Race and the Martial Imaginary in U.S. Literature and Culture, World War II to the Post-9/11 Period

Mai-Linh Khanh Hong
Staunton, Virginia

J.D., University of Virginia School of Law, 2008
M.A., Columbia University, 2008
B.A., Yale University, 2000

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Committee:

Jennifer Wicke, Co-Director
Marlon Ross, Co-Director
Anna Brickhouse, Reader
Risa Goluboff, External Reader

Abstract

My dissertation, *Race and the Martial Imaginary in U.S. Literature and Culture since World War II*, explores the expansive, historically rooted conceptions of war, militarism, and political violence that circulate in ethnic minority literature and performance, and in doing so challenges certain ideas and values that have subtended postwar U.S. foreign policy. I demonstrate that for communities of color, war and its externalities have long been a constant feature of civilian experience, as U.S. military power expressed itself not only abroad, but also at home, in occupation-like policing of black neighborhoods, environmental devastation of Native lands by nuclear weapons development, surveillance and detention of U.S. citizens deemed "enemy aliens," and other conditions of postwar minority life. In order to address the ubiquity of martial violence in American ethnic minority literatures, my project sets aside the conventional rubric of "war literature," which tends to reify an exception-based understanding of war while privileging white, masculine perspectives. I introduce instead a conceptual frame I call the martial imaginary: the evolving field of images, affects, narratives, and myths that structure representations of organized violence. This frame not only highlights popular war stories that pervade U.S. political and media discourses—raced, gendered stories of self-defense, homeland security, and Third-World liberation—but also makes visible less familiar, discredited, and seemingly non-war-related narratives that expose the vital roles of state violence in contemporary democratic life. The dissertation looks to Kaiko haiku poetry produced by Japanese Americans in WWII-era internment camps, the Black Panther Party's performative gun-rights demonstrations in the 1960s, Thanhha Lai's recent

children's novel *Inside Out & Back Again* (about a Vietnamese child's refugee passage), and diverse other texts in order to reveal how imagination and narrative have sustained both militarism (the belief that violence is crucial to achieving political aims) and its detractors in a rapidly militarizing postwar America. What emerges is an account of contemporary American culture in which the ongoing militarization of state power—which troubles ideologically constructed boundaries between wartime and peacetime, civilians and combatants, domestic and foreign policy—both arises from and reinforces deeply rooted hierarchies of race, gender, class, and religion, even amid globalization and increasing diversity.

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For my parents

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Introduction

> "The question is not what common imagination *exists*, but what common imagination is *forged*."
>
> —Don Mitchell (269)

Imagining War, Imagining the Nation

On March 20, 2003, President George W. Bush addressed the American people to explain why he had just launched missile strikes on Iraq: Saddam Hussein possessed weapons of mass destruction, which terrorists could one day acquire, threatening American lives and interests. In keeping with the United States' new foreign policy of "preemptive self-defense,"[1] the President declared, "We will meet that threat now with our army, air force, navy, coast guard and marines so that we do not have to meet it later with armies of firefighters and police and doctors on the streets of our cities." With his careful parsing of military combatants and civilian first responders, Bush invoked a certain nostalgia that has appeared frequently in American public discourse since the terrorist attacks of September 11, 2001. It was a nostalgia not so much for a peaceful

[1] While different definitions exist for the "Bush Doctrine" of preemptive self-defense, I refer to the basic ideas laid out in the White House document *The National Security Strategy of the United States of America*, released in September 2002 likely with an eye toward justifying the intended invasion of Iraq. The document outlines emerging threats posed by terrorism, and states that, "as a matter of common sense and self-defense, America will act against such emerging threats before they are fully formed. We cannot defend America and our friends by hoping for the best. So we must be prepared to defeat our enemies' plans, using the best intelligence and proceeding with deliberation. History will judge harshly those who saw this coming danger but failed to act. In the new world we have entered, the only path to peace and security is the path of action" (4).

yesterday as for *an older kind of war*—conventional, territorial war imagined to take place only on distant and clearly defined battlefields; carried out by nations through their militaries; with stalwart allies and easily identifiable enemies; with a clear beginning and end.

Like many other moments of national mythmaking since 9/11, Bush's speech on the start of the Iraq War distinguished between war as it (supposedly) used to be and war as the terrorists would now have it. Ironically, this was a distinction that Bush hoped would justify a radical expansion of presidential powers and enable controversial U.S. government actions in the name of national security. The Bush administration was at that time laying the political and legal groundwork for new tactics that would become hallmarks of the so-called Global War on Terror, including warrantless wiretapping, extraordinary rendition, prisoner abuse, torture, drone strikes on civilians, and other violations of civil liberties and human rights. But whatever epic tit-for-tat might lie ahead between "us" and "the terrorists," Bush's knack for certain rhetorical devices—parallelism and chiasmus—promised only the beautiful symmetry of justice. "Whether we bring our enemies to justice, or bring justice to our enemies, justice will be done," he declared to Congress just weeks after 9/11.[2] Mary Dudziak suggests that since 9/11, "war" has become a rhetorical "conundrum . . . framed in a boundless way, extending anywhere in the world that the specter of terrorism resides, even as some of the country's

[2] Bush is admittedly a bit of a straw man in this introduction, and it is important to note that his presidency was characterized by strong, vocal dissent from many Americans as well as support for and ambivalence towards his security agenda. Still, I find his speeches useful for cultural analysis because they are texts aimed at a large, diverse constituency, and therefore tend to use the language of dominant ideas, beliefs, and values while conveying policy arguments.

political leaders—on the left and right—denounce its seeming endlessness" (intro.[3]). The new war was spatially and temporally unbounded, argued the Bush administration, necessitating a potentially endless state of exception in which normal rules no longer applied—not because "we" want to fight wars that way, but because "our enemies" made war so.

Despite the supposed *newness* of the widespread, sporadic violence inflicted by terrorist "cells"—shadowy groups that flew no flags, but hid in caves and suburbs the world over—the U.S. was well prepared to fight what Derek Gregory calls the "everywhere war." Since World War II, the United States' ascendancy on the world stage has been characterized simultaneously by a professed reverence for the rule of law and the growth of military power on an unprecedented scale. Such power has been anchored by the construction of military bases in dozens of countries—the U.S. has at least 662 bases in thirty-eight countries, according to the Pentagon in 2010, though outside counts range much higher—and the stationing of active-duty military personnel in 148 countries (Jacobson). The United States' constant, ubiquitous, global military presence allows it to quickly stage small and large military operations in virtually any place on earth, while high (and notoriously difficult to discern) military spending has amplified the nation's "capacity for coercion"[4] on an ongoing basis (Vine, "True Costs"; Walker). Today, in the Persian Gulf region alone, the U.S. has bases in every country but Iran, and has engaged

[3] Kindle editions are cited by chapter since more specific locations are not stably marked.
[4] Dinah Walker of the Council on Foreign Relations writes that although military budgets are "only one gauge of military power," they nevertheless do "reveal something about a country's capacity for coercion."

in aggressive military action in at least fourteen countries in the Greater Middle East since 1980 (Bacevitch; Vine, "Bases").[5]

At the same time, America's leaders and citizens have also, generally speaking, believed its leadership to be ideologically better than that of the earlier European imperial powers. As Edward Said observes, America rejects the crude domination of colonialism, "preferring instead the notion of 'world responsibility' as a rationale for what it does" (*CI* 285). Said writes that late-twentieth-century American exceptionalism is a mode of being in the world that constantly masks the "twinning of power and legitimacy, one obtaining in the world of direct domination, the other in the cultural sphere," which is, despite many Americans' presumptions to the contrary, "a characteristic of classical imperial hegemony" (*id*. 291). American exceptionalism insists on America's exemplarity, a status that suggests both difference and representativeness. The thinking goes: the nation's history, values, laws, and national character distinguish it from other nations and raise it above them in moral standing. Either despite or because of that difference, America's interests are the interests of all civilized beings. And when America is attacked, its victimhood is equally universal. Nevertheless, one result of America's "responsibility"-based leadership has been near-constant military intervention from World War II onwards in virtually all corners of what was once called the "Third World," later the "Global South."

[5] By Andrew Bacevitch's count in September 2014, this includes "Iran (1980, 1987–1988), Libya (1981, 1986, 1989, 2011), Lebanon (1983), Kuwait (1991), Iraq (1991–2011, 2014–), Somalia (1992–1993, 2007–), Bosnia (1995), Saudi Arabia (1991, 1996), Afghanistan (1998, 2001–), Sudan (1998), Kosovo (1999), Yemen (2000, 2002–), Pakistan (2004–) and now Syria."

U.S. military power has expressed itself within U.S. borders as well, often in ways related to U.S military actions abroad, though connections between the two spheres (foreign and domestic) have been more obvious to some segments of the national community than others. Bush's speech on the start of the Iraq War, and many of his subsequent speeches, drew a bright line between the dangerous, foreign space of conventional military action and the previously secure domestic space now threatened by "terrorists." In truth, these spaces have always been overlapping and mutually constituting rather than separate. Beginning with World War II, the militarization of racialized domestic spaces has been a key strategy in securing what is now called "the Homeland" from perceived external threats. We have seen this, for example, in the creation of Japanese-American internment camps, nuclear bomb production and testing on and near Indian lands, and the construction of a heavily guarded, high-technology "fence" along the United States' southern border. Moreover, what used to be a clear distinction between military and police has blurred with the rise of "Special Weapons and Tactics" (SWAT) policing since the 1960s. This is a trend that has most heavily affected black and Latino communities, whose members are disproportionately the targets of aggressive policing and, more specifically, of the decades-long "War on Drugs" with its unmistakable racial and martial dimensions.[6] Indeed, militarized policing recently reached a boiling point on the same "streets of our cities" that Bush would describe as a police-protected civilian domain: in Ferguson, Missouri and elsewhere, the struggle to

[6] According to the ACLU, a large proportion of military-style policing resources are expended on drug-related searches and arrests. Currently, sixty-two percent of SWAT deployments are for the purpose of drug searches, though a majority of SWAT records reviewed by the ACLU "contained no information to explain why the officers believed a particular scenario was 'high-risk'" (ACLU 31).

end endemic, racist police brutality has pitted mostly unarmed, disproportionately black, civilian protestors against a majority-white police force equipped with tanks, machine guns, and tactical gear, much of it acquired through the Pentagon's 1033 surplus program.[7] Excess military technology produced for overseas use after 9/11 has come home to roost, and the people most vulnerable to its deadly impacts have been, predictably, communities of color, the poor, and their allies.

My dissertation examines historically rooted paradigms of war, militarism, and political violence that circulate in minority cultural productions and draw attention to the intertwined roles of race and martial violence (or the threat thereof) in the construction of contemporary American identity and culture. Militarism, or the belief that violence is crucial to achieving political aims, touches nearly every area of American social and cultural life, whether or not it is acknowledged, and is strongly tied to ideas about citizenship, the nation, and American identity. Minority literatures and other forms of expression have generally been more attuned to, and critical of, the militaristic aspects of American national identity, probably because they arise from more experiences of internally directed state violence. The penumbra of governmental protection has not traditionally covered American people of color to the same extent as white Americans. Militarized policing and its disproportionate use against minorities are, in a way, logical progressions in the social history of the United States. Domestic security practices, whether in policing or other areas of governance, have developed in lockstep with threats

[7] The 1033 program allows the Department of Defense to transfer excess military equipment to local and state government agencies with minimal cost or justification. Agencies receiving the equipment are required to use it within one year, creating an incentive for the agencies to deploy the equipment whether or not they need it (ACLU 16).

that white people perceived or imagined to emanate from nonwhite people. These threats have included those posed by "savage" Indian tribes to colonists, by vengeful revolting slaves to their owners, by "disloyal" Japanese-American spies and saboteurs to loyal Americans, by urban, black and Latino "criminals" to property-owning whites, and by brown-skinned "illegals" to rightful U.S. citizens. Racialized imaginings of threat, the expansive martial apparatus that supports them, and their violent consequences for minority communities are realities that those living on America's social margins have always known and made visible in their literature, art, and performance. These are realities I hope to spotlight in this dissertation: that martial power and violence surround all Americans in their daily lives; are implicated in and encouraged by popular culture; are understood differently among different social groups within U.S. borders; and arise from and reinforce deeply rooted and richly imagined social hierarchies of race, gender, citizenship, and religion.

I approach this topic by examining a wide range of literary, cultural, and legal texts. All are expressions of what I heuristically call an American *martial imaginary*: the evolving, often conflicted field of images, narratives, myths, affects, and values that structure how "we"—or any collective—understand and imagine military and military-like violence. Militarism does not always take the form of flag-flying hawkishness, but is often implicit in the myths and images embedded in popular narratives and discourses that are ostensibly about something else. The martial imaginary is an analytical tool, a sort of filter placed over a more general social imaginary (which I will discuss below). This filter allows us to see more clearly the functions of military power and violence in areas of domestic U.S. culture that we might otherwise understand as separate from the

sphere of national security or military affairs. That is, rather than looking at "war literature" to better understand war, this project sets aside that more conventional scholarly rubric and looks instead at how representations of the military are dispersed throughout literature and culture—as when variations of the figure of the soldier (or his uniforms and gestures), battlefield imagery, or "militant" political rhetoric crop up unexpectedly and seemingly out of proper context. In practice, what we call war literature in English and American literary studies usually centers on the perspective of a white, male soldier or veteran and (not unrelatedly) obscures some of the ways that war seeps out of its conventional frame into civilian culture and life. Ethnic-minority cultural productions, on the other hand, have long suggested that war is borderless, rhizomatic, and indefinite, with murky distinctions between civilians and combatants. They remind us as well that the externalized costs of foreign war are borne disproportionately by marginalized communities within the nation, who are also more likely to inhabit physical spaces within U.S. borders that are governed or disciplined through state uses of martial law or power.

Cultural productions—a broad term that encompasses literature, visual media, performance, journalism, and social media—provide figurative spaces where social groups in a democratic society work out what they think of each other, and what brings them together or draws them apart. They are the spaces where the beliefs and imaginings that underlie various forms of American militarism coalesce, become expressible through language, and are questioned and contested. I locate my analysis in these spaces, which help comprise the realm of the *social imaginary*, the general concept from which the martial imaginary derives. The concept of a social imaginary has a longer history in the

social sciences and critical theory than I am able to detail here, but there are a number of senses in which we might understand the term. In its simplest sense a social imaginary operates as a repository of those ideas, images, signs, narratives, and so forth that enable literary and artistic representation—a shared imaginative lexicon, or a set of imaginative building blocks, from which literature, art, and other expressive work may be constructed, and which they in turn help shape. The social imaginary is, however, a richer and more elusive idea than this: I have found especially helpful Charles Taylor's definition in *Modern Social Imaginaries* (2004), in which "[t]he social imaginary is not a set of ideas; rather, it is what enables, through making sense of, the practices of a society" (intro.). For Taylor, the social imaginary encompasses how ordinary people live their lives: "the ways people imagine their social existence, how they fit together with others, how things go on between them and their fellows, the expectations that are normally met, and the deeper normative notions and images that underlie these expectations" (ch. 2). These imaginings are "often not expressed in theoretical terms, but . . . carried in images, stories, and legends" (*id*.). To access the images, stories, and legends of our time, I look to both "literature"—that is, expressive written texts like poetry and fiction—and other, less traditional "texts" such as legal cases, speeches, news stories, photographs, and protests.

My interest in shared imaginaries owes an even greater debt to Benedict Anderson's *Imagined Communities: Reflections on the Origin and Spread of Nationalism* and the numerous, diverse threads of scholarship his work has prompted since its first publication in 1983. Anderson defines the nation as "an imagined political community . . . imagined as both inherently limited and sovereign," and traces the modern, Western

nation-state form (and nationalism and national identity) to the rise of European print capitalism in the eighteenth century (6). Anderson's elegant, literary-studies-friendly formulation of the nation has been rigorously challenged and augmented from postcolonial and other critical perspectives,[8] though the basic concepts it propounds are so foundational that I believe it will be helpful to return to it here. The nation is *imagined*, Anderson writes, because its members will never know most of their compatriots, "yet in the minds of each lives the image of their communion" (*id.*); and the nation is *limited* because, no matter its size, it "has finite, if elastic, boundaries, beyond which lie other nations" (*id.* 7).[9] Anderson also observes that national identity is a kind of "fraternity that makes it possible, over the past two centuries, for so many millions of people, not so much to kill, as willingly to die for such limited imaginings" (*id.* 26). In other words, the sovereignty that Anderson says characterizes the modern imagined community is actualized, in the end, by organized, rationalized violence.

How this actualization happens is, broadly speaking, my focus here. I am interested in some of the mechanics of the imagined community—that is, the means and

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[8] See, for example, Partha Chatterjee's *The Nation and Its Fragments* (1993), which critiques the Eurocentric perspective assumed by Anderson in his book. Chatterjee famously writes, "History, it would seem, has decreed that we in the postcolonial world shall only be perpetual consumers of modernity. Europe and America, the only true subjects of history, have thought out on our behalf not only the script of colonial enlightenment and exploitation, but also that of our anticolonial resistance and postcolonial misery. Even our imaginations must remain forever colonized" (5). Anderson admits the limitations of his work in his 1991 revised edition, which adds material on Southeast Asia and acknowledges new critical scholarship on nationalism, but he (I think wisely) decides it is best to "leave [the book] largely as an 'unrestored' period piece, with its own characteristic style, silhouette, and mood," given that the world would continue to change around him (xii).

[9] Such boundaries are understood to be shaped by human history: the sovereignty of the nation differs from that of the pre-modern "divinely-ordained, hierarchical dynastic realm"; the modern nation possesses a wholeness and authority arising from its people's "dream of being free and, if under God, directly so" (*id.*).

structures of power through which Americans collectively imagine both their nation and the horizon of violence that keeps their nation whole. Like Don Mitchell, the question for me is "not what common imagination *exists*, but what common imagination is *forged*" (269; original emphasis). Mitchell urges scholars to focus on "the practices and exercises of power" that continually produce bonds of national identity, in order that we may ask crucial questions about "who defines the nation, how it is defined, how that definition is reproduced and contested, and, crucially, how the nation has developed and changed over time" (Mitchell 269). The state's practices and exercises of power have included forms of structured (as well as structural) violence—highly organized martial violence, requiring breathtakingly vast and complex logistics and resources, all enabled, prescribed, and rationalized by the law and its institutions and processes.

Such violence is one mechanism through which common imaginations are forged—produced, shaped, limited, and reinforced. Law, or what Robert Cover calls the "violence of the word," provides martial power with structure and a sort of alibi. Richard Barnet's *Roots of War* (1972), quoted extensively by Said in *Culture and Imperialism*, likens the United States' global stance to that of Cicero, who rationalized the Roman empire as "the domain over which Rome enjoyed the legal right to enforce the law," and concludes (with irony) that "America's self-appointed writ runs throughout the world. . . . The United States, uniquely blessed with surpassing riches and an exceptional history, stands above the international system, not within it. Supreme among nations, she stands ready to be the bearer of the Law" (quoted in Said 286). America's self-appointed global supremacy in the legal and cultural spheres is multivalent and fast-moving; it relies on media and cultural influence, economic domination, diplomatic and juridical coercion,

secret intelligence operations, and, if all else fails (or is too slow), air strikes and boots on the ground. It relies also on the complaisance of a domestic populace—a voting populace—whose imaginations have been conditioned to condone, or at least accept as necessary or inevitable, U.S. global military dominance.

Above all, common imaginations are forged in the realm of culture, where literary and artistic expressions carry one person's understanding of the world to another, and this is a realm intertwined with state power in ways that are not always obvious. In line with much research at the intersections of American studies and postcolonial or global studies, mine explores texts from America's cultural margins in order to answer several broad questions relating to the nation: how the nation's physical, social, and political boundaries ("beyond which lie other nations," as Anderson writes) operate in citizens' imaginations; what cultural processes sustain them; what conditions of life they produce and for whom; and what ethical questions they raise in a globalized world characterized by constant, multivalent, transnational flows.

This is a project firmly rooted in a particular historical moment—the "post-9/11 period" referenced in my title—though it looks back to World War II and the Vietnam War for a discursive and literary excavation of the present. I use the term "post-9/11" reservedly: I do not wish to make a dramatic claim that "everything changed" after September 11, 2001, that a "new era" began with that date; indeed, much of my project is geared towards pointing out cultural continuities and linking seemingly disparate cultural moments from World War II to the present. Nevertheless, to call an era "post"-something is, as Wendy Brown explains, to invoke "a very particular condition of afterness in which what is past is not left behind, but, on the contrary, relentlessly conditions, even

dominates a present that nevertheless also breaks in some way with this past . . . . a present whose past continues to capture and structure it" (*WSWS* 21). A number of additional "posts" come into play in this dissertation—post-World War II, post-Westphalian (the subject of Brown's analysis and what might also be called post-national), post-racial—though I have not had the means to address them all fully. Yet the series of temporal progressions suggested by these terms is perhaps fitting for a project that makes a tentative foray into cultural history. While I do not offer a full account of the period in question, the project is historical in the sense that it grapples with American social dynamics that have echoed through the decades, taking slightly different forms as world events unfold.

One of the striking characteristics of the years following 9/11 was the resurgence of overt, mainstream American militarism, coupled with widespread obsessions with security—though, as I argue, such obsessions are only evolutions of older cultural tendencies. I define militarism broadly as a body of ideas bolstering the belief that the threat or use of military force is crucial to protecting American national (or other group) interests; with respect to the post-9/11 period, including both the Bush and Obama presidencies, it has taken the form of strong, though certainly not unquestioned or unwaning, public support for unnecessary wars and troubling legal transformations in the name of national security. American militarism has usually been discussed in the context of U.S. foreign policy studies and military history, though it has since the 1960s been an interest of cultural historians as well (Greenberg 222–223). It has not often appeared in scholarship on literature, art, and popular culture, though this has changed considerably since 9/11, as scholars of American studies, postcolonial studies, and other fields have

turned their critical faculties toward comprehending the various U.S. and NATO military actions that have inexorably unfolded. Notable recent contributions to this endeavor include Donald Pease's *The New American Exceptionalism* (2009), Brian Massumi's memorable essay "The Future Birth of the Affective Fact: The Political Ontology of Threat" (2010), W.J.T. Mitchell's *Cloning Terror: The War of Images, 9/11 to the Present* (2011), and Jimmy L. Bryan Jr.'s edited volume *The Martial Imagination: Cultural Aspects of American Warfare* (2013), which includes Amy S. Greenberg's essay "Marshaling the Imaginary, Imagining the Martial: Or, What Is at Stake in the Cultural Analysis of War?" In addition, considerable new work coming out of Asian-American and transpacific studies illuminates contemporary U.S. cultural militarism from a more specific standpoint, the twentieth-century U.S. wars in Asia; Mimi Thi Nguyen's *The Gift of Freedom: War, Debt, and Refugee Passages* (2012) and Yen Le Espiritu's *Body Counts: The Vietnam War and Militarized Refugees* (2014) are formidable examples.

All of these works and others show that militarisms arise from the various desires and anxieties that shape and are shaped by how we imagine the nation, its borders, its vulnerabilities, and its role in the world. They are belief systems embedded in literature and other forms of creative expression as well as in popular and political discourses, and they are actualized in specific laws and policies. The martial imaginary is, in one sense, where the normative images and narratives that underlie militarism gather, coalesce, and are contested. These include narratives of revolution, victimhood and self-defense, vengeance, manifest destiny, and others, as well as resistive narratives that reflect the historical knowledges contained in pacifist and minority social imaginaries.

Race and the Martial Imaginary in U.S. Literature and Culture, World War II to the Post-9/11 Period focuses on three moments, or clusters of moments, since the beginning of World War II in which U.S. literary, cultural, legal, and military histories converge in revealing and meaningful ways. I begin with World War II itself because it appears to be the paradigm of a "just" and "conventional" war—in the memories of many, a clear case of good defeating evil, a territorial war fought by the "Greatest Generation." The United States' triumph in World War II was the launch of its "responsibility"-based global military supremacy. Yet Japanese-American internment within U.S. borders and the dropping of atomic bombs on two Japanese cities can be difficult to reconcile with the responsibility narrative, and have therefore haunted the martial imaginary in the decades since, exposing its internal conflicts. I move on to the "militant" ethnic American movements of the 1960s, specifically the emergence of the Black Panther Party for Self-Defense, to more closely examine how organized violence is understood in starkly racial terms in American culture. Finally, I turn to the post-9/11 moment, in which memories of the Vietnam War—a war that the U.S. lost—have been refigured in sentimental, politically significant ways, helping to build and sometimes unsettle public tolerance for new wars.

Chapter One traces the impact of internment on a relatively obscure body of Japanese-American poetry—Japanese-language Kaiko haiku written in the camps by interned poets. In the early twentieth century, radical poets in Tokyo, Japan began a modernist movement known as Kaiko haiku, which rejected traditional haiku in favor of a vivid, imagistic style with no formal rules. Youth-oriented and rebellious, "freestyle" or "free-verse" haiku caught on among Japanese Americans, who formed Kaiko clubs along

the west coast—a kind of literary sociality that continued throughout World War II while the poets were interned by the U.S. government in concentration camps. This chapter examines the poetry and translation work of Violet Kazue de Cristoforo, an internment survivor and activist, in order to trace how American Kaiko haiku developed new emotional and political valences under conditions of war and racial oppression. Once a rigid poetic form associated mostly with "flowers and birds," haiku transformed in the camps into a malleable, highly social literary practice that enabled Japanese-American poets to document and cope with their painful imprisonment, betrayal, and loss. De Cristoforo's poetry and translations fortified her decades-long (and ultimately successful) pursuit of legal reparations for Japanese-American internees, while also enacting another form of justice: they recover a little-known body of Japanese-language American literature whose very existence expands the horizons of American literature.

Chapter Two argues that Second Amendment law and its underlying racial mythologies fundamentally intertwine with American understandings of political and state violence. This chapter links, via the concept of self-defense, the Amendment's enigmatic legal and cultural histories to its volatile racial politics, recuperating in the process certain discredited or ignored narratives of arms bearing that appear in minority cultural production. The Black Panther Party for Self-Defense emerged in 1966 as a response to racist, increasingly militarized policing of black neighborhoods. I analyze the Panthers' performative political protests: armed "police patrols" aimed at reducing police brutality, and an iconic open-carry demonstration at the California State Capitol. Broadcast images of organized, legally armed African Americans provoked public fear and outrage, leading to a drastic new gun control measure nicknamed the "Panther Bill."

The swift legislative response bared the extent to which the Constitution's ideal arms bearer is popularly imagined as a white, male property owner defending colonized space, not a politically active African American with life and liberty to protect. By reconfiguring popular Second Amendment myths (of self-defense, tyranny, revolution), early Panther activism offers a possible anti-racist reframing of gun-rights discourses and the notion of "preemptive self-defense" that shapes contemporary U.S. foreign policy as well as domestic policing and criminal justice.

The final chapter examines how sentimental narratives about Vietnamese war refugees, which emphasize U.S. rescue of a racial Other and that Other's gratitude, rescript American military action as benevolence and the military as a care apparatus. What Yen Le Espiritu incisively dubs the "we-win-even-when-we-lose syndrome" frequently unfolds through literary engagements with the Vietnam War's visual iconography—famous images that have come to represent the Vietnam War and its aftermath in American public memory. The chapter focuses on two texts, a 2010 NPR special series about a U.S. naval ship that rescued thousands of refugees at the end of the war, and Thanhha Lai's 2011 children's book *Inside Out & Back Again*, a novel in prose poems that recounts a refugee child's resettlement in the United States. While NPR recapitulates the sentimental rescue-and-gratitude narrative into which refugees are often placed, largely by refiguring the war's iconography, Lai skirts the teleology of the grateful refugee by responding to hegemonic visual practices that have shaped refugee experiences. In particular, Lai's text demonstrates how the United States' distinctive legal process of refugee sponsorship—popularized by photojournalistic images of the "boat people" crisis—locates the process of resettlement in fraught relations of private

hospitality, while deflecting attention from historical and political circumstances that produce refugees. Because Vietnamese refugee narratives help Americans make sense of the United States' newest wars, the chapter closes by analyzing television news coverage of the recent Iraq War and its refugees.

A Note on Methods, or, What Is "Law and Literature"?

This dissertation has been, among many other things, a series of methodological experiments, as I have explored various ways to integrate (or reconcile) the two disciplines in which I am trained, literature and law. Along the way I have frequently thought of a 2005 article by Julie Stone Peters, "Law, Literature, and the Vanishing Real: On the Future of an Interdisciplinary Illusion," in which she recalls a not-entirely-successful, but very revealing, law-and-literature seminar she attended in the 1990s. Only partly tongue-in-cheek, Peters describes the literary scholars in attendance as former Vietnam War protestors who had "staged sit-ins [and] marched on Washington," while the legal scholars "had spent time in Paris listening to Derrida and smoking Gauloises by the Seine" (442). Each camp had high hopes for the other: the literary scholars wanted law to make their work more "real," that is, more relevant to the pursuit of justice; the legal scholars wanted literature (specifically, poststructuralism) to move the legal system "from an ethic of justice to an ethic of care" by deconstructing law and making space for subaltern narratives (*id*. 442-443). Each side's hopes were based on an overly reductive understanding of what the other did—so much so that the seminar devolved into a series of offended huffs, with the seminar organizer storming out of the room.

As Peters' article demonstrates, "law and literature" is a recognizable field of study with some academic currency and a few identifiable traditions of inquiry. But it is a very different field depending on where you stand disciplinarily, politically, and even, as Greta Olson points out in her 2010 article on "de-Americanizing" the field, geographically. What I like about Peters' anecdote is that instead of answering the question "What *is* law and literature?"—which a roomful of experienced thinkers apparently could not do—it leads one to ask, "What do you *want* from law and literature?" Perhaps for each scholar, defining law and literature is not a matter of laying out or picking between methodological models—law *in* literature, law *as* literature?—but instead a process of articulating what goals one wants to accomplish and what tools one has with which to do it. So that is what I will try to briefly articulate here, first with regard to my general standpoint and approach and then with regard to the project at hand.

I studied literature in college and my first round of graduate school because I wanted to better understand how people know and imagine the worlds in which they move. To the extent that knowledge and imagination influence how people behave towards each other—I believe they do greatly—this is an intellectual endeavor grounded in ethical concerns. Studying literature has given me tools for analyzing language, narrative, image, and myth, always in the shade of a critical awareness of ideology, epistemology, and the material conditions of knowledge production. Later, I went to law school for a quite different but not entirely unrelated reason: I was angry at the Bush administration (poor Bush, my straw man throughout this introduction!) and wanted to fight its increasingly paranoid and militarized approaches to domestic and foreign policy after 9/11. Law gave me tools to parse (and, in painfully limited ways, to intervene in) a

few of the mechanisms by which state power functions; law also pressed me, as a scholar, to offer possible solutions wherever I identify a problem—a big difference in the two disciplines' scholarly habits. So many years and degree programs later, this is what it comes down to: I want for everyone to live in a world that is more inclusive, just, and peaceful, and I want to help produce the kinds of knowledge, and the acts of imagination, that might bring that about. The concerns of this project have centered on racism and state violence; I want to help eradicate both.

If this sounds overly broad and lofty, I accompany it with the advice a gardener once gave me: just pick a spot, and dig. That is, start where you are standing or close to it; use the tools you have. My research interests come partly from my personal background as a Vietnamese American of the "one-and-a-half" generation, those who came to the United States as young children. I grew up as part of a refugee community created and heavily shaped by a U.S.-involved and racially inflected war; and, because I was visibly a remnant of that war, I spent my childhood aware that my very presence troubled some of the non-Vietnamese people around me in ways that I (and often they) did not fully understand. As an adult, my academic path has been deeply influenced by the 9/11 attacks, during which I was living in New York City, and their local and global fallout, as well as by the subsequent intensification of militarized policing in the United States, all of which I could not help connecting to the historical and ideological forces that produced the Vietnam War. War's "tangled memories," to borrow Marita Sturken's phrase, are projected everywhere in American life. And, as Pease argues, they are often projected in ways that condition Americans for future martial violence while blending seamlessly into civilian, peacetime culture. The rise of the U.S.' global military

supremacy during and after World War II, and its repeated resurrection in the decades since the disastrous Vietnam War, are supported not just by dizzying budgetary allocations and technological advances, but also by vast cultural apparatuses that camouflage mass militarism as "freedom," "homeland security," and an "American way of life." What I want from law and literature is the means to help untangle the memories of past war to show how they operate as part of the fabric of future war, in hopes of slowing the militarization of seemingly everything. Obviously, this is work in progress.

As for tools and digging, Michel Foucault's *An Archaeology of Knowledge* (1969) offers the metaphor of excavation for a particular kind of intellectual inquiry—the kind that seeks the unspoken, always shifting logical and discursive rules that structure human expressions, tying them to social and power structures that are always a little bigger than our ability to understand. These rules begin to show as we sift through the figurative matter—the historical context and material conditions—in which cultural texts are embedded. My shovels and icepicks have been close and suspicious reading, a broad view of what constitutes a text, historical archives, legal research, and above all the work of scholars in many disciplines—some of whom I am fortunate to count as my professors, classmates, and colleagues.

Chapter 1: Freestyle Poetic Justice: Japanese-American Internment and the Kaiko Haiku Movement

> "Literature is the home of nonstandard space and time. Against the official borders of the nation and against the fixed intervals of the clock, what flourishes here is irregular duration and extension, some extending for thousands of years or thousands of miles, each occasioned by a different tie and varying with that tie, and each loosening up the chronology and geography of the nation."
>
> —Wai Chee Dimock (intro.)

Histories of American Haiku

In an introduction to the anthology *Haiku in English: The First Hundred Years* (2013), edited by Jim Kacian et al., former U.S. Poet Laureate Billy Collins recalls his earnest but ill-informed teenage foray into haiku writing. Attempting to emulate the Beat writers' "daring new sensibility," he embraced Eastern cultural imports like Zen Buddhism: "Fascinated by the Beats and full of what little I understood of Buddhism, I began to commit my own acts of haiku, managing to contribute some unwitting travesties to the ancient and honorable tradition" (xxv). Collins' early encounter with haiku is not

terribly different from what many American writers and readers experienced in the mid-twentieth century: a introduction to the "fascinating" art of haiku through the filter of English-language writers and commentators, most of them white and male. In the decades following World War II, as the U.S. military occupied a newly pacified Japan, haiku was enthusiastically read by Beat writers like Allen Ginsberg and Jack Kerouac, who romanticized "the East" or "the Orient" as an "ancient and honorable" diversion from consumption-driven, superficial American mass culture. But haiku also became an indelible part of American mass culture, where it served an important ideological function: it helped construct an aestheticized and easily appropriable cultural past for Japan—a perfect complement to the nation's demilitarized present and future.

On April 30, 1956, a *Life* magazine photographic essay by Eliot Elisofon paired photographs of Japanese springtime landscapes with translated classical haiku celebrating the season. The essay, titled "Japan's Lovely Look of Spring," states in its first paragraph, "The good life, Japanese believe, involves a proper adoration of the beautiful," and describes haiku as "unmetered poetry which, to Western ears, often lacks clarity but seldom lacks beauty and imagery" (82-83). The poems were selected from the work of Japanese poets of the fifteenth through eighteenth centuries, allowing *Life* readers to skirt the recent past and instead imagine a simpler Japan unchanged from earlier times, populated by lovers of beauty, nature, and poetry, free of either kamikaze pilots or atomic bomb fallout. It was springtime not only in Japan, but in the world, the essay's subtext suggested: a new era of global relations characterized by peaceful cultural exchange between new allies.

At that time, haiku was still relatively obscure in the United States, having been a niche interest of some Western writers for about a half-century, but it had already made its mark on English-language literature and was quickly gaining in popularity among a general audience. The miniature poetic form, an unrhymed tercet with a 5-7-5 syllabic pattern, was first embraced by American writers in the late nineteenth and early twentieth centuries, when Imagists and Modernists like Amy Lowell (1874–1925), Ezra Pound (1885–1972), and e.e. cummings (1894–1962) were drawn to haiku's brevity, clear, precise descriptions, and connections to certain traditions of Asian thought (like Zen Buddhism) that the poets found intriguing. Perhaps most famously, Pound's "In a Station of the Metro" shows haiku's influence in its stripped-down juxtaposition of images that gives rise to a revelation or insight:

> The apparition of these faces in the crowd;
>
> Petals on a wet, black bough.

The poem was inspired by an aesthetic moment that unexpectedly unfolded for Pound in a crowded, utilitarian Metro station. The speaker is suddenly struck by the sight of human faces, whose fleshly vulnerability calls to mind an image of fallen flower petals. The faces are not new to the speaker—they have been there all the while—but the poem captures a revelation in their eerie "apparition," a jarring return of the human to an otherwise industrial space. Pound himself compared his poem to a "*hokku*" (a precursor of modern haiku) when he later wrote that the original version was thirty lines long before he pared it down to two. In his 1914 essay "Vorticism," Pound describes reaching

an artistic "impasse" after initially drafting the poem about the Metro, until he heard about a hokku written by a Japanese naval officer.

> The footsteps of the cat upon the snow:
>
> plum-blossoms.

The unnamed poet, Pound was told by a friend, composed the poem immediately after a cat crossed his path during a walk, capturing with great economy the moment the cat's otherwise mundane footprints conjured the beauty of plum blossoms. Six months after Pound heard this poem, "In a Station of the Metro" reemerged, this time echoing the Japanese naval officer's syntactic structure and imagistic technique. Having developed a view that certain poetic images held a peculiar dynamism and power, which he called a "vortex," Pound gave the name "superposition" to the overlay or intertwining of seemingly disparate images in an aesthetically significant way. Pound's strand of Imagism would pave the way for other Modernists, while his continued transnational literary explorations would give rise to a cottage industry of scholarly criticism on Western Modernism and the Orient (R.J. Williams 513).

After World War II, haiku was introduced into mainstream American culture by a wave of anthologies of translated haiku verse and monographs on the form, including Reginald Horace Blyth's four-volume *Haiku* (1949), Kenneth Yasude's *The Japanese Haiku* (1957), Harold Henderson's *An Introduction to Haiku* (1958), and others. Widely read books about Buddhism, such as Alan Watts' *The Way of Zen* (1957) and D.T. Suzuki's *An Introduction to Zen Buddhism* (1964), also increased white, middle-class

American interest in Japanese literature and art, and spurred the Beat writers' ostensibly countercultural fascination with Asian thought and writing. As Karen Jackson Ford (one of only a few critics who have written on de Cristoforo) observes, the postwar cultural turn Eastward arose from many Americans' dissatisfaction with mainstream values, so that "writing haiku became a way to disavow the West by identifying with the East," in part by adopting haiku's perceived "impersonality" and "selflessness" (Jackson, "Marking" 335). So many American poets tried their hand at haiku that in 1974, Cor Van den Heuvel was able to compile hundreds of haiku written in English by eighty-nine American and Canadian poets for his volume *The Haiku Anthology*. The stable of postwar American writers who have written haiku is distinguished and diverse, including, besides the Beats, Richard Wright (1908–1960), John Ashbery (b. 1927), Sonia Sanchez (b. 1934), Gerald Vizenor (b. 1934), Robert Hass (b. 1941), William Oandasan (1947–1992), Paul Muldoon (b. 1951), and many others. By the late twentieth century, haiku had become so familiar to the U.S. public that it frequently provided American children with their first introduction to poetry; they were taught in school to read and compose the short verses from a young age.

So goes one story of American haiku, the one most frequently told. The imagistic Japanese form was discovered by turn-of-the-century Anglo-American poets who were laying the groundwork for Modernism; then, after World War II, it was brought to mainstream attention by the Beats and a stream of English-language anthologies of classical haiku; and eventually, the charming, bite-size form found a permanent place in American culture. This story of East–West literary discovery and domestication, like most literary history, is more or less accurate, but incomplete. This history deems mostly

irrelevant the work of Japanese immigrant writers, who brought the form to the United States as a live set of evolving literary practices, rather than as a completed canon ripe for discovery by a new audience. It also downplays or ignores an important context of haiku's arrival in America: the anti-Japanese racism and the forms of social and legal exclusion that began in the late nineteenth century and culminated in the forced internment of at least 110,000 Japanese Americans during World War II. Moreover, with regard to the postwar adoption of haiku into mainstream U.S. culture, little has been said about the U.S. military's concurrent reshaping of Japan as a demilitarized modern nation. The new Japan would provide the United States with a strategic and economic anchor in the newly reconfigured "Pacific Rim" region—a geopolitical construct that was then coming into coherence largely as a result of U.S. military expansion and neocolonial influence (see C. Hong, *Legal Fictions*). Racial exclusion and inequality, state violence, and burgeoning empire form an important backdrop to the story of American haiku, one that has yet to be fully examined in relation to the poetic form.

Folding racism, exclusion, internment, and postwar military occupation into the story of American haiku, this chapter sets aside for a moment the "Western discovery" model of haiku history, and instead explores a less known path by which haiku entered American culture in the twentieth century: the rule-breaking, freestyle *Kaikō* (Kaiko) haiku movement that began with radical, young poets in Tokyo in 1915. The Kaiko movement gained traction among Japanese Americans by the 1920s, was transformed and then almost erased by the hardships of Japanese internment during World War II, and finally was partially recovered in the 1980s and 1990s, just as the decades-long campaign for post-internment reparations and apologies came to fruition. This *other* history of

American haiku centers on a body of work written in Japanese and translated into English. As such it challenges readers and scholars to expand the horizons of American literature, a body of work that, for all its celebrated heterogeneity, is still widely assumed to be written only in English.

The chapter focuses on an anthology of Kaiko haiku verse written in the internment camps by internees, *May Sky: There Is Always Tomorrow* (1997), compiled, edited, and translated by poet and activist Violet Kazue de Cristoforo (formerly Kazue Matsuda), an internment survivor and advocate of legal reparations for internment. Born a U.S. citizen in the territory of Hawaii in 1917, de Cristoforo spent four years imprisoned without due process (from March 1942 to March 1946) in three different internment facilities. Upon her release from the infamous Tule Lake Segregation Center, she spent another seven years exiled in Japan, having lost her citizenship through the "loyalty" screening process to which internees were subjected. She returned to the United States in 1953, after marrying an American she met in Japan while working as a translator for the U.S. occupying force. Decades later, she turned her translation skills to a very different purpose: the recovery of Kaiko poetry written in the camps, a decades-long project that paralleled her advocacy for official redress of internment. She testified before a Congressional committee in 1981 in support of legislative reparations, which were finally achieved with passage of the Civil Liberties Act of 1988—the same year that her first book, a slim, bilingual collection of her own internment camp verses, was published.[10] De Cristoforo's life story exemplifies many of the injustices and cruel ironies produced by World War II for Japanese Americans; but her literary work and

[10] *Ino Hana: Poetic Reflections of the Tule Lake Internment Camp 1944* was privately published in 1988. It will be discussed further later in the chapter.

political activism also represent a remarkable reclamation of the transnational orientation and bilingual identity that once branded her a "disloyal" American.

May Sky includes de Cristoforo's selection of 300 poems by forty-five interned poets, including herself; the haiku were drawn from thousands that she managed to gather during the 1980s and 1990s from surviving internees or their descendants. Each poem in *May Sky* appears in three versions—the original Japanese, a Romanized transliteration, and de Cristoforo's English translation. The anthology also includes captioned photographs, historical and biographical notes, and detailed information about the camps, written in English. *May Sky* records how, under conditions of migration, war, and racial oppression, haiku evolved formally and thematically, and developed new emotional and political valences. Understood by many to be a rigid poetic form associated mostly with "flowers and birds," haiku proved itself a malleable, highly social literary practice that enabled interned Japanese-American poets to document and cope with their painful imprisonment, betrayal, and loss. Even as de Cristoforo's poetry and translation work fortified her decades-long (and ultimately successful) pursuit of legal reparations for internees, they also enacted another form of justice: they recovered a little-known body of Japanese-language American literature whose very existence challenges the assumed boundaries of American literature.

While my analysis here is very much influenced by postcolonial theory and critique, and Edward Said's landmark *Orientalism* (1978) looms especially large, I wish to be clear about the relation of that body of scholarship to what I am doing. Said's field-defining theory of Orientalism posits that "the Orient"—what would now be called the Middle East or Arab world—is largely a discursive invention of European colonial

culture, rooted in an assumption of Western cultural superiority. In that context, Europeans' decorative and appropriative uses of Oriental art, literature, and intellectual thought are at their heart colonizing interactions—exercises of power that retain desirable elements of the region's cultures, while reducing the people to stereotypes convenient for the accomplishment of European economic and political aims. With regard to a later signification of the term "Orient," used by Americans to designate the Far East (principally China and Japan), I am not suggesting that the transpacific literary borrowings of American Modernists, Beats, and others are merely ideological mechanisms underwriting racism or the rise of U.S. military supremacy. Zhaoming Qian points out that Pound and other Modernists encountering China and Japan generally took a more egalitarian stance toward the Far East than their European counterparts toward the Arab world—that is, these American writers did not necessarily assume Western culture was superior, and in many cases found in the Orient glimpses of how their own culture could be improved: "China and Japan are seen not as foils to the West, but as crystallizing examples of the Modernists' realizing Self" (Qian 2). In a similar vein, Jahan Ramazani cautions against an overly critical approach to the "transnational poetics" of Western Modernism, which he argues was characterized by self-critique and the production of new imaginative possibilities for the Other as much as by condescension toward or appropriation from the Other.

My main interest here is not in critiquing the Modernists or Beats or any specific literary figure or movement for their Orientalist moves, but rather in identifying some of the ways that practices of state power, military power in particular, shape literary history and narrow the possibilities for productive cross-cultural engagements. Viewed

generously, Pound and the Modernists gravitated toward Eastern thought and writing as a way out of their own creative stalemates and, dissatisfied with the homogenization of American literature, sought to bring Eastern texts to an American reading public; they in turn provided models of expression and form that traveled in the opposite direction, influencing modernisms that were emerging in the East and elsewhere. But such generative exchanges were cut short by other, very different representations of the Orient that were active in the American social imaginary since well before World War II, representations that during the war coalesced into myths of threat and military necessity that spurred actual deployments of martial violence. These myths constructed ethnic Japanese people as essentially inscrutable, treacherous, and incapable of assimilation into American society, and they were propagated through a wide range of political speech, literary and artistic depictions, and popular narratives. With the onset of World War II, such myths were embraced by a cohort of powerful political and military leaders, who then viewed Japanese Americans as an "enemy within" who could be dealt with only via drastic measures such as forced removal and imprisonment.

In spotlighting a small, relatively obscure body of writing that was almost-single-handedly preserved by one woman, I am calling attention to the ways that state violence helps to produce lasting cultural, including literary, boundaries. Internment was, among other things, a massive and violent government campaign to isolate Japanese-speaking communities from the rest of the United States and from the transpacific human networks they maintained; these communities' forms of communication and creative expression were viewed with suspicion and suppressed, whether intentionally or collaterally. Thus, the myth of military necessity served a campaign of cultural culling, both inside and

outside the camps. It helped to privilege an Anglocentric American cultural, linguistic, and artistic heritage in which cross-cultural exchange could happen only on unequal footing, and to (almost) foreclose the possibility of a multilingual American literary canon. Nevertheless, literature was written in the camps, some of it in Japanese, and such literature could not be anything but American, having been produced in a crucible of American national identity formation. De Cristoforo's acts of literary recovery, translation, and preservation were political acts, carried out decades after World War II. By bringing to light Kaiko haiku from the internment camps, de Cristoforo challenged American literature's unilingualism and placed a nearly lost body of literature into play in an American social imaginary that had been conditioned to exclude it.

Ultimately, this chapter asks: What might American literary and cultural history look like had these strands of cultural production not been violently cut short? What could it look like if this foreclosure were acknowledged as part of the process of literary canonization? What might American practices of writing and reading look like had certain forms of minority literary sociality, such as Japanese-American haiku clubs, been permitted to flourish and spread on their own terms? These questions are, I believe, questions of justice that play out in the literary and cultural spheres—the spheres of social life where it is most clear that imagination operates on the world—and they demonstrate an important way that literary scholars contribute to the pursuit of social justice. I take inspiration from Kandice Chuh's elaