Na Lee (n.d.) explains that the French placed the Hmong underneath the Tai at the bottom of the ethnic hierarchy of Tonkin precisely because "the Tai provided military services while the Hmong did not." The key here is that the Hmong did not provide military service because the French thought them culturally unsuited for it, mostly because of their lack of centralized political organization and unwillingness to abandon their close family and clan bonds. This catch-22 ultimately illustrates the way in which martial race theory could be manipulated to justify colonial policy. The Hmong were a non-martial people, and thus exploitable, simply because colonial ideology said they were. Overall, the use of martial race theory to justify exploitation and its subsequent reversal in the aftermath of rebellion showcases the evolving designation of the Hmong as a martial race in French Indochina.

The second piece of evidence comes from colonial reports filed in the aftermath of Pa Chay's Rebellion; one French official explained away the rebellion by writing, "the warlike temper of the [Hmong] revived itself...the coup came and the revolt struck" (McCoy, 1970, p. 91-92). Here we see martial race theory in its fullest form, as the French, now seeking to make sense of the Hmong revolt, portrays the inherent temperament of the Hmong as something ever-present but occasionally dormant, thus placing the blame for the rebellion not on a misstep in colonial policy but rather on the inherent nature of the Hmong themselves. Similarly, Keith Quincy (2000), author of an extensive history of Hmong rebellion and war in Southeast Asia, quotes a German anthropologist writing in retrospect a decade after Pa Chay's Rebellion began, saying of the Hmong,

their urge for independence, their fearlessness bordering on defiance of death, their glowing love for freedom, which has been strengthened through thousands of years of fighting against powerful oppressors and has given the reputations of feared warriors will perhaps make difficulties for the colonizer. For decades the French remained oblivious to this danger.

As this shows, by 1930, widely accepted colonial knowledge was that the Hmong were a martial race in the fullest sense of the term. Attributed to a warrior past, inherent martial qualities, and a pathological need for independence, it is clear that the Hmong were, by virtue of their colonial rebellions, now a martial race *par excellence*.

Moreover, this particular anthropologist, one part of the colonial European project to understand their subjects, engaged in a substantial effort of revisionist history. Now thought of as a martial race, the mistake, at least in the eyes of the French government, was not their exploitation of the Hmong but rather their lack of appreciation for the martial qualities of the



Hmong. Indeed, these sources show no hint that French policies made the Hmong militant; rather, they were innately militant. Thus, the sins of the French were of omission, failing to truly understand their subjects, rather than any true mistreatment of the Hmong. In any case, Mai Na Lee (1998) concludes that, by the beginning of World War II, “The incidents of 1896 and 1919-21 stigmatized the Hmong as warlike in the eyes of colonialists” (p. 10). From this point on, the working knowledge of the French and their Western counterparts, based heavily on martial race theory, placed the Hmong firmly in the camp of a martial race—an ideological distinction that would have incredible impact on the future of the Hmong, beginning a short time later with the Japanese occupation of French Indochina.

Although we begin to see the shift in the colonial knowledge about the Hmong from both official and academic sources, the Hmong underwent a second transformation that saw their martial qualities move from an inconvenience to a key component of French political and military strategy. With the arrival of the Japanese in French Indochina in 1940, the French began looking for ways to defend their colonial interests despite the uneasy co-occupation of the colony that initially existed. However, by 1945, a Japanese coup overthrew all remaining French authority, scattering remaining loyalists to the relative safety of the highlands (Chandler, 2015). In response, the French attempted to ally with the Hmong, who, for a variety of reasons, fought both with and against the French forces throughout the final five months of the Japanese occupation.<sup>1</sup> Chronicling this decision on the part of the French, Gary Yia Lee (1986) writes that, “the Free French mission further contacted some [Hmong] hill tribes, the only people considered

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<sup>1</sup> The decision of some Laotian Hmong to ally with the French reflects the complexity of the internal politics of the Hmong in this region. This is a vital history, but one that Mai Na Lee’s *Dreams of the Hmong Kingdom* has already chronicled. Therefore, because I feel that my own work would do little to add to the history that has already been written, in addition to my feeling that, while important, internal politics are slightly outside of the scope of this essay, I have chosen to omit it.

effective mountain guerrillas. French commandos parachuted in...bringing modern weapons and supplies, and began organizing the tribes” (p. 215). Thus, it is apparent that some Hmong were chosen because they were believed to be especially effective in the realm of guerilla warfare—a belief directly linked to the ‘knowledge’ of the Hmong as a martial race established decades earlier in, ironically, anti-colonial rebellions. Taking advantage of a still-present colonial ideology to organize their resistance, France’s decision to seek out the Hmong as an ally during the Japanese occupation represents the important organizing logic of martial race theory during World War II.<sup>2</sup>

If the French decision to ally with the Hmong sounds familiar, it is because the United States would execute a similar strategy a few decades later in the context of the Cold War. This short-lived alliance is the missing link that connects the colonial idea of the Hmong as a martial race and moves it into a useful framework for governments seeking any advantage in the intrigue of World War II and the Cold War. By allying with the Hmong while using limited special forces to defend their interests, the French proved, to themselves and, subsequently, to the Americans that would replace them as the dominant power in the region, the application of martial race theory remained a potentially useful way to organize and justify political and military decision, even as the height of colonialism gave way to a new form of Cold War imperialism.

My central claim here is that the Americans who decided to utilize the Hmong during the Secret War were operating on received knowledge gained from French colonial sources as well as Lao representations of the Hmong as warlike; as such, the United States indirectly bought into the colonial ideology of martial race theory, and, as a result, labeled the Hmong as a martial race

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<sup>2</sup> The Japanese also chose to recruit the Hmong based on the idea that they were a martial race predisposed to be superior guerilla fighters. These Hmong, serving under Lo FayDang, have a fascinating history of their own that further shows how martial race theory is an imperial (and not just a European) phenomenon.

for their own purposes. While the secrecy with which the U.S. government operated makes it difficult to verify bold claims about their decision-making logics, one piece of evidence, a recently declassified report submitted to the U.S. Air Force entitled *The War in Northern Laos, 1954-1973*, offers a compelling retrospective look at how and why the United States arrived at the decision to recruit Hmong for the fight against communism. In the report's section on background information (designed to record the situation as the U.S. understood it upon their arrival in the region), the history of the Hmong in the region is recorded in a series of revealing descriptions. First, the report states that, "The Lao generally accepted foreigners, but regarded the hill tribes as racially inferior and viewed them with hostility and suspicion. This was especially true of the warlike [Hmong]" (Anthony & Sexton, 1993, p. 11). Immediately, the description of the Hmong as warlike, accompanied with absolutely no mention of the history of displacement and exploitation that colored the vast majority of historical Hmong conflict, hints at the continued influence of martial race theory. An even more revealing statement comes several pages later, as the report records the history of French colonialism in the region, describing how, "the French dominated the lowland Lao, they could never control the fiercely independent [Hmong]. These warrior-farmers had appropriated the mountains of northeastern Laos..." (Anthony & Sexton, 1993, p. 13). This statement leaves little doubt that the United States saw the Hmong as an inherently warlike people, directly in the vein of martial race theory. Whether the description of the Hmong as warrior-farmers or the assertion that the Hmong had "appropriated" the northeastern part of the nation, the context offered by this report clearly portrays a narrative of inherent militarism that stretches from the earliest part of Hmong history in the region and remained unchecked through the last days of colonial rule, ultimately evinced by their influence over the highlands of Laos.

Perhaps most vitally of all, the report moves beyond general background to describe, in detail, the initial process of recruiting Hmong soldiers to fight for American interests. Although this section would perhaps provide even more insight if the redactions (implemented by the CIA) were removed, there is sufficient evidence, when taken with the reports previous statements, to establish the logic employed by the United States in their recruitment of Laotian Hmong and other minority groups. The report states that,

[the Hmong] had acquired a reputation as a pragmatic, opportunistic people who would fight to protect their families, clans, and opium fields from outside intruders...during the closing days of World War II, the Free French parachuted in commandos and...began organizing, training, and supplying the tribes for guerilla action...when the civil war erupted...subsequent events showed the Meo [Hmong] as the one force in Military Region II that could resist the Pathet Lao” (Anthony & Sexton, 1993, p. 44).

Here we have, from an official government history of the event, the full lineage of the Hmong as a martial race allied with imperial powers, traced out in striking detail. The narrative put forth by the report describes the inherent qualities that made the Hmong a viable fighting force in the first place and continues to place a high value on their participation with the French during Japanese occupation.

Finally, the report describes the United States feeling that, in light of this history, the Hmong were the only candidates who could realistically fight well enough to accomplish U.S. policy objectives in the region. This illustrates how the lineage of the American decision to recruit the Hmong in the Secret War, based as it was on knowledge received from the French, is an example of how martial race theory defined the way that the Hmong were rendered legible to the imperial aims of the United States. However, a close look at the circumstances leading up to

the American recruitment of the Hmong reveals that it was the Lao government themselves that initially pushed the U.S. towards mobilizing the Laotian Hmong (Baird, 2010). This, then, is where the temporal aspect of this source comes into play. While there was certainly some influence of pervasive martial race theory in the American decision to mobilize the Hmong, the retrospective nature of the report makes it clear that martial race theory was also deployed after the fact as a justification for American actions. In the moment, it seems clear that a combination of Lao recommendation and French colonial history pushed the U.S. in the direction of the Laotian Hmong. At the same time, by emphasizing the fighting qualities of the Hmong as well as a history of conflict (while simultaneously ignoring vital historical context), this report clearly shows the way in which martial race theory and its later iterations stuck to the Hmong despite the change in imperial power and the shift in context from regional colonial struggle to battleground of a globalized cold war.

Overall, then, what can we conclude about the relationship between martial race theory and the Hmong in Laos? First, it is clear that the designation of certain groups of Laotian Hmong as a martial race was a flexible concept, evolving over time until its crescendo in the decision of the U.S. to recruit the Hmong for a secret war in Laos. Regardless of imperial power or global context, we can thus conclude that martial race theory remains around not because of any inherent truth to its claims of biological or cultural determinism, but because of its unfailing usefulness to imperial powers seeking to understand their subjects and subsequently justify their decisions to exploit and/or recruit them.<sup>3</sup> Second, and perhaps even more importantly, martial race theory has proven remarkably durable even as the scientific basis on which it originally

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<sup>3</sup> In many ways, the recruitment of indigenous fighters is a distinct form of colonial exploitation. A glance at the current fortunes of erstwhile colonial allies (Hmong, Kurds, Karen, etc.) proves this point.

rested was discredited. Mai Na Lee writes that, “Through the descriptions of colonial soldiers Hmong men became romanticized as ‘warriors’...The Hmong people...have suddenly taken on the persona of a warrior race” (Lee, 1998, p. 10). Thus, we see the transformation of martial race theory from an ideology based on pseudo-scientific knowledge to a claim made based on history; just as insidiously, this type of understanding revels in the obliviousness of many policymakers to the context of history. For the Hmong, whose colonial and modern past is filled with the perils of statelessness in the form of intense exploitation, entanglement in global conflicts, and, indeed, a seemingly never-ending search for a homeland, martial race theory represents an erroneous interpretation of their past based in essentialized orientalism hidden behind a thin veneer of ‘history’. Looking solely at the events of Hmong history in Southeast Asia, martial race theory has left an indelible impact on the history of the Hmong as well as on the history of the imperial powers that bought into its claims. Yet martial race theory was even more persistent, traveling with the Hmong across space and time to a new context unlike anything in colonial or cold war era Southeast Asia: the contemporary United States of America.

### **United States: Constructing the Hmong as Defenders of Freedom and Terrorists**

Ultimately, it is clear that martial race theory has had an influential role in the ways in which imperial powers have interpreted their Hmong subjects in Southeast Asia. Yet it is my contention that this theory was, and is, a primary way in which current U.S. policy, and as a result, the American public, conceptualizes overseas Hmong and Hmong Americans. Beginning in 1975, in the aftermath of the disastrous Secret War, waves of Hmong refugees began arriving in the United States. They came as a part of a global Southeast Asian refugee crisis that would eventually see over a million Vietnamese, Laotian, Cambodian, and Hmong begin new lives in the United States (Robinson, 1998). However, they did not come alone; arriving only to be

dispersed across the nation, they carried with them centuries of cultural practice, myriad different languages, and a set of expectations foreign to both policymakers and the American public as a whole. Complicating matters even further, these refugees were seen as living reminders of the failures of U.S. foreign policy, calling attention to the decades of horrific violence and regional instability in Southeast Asia in which the U.S. was directly culpable. As Yen Le Espiritu covers in her groundbreaking book *Body Counts: The Vietnam War and Militarized Refuge(es)*, the United States went to great lengths to rewrite the narratives attached to Southeast Asian refugees, and the Hmong are no exception (Espiritu, 2014). In service of this revisionist history, martial race theory became a useful analytical tool for policymakers seeking to revive a battered American consciousness in the aftermath of the Vietnam War, finding itself most useful in labeling the Hmong as first loyal defenders of freedom and later as ferocious terrorists. In both cases, U.S. policymakers have used the idea of the Hmong as an inherently warlike people to support wider political agendas, illustrating the continued influence of an imperial ideology not in the peripheries of Southeast Asia, but in the very heart of the American metropole.

To understand the ways in which martial race theory permeates American perceptions of the Hmong and Hmong Americans, it is vital to consider the social and racial context into which the Hmong refugees found themselves thrust. If we consider U.S. history from an immigration perspective, it becomes immediately apparent that official U.S. policy has long been a hotbed of anti-Asian sentiment; from the Chinese Exclusion Act of 1883 to the Immigration Act of 1924, which prohibited any immigration from Asia regardless of country of origin, the presence of persons of Asian descent in the United States has long been considered undesirable at best and

dangerous at worst.<sup>4</sup> Only in 1965, with the passage of the Hart-Cellar Act, which ended the National Origins Formula and its associated quota system, was this legalized discrimination finally abolished (Lee, 2015). Vivaly, the first Hmong refugees arrived in the United States in 1975, only a decade after the formal end of Asian exclusion. The social and racial climate they entered, particularly in the American heartland (Minnesota, Wisconsin, and Michigan have the second, third, and fifth highest populations of Hmong Americans respectively, according to the 2010 census), was one ill-prepared for the shock of a non-white refugee population appearing seemingly out of nowhere into neighborhoods, schools, and workplaces that had historically been nearly homogenously white (Pfeifer, Sullivan, K. Yang, & W. Yang, 2012). Thus, American policymakers were suddenly confronted with a twin set of problems: how, both legally and in the eyes of the public, could the presence of 100,000 Hmong refugees be explained in a way that undermined both the racialized bigotry of the Midwest as well as the wider historical narrative that threatened to paint the U.S. as a failed imperial power in the aftermath of the Cold War? Ironically, the answer came from an ideology that is both racist and imperial in nature: martial race theory had moved from an antiquated theory to an indispensable tool of policy from the very moment the Hmong arrived in the United States.

In order to see how martial race theory was used to justify Hmong presence in the United States by portraying them as loyal defender of freedom, two specific case studies prove particularly useful: the passage of the Hmong Veterans' Naturalization Act of 2000 and the creation of a National Lao-Hmong Recognition Day highlight the impact of martial race theory on the United States' perception of the Hmong.

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<sup>4</sup> While immigrants and refugees are not the same, the underlying racism does not generally make a distinction between the categories, even if the political system does.



On April 6, 2000, the United States' legislature passed House Resolution 371, an act designed "to expedite the naturalization of aliens who served with special guerrilla units in Laos", primarily by waiving the English language requirement of the naturalization exam (H.R. 371, 2000). In a televised address, President Bill Clinton presented the bill by saying, "Beginning in 1975, the Hmong people faced an especially difficult challenge...Hmong soldiers fought bravely alongside Americans and...preserved and triumphed with courage, dignity, and the strong sense of community that binds [Hmong Americans] today" (Tojsiab Channel, 2017). Noticeably absent from this address was any recognition of the fundamental reasons for Hmong participation in the wars that plagued Southeast Asia; a viewer ignorant of U.S. culpability in the matter would be led to believe that the Hmong fought of their own accord and just so happened to find an ally in the United States. Clinton's reference to Hmong soldiers fighting alongside Americans, rather than as a part of a coordinated U.S. effort, likewise others the Hmong soldiers as a separate fighting force, removing culpability from the CIA and other U.S. advisors who played an integral role in every step of the Secret War and furthers a narrative of the Hmong fighting of their own volition. Furthermore, Clinton describes the innate qualities that allowed the Hmong to survive the conflict and reach a new life in the United States: courage, dignity, and a strong sense of community. Although somewhat less strongly, Clinton's choice of language echoes the sentiments of the American military community a few decades earlier, when the Hmong were frequently described as a freedom-loving, independence seeking people willing to fight to defend their way of life (Lee, 1998). These qualities, which colonial scholars would no doubt uphold as hallmarks of a 'true' martial race, were not chosen at random. Rather, Clinton's address shows how the portrayal of the Hmong as a martial race both absolves the U.S. of their imperial guilt while simultaneously refashioning Hmong refugee history into a story of martial

grit and determination to defend “American” freedom. Taken together, these twin objectives illustrate the way in which martial race theory acts as a useful ideological tool for U.S. policymakers.

Moreover, a closer look at the rhetoric surrounding the passage of House Resolution 371 reveals the way in which Hmong Americans were inextricably linked to their classification as a martial race. While the act itself is relatively cut and dry, the Senate Judiciary Committee’s official review shows a great deal of concern with the possibility of fraud. Under subsection II, entitled “Concerns about Fraud and the Administration’s Position in the 105<sup>th</sup> Congress”, the review states that,

H.R. 371 provided potential opportunities for fraud, particularly because of lax documentation requirements...the Immigration and Naturalization Service (INS) has provided technical assistance in redrafting the bill to tighten the documentation requirements...and require the Department of Defense to review the documentation” (2000).

On the surface, the outsized concern with fraud (the only objection raised to the legislation) seems out of place. The distinction between combatant and civilian during the Secret War was fuzzy under the best circumstances, and there is a compelling argument to be made that the mere presence of a Hmong refugee in the United States indicates that their life was irrevocably altered by the U.S. decision to fight the Secret War. With this in mind, it becomes apparent that H.R. 371 and the concerns over its passage reveal an American attitude that values the Hmong as worthy U.S. citizens only, or at least primarily, for their martial endeavors. By setting the highest possible standard of proof for Hmong veterans to actually take advantage of the legislation, U.S. policymakers ensured that only the most prominent of Hmong soldiers (those with

documentation) would have their passage towards citizenship eased. Therefore, what is being recognized by the U.S. government through this act is not the right of the Hmong as a people to a live of peace and freedom following the U.S. imperial disruption of their traditional lifestyle, but rather that the presence of the Hmong in America is tolerated because of their history of martial service. Without a readily apparent claim to past military service, the Hmong are, in the eyes of U.S. policymakers, perfectly apt to remain aliens within the country. In this sense, martial race theory is an avenue of legitimization of Hmong presence in the U.S., as H.R. 371 ties the right to full participation in American society to the open acknowledgement of a past steeped in conflict and militarism in the service of U.S. interests (or ‘freedom’, as Cold Warriors would probably prefer it to be called). Therefore, H.R. 371 shows that only by actively acknowledging and claiming their martial designation can Hmong Americans achieve the equal legal standing of citizenship, thus illustrating the prevalence of martial race theory in the United States.

Similarly, the passage of House Concurrent Resolution 88 asking the president to designate an official National Lao-Hmong Recognition Day more explicitly shows how U.S. policy and official rhetoric labels the Hmong as a martial race, subsequently justifying their right to reside in the U.S. by virtue of that designation. In her book *Hmong America: Reconstructing Community in Diaspora*, Chia Youyee Vang (2010) offers a brief history of the act, writing,

The House passed the resolution on November 13, 2001...[the bill outlined] the Hmong’s ‘warrior tradition, loyalty, and bravery’ as well as the role of the Special Guerilla Units in engaging North Vietnamese troops, the loss of more than thirty-five thousand Hmong lives, and their experience as “victims’ of acts of retribution and atrocities (p. 129). Immediately, the language of the bill jumps out; honoring the Hmong as having a “warrior tradition” would sound more at home in a colonial ethnography than in a 21<sup>st</sup> century piece of

U.S. legislation. While this is an explicit linkage to the idea of the Hmong as a martial race, the following language, which designates the Hmong as loyal, is perhaps the most interesting part of House Concurrent Resolution 88. The inclusion of this language suggests that the Hmong are being honored not necessarily because of their martial qualities, but rather because they took their ingrained, or at the very least, traditional, martial attitudes and aptitudes and used them in the service of U.S. Cold War designs. Thus, we see a difference in the way in which martial race ideology is used in the United States; rather than debates about whether or not the Hmong are a martial race, or even if there is such a thing as a martial race, U.S. policy views the martial qualities of the Hmong as an inarguable fact, a piece of received knowledge that, continuing the U.S. embrace of French colonial knowledge and tactics in the Secret War, falls neatly in line with previous policy decisions. What seems certain from both H.R. 371 and House Concurrent Resolution is that the key fact in honoring the Hmong is their dedication to the U.S. cause of ‘freedom’ during the Cold War—a loyalty that, ultimately, justifies the presence of an undeniably martial race on American soil.

Interestingly, another important impact of the rhetoric in this legislation is the way in which the portrayal of the Hmong as a martial race is connected to the atrocities and loss of life experienced during and after the Secret War. By first establishing the Hmong as a proud warrior race loyal to the U.S. of their own volition, U.S. policy absolves the nation of any culpability in the loss of life that accompanied the Secret War. The rhetoric of House Concurrent Resolution 88 implicitly portrays warrior tradition and bravery of the Hmong as the root cause of “the loss of more than thirty-five thousand Hmong lives, and their experience as “victims’ of acts of retribution and atrocities” (Vang, 2010), ignoring, in the process, the false promises and callous decision-making on the part of the U.S. that accompanied Hmong involvement in the Secret

War. In this sense, then, we can begin to see why American Cold Warriors would continue to hold on to an antiquated colonial ideology as a part of its official policy. If the Hmong were not an inherently martial race, and perhaps just a normal people wanting the freedom to live their traditional lifestyle in peace, then the U.S. is clearly and inarguably guilty of violating the same principles of liberty and independence that they claimed to defend during the Cold War. If, on the other hand, the inherent martial quality of the Hmong meant that the U.S. simply allied with a group fighting of their own volition, then suddenly the presence of Hmong refugees in the U.S. becomes a vindication of the generosity and righteousness of the American world order. Rather than acting as a reminder of manipulative foreign policy and military failure, martial race theory transforms Hmong refugees in the U.S. into an ultimate example of U.S. moral superiority by equating their arrival in the U.S. as a freely given gift to a defeated ally rather than as a debt owed to a heavily recruited, and indeed, exploited, covert fighting force.

Overall, it is apparent that the United States' official perception of the Hmong is deeply tied to the idea of the Hmong as a martial race. In seeking to both salvage U.S. exceptionalism in the wake of disastrous wars in Southeast Asia and justify Hmong presence in the heartland of a historically anti-Asian nation, U.S. legislation has repeatedly tied the martial past of the Hmong directly to the validity of their right to reside in the United States, labeling them as loyal defenders of freedom in the process. Importantly, the Hmong are not deprived of their agency in this process, but rather actively embrace this designation. Vang (2010) again writes that,

Hmong veterans and their American supporters...have worked hard to ensure that their efforts in Laos do not go unnoticed...Hmong Americans and their supporters lobbied elected officials and struggled on many fronts to raise awareness of their involvement with U.S. military personnel in Laos (p. 126-127).

The reasons for this, in many ways, are obvious. In addition to the justification of their presence in the United States (again, a vital concern for a racial group that has been historically otherized, especially in the Midwest), there are real tangible benefits for Hmong Americans, and particularly Hmong veterans, to call attention to their participation in the Secret War. The waiver of the English-language requirement is a clear example already covered in this paper, but examples like the campaign to allow veterans to be buried in military cemeteries and the prestige granted to the uniformed SGU veterans that march in Veteran's and Memorial Day parades around the country also reveal how the Hmong actively claim their status as loyal defenders of the American way. Indeed, one of the largest Hmong festivals in the world, the Hmong International Freedom Festival in Minnesota, takes place on the weekend of the July 4<sup>th</sup> holiday (The United Hmong Family, Inc., n.d.). Taken together, these initiatives, driven by Hmong Americans themselves, clearly give the Hmong a level of prestige directly related to their martial past. As a compelling answer to the otherizing experienced by every Asian group in the United States, combined with the tangible benefits of military service, it is little wonder that many Hmong feel it is in their best interest to promote their martial past.

For several decades, martial race theory was used to designate the Hmong as loyal defenders of freedom, both by official U.S. policy and by Hmong Americans themselves. However, in the aftermath of the 9/11 terrorist attacks, the Hmong instead found themselves designated as ferocious terrorists, a near-complete reversal of the historical interpretation of the Hmong's status as a martial race by the United States government. This change, including both the Patriot and Real ID act legislation that labeled the Hmong as terrorists and the arrest and trial of General Vang Pao, has fundamentally changed the meaning of the Hmong as a martial race,

raising serious questions about the political and social future of Hmong Americans, now two generations removed from their initial arrival in the United States (Weiner, 2008).

Under the Patriot and Real ID acts, most Hmong living outside of the United States were labeled as terrorists, and as such, were prohibited from immigrating or, in some cases, seeking refuge in the U.S. The primary change enacted by the Real ID act was to alter the definition of a terrorist. In the Real ID act's own language,

the term 'engage in terrorist activity' means, in an individual capacity or as a member of an organization...to commit an act that the actor knows, or reasonably should know, *affords material support*, including a safe house, transportation, communications, funds, transfer of funds or other material financial benefit, false documentation or identification, weapons (including chemical, biological, or radiological weapons), explosives, or training...for the commission of a terrorist activity...[or] to any individual who the actor knows, or reasonably should know, *has committed* or plans to commit a terrorist activity" (emphasis added) (H.R. 418, 2005).

This legislation, known colloquially as the Material Support Bar, meant that nearly any Hmong person living in Laos who wanted to come to the U.S. (almost exclusively those who fought against the Laotian communists) fell under the classification of a terrorist. Considering the historical context that the secret Hmong army traveled in family units, settling together in places like Long Cheng and, eventually, in camps like Ban Vinai, it is clear how most Hmong people, regardless of their true role in the Secret War and post-Secret War resistance, could be considered guilty of assisting their family, clan members, or even fellow co-ethnics in a way that violates the material support bar.

Furthermore, the extension of the bar to those who had committed terrorist acts was particularly troubling, extending the bar to cover those acts undertaken in the immediate aftermath of a war that the United States and the Hmong did not perceive as having the same end date (Quincy, 2000). Most damaging of all, however, the standard for what constitutes a terrorist activity is based on if the activity was “unlawful under the laws of the place where it is committed (or which, if it had been committed in the United States, would be unlawful under the laws of the United States or any State)” (U.S. Code 8 §§ 1182, 2019). In sum, then,

The definition of “terrorist organization” is based on whether illegal violence was used, not on the character of the organization, the nature of the conflict, or the type of government in question. Therefore, it can apply equally to organizations that the U.S. government opposes or supports (Pasquarella, 2006).

This is a particularly vital distinction considering that the vast majority of Hmong ‘terrorist’ activities happened under the active patronage of the CIA or with the sponsorship of conservative American groups. It is through this legislation that the Hmong moved from their classification as loyal freedom fighters to being legally classified as terrorists, so dangerous as to be forbidden from entering the United States in any form. Such a reversal, although blatantly hypocritical and ahistorical, was a part of the sweeping tide of legal change that accompanied the post-9/11 landscape; although the heightened emotional tenor of the first decade of the War on Terror has since lessened, the impact on the Hmong has yet to fade.

Indeed, the blatant hypocrisy of this act went beyond even the incredible obfuscating powers of the U.S. bureaucracy, as an exception was added for the Hmong and other historic U.S. allies in 2008, a mere 3 years after the Real ID legislation was first enacted (H.R. 2764, 2008). The quick reversal begs the question: what logic was used to pass the resolution in the



first place? The answer to this question can be seen through the grounds by which the Hmong were exempted from the legislation. The heading of House Resolution 2746 (2008), which grants the Hmong immunity from the Material Support Bar, reads “Automatic Relief for the Hmong and Other Groups That Do Not Pose a Threat to the United States.” The choice of words is telling; the Hmong are exonerated not from being a terrorist organization, but rather from being a terrorist organization that threatens the United States. This has two effects, both of which should sound familiar at this point. First, the Real ID act and its subsequent reversal is based on the assumption that the Hmong are a martial race, capable of violence at even the slightest provocation. For the material support bar to be enacted and enforced against the Hmong in the way that it was, U.S. policymakers had to believe that, in some way, the Hmong were a threat to the peace and security of the nation. Furthermore, the emphasis on past acts of terrorism, as well as the practical application of banning even those women and children who played little to no role in the actual conflicts of Southeast Asia, reveals an official belief in a capacity for conflict and violence seemingly ingrained in a people. Other explanations, including pure ignorance or oversight on the part of the government, are certainly possible; however, when we consider the second impact of the legislation, which conveniently erases the history of U.S. involvement in the Secret War and its aftermath in favor of a narrative of violence and terrorism committed for self-serving interests counterproductive to an aim of world security, the utility of martial race theory to the policy interests of the United States is significantly more obvious. Thus, in the end, we see shades of colonial policy in the rhetoric and policy of the Real ID act; the colonial overlord says that the martial qualities of a race necessitate alliance or close control by the state in order to ensure the peace of the empire, while the imperial U.S. state says that martial races like the Hmong must be contained in order to ensure the peace of the globe. Terrorism as a label

may extend to cover groups truly concerning for the security of the nation and the world, but in the case of the Hmong, terrorism was simply a modern name given to an antiquated colonial logic of martial race theory.

Although the Real ID act's impact on the Hmong has since been reversed, the presence of martial race theory as an organizing logic for U.S. policy has substantial impacts on the future of Hmong in the United States. The most of important of these is the way in which the Hmong justify their presence in the United States; previously, we established that many Hmong Americans point to their history of military action with the United States as a way to fight back against the perpetual foreigner stereotype so common to the U.S. racial climate. However, if that history suddenly has the opposite effect, labeling the Hmong as ferocious terrorists rather than loyal freedom fighters, what becomes the Hmong response to racialized overtures questioning their legitimacy as Americans? Particularly in our current political climate, when the deportation of Southeast Asians is rising to unprecedented heights, this question becomes important in the macro sense as well as the day-to-day experiences of Hmong Americans. However, some alternatives do present themselves. For one, participation in a greater political and social coalition as Asian Americans, rather than as Hmong Americans, activities of which have already occurred in places like the Twin Cities, represents one path to try and push past the anti-Asian otherizing and racism still present in the United States (Asian American Organizing Project, n.d.). Other options could include educational campaigns, again already present across the United States, designed to advance the American public's understanding of Hmong history and culture beyond the loyal/terrorist binary of the Secret War. In any case, it appears that the Hmong, tied directly to the Secret War by the colonial logic of the martial race theory, must

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prepare for an America that no longer values their historical contributions to the Cold War as a positive; indeed, I believe that America has already arrived.

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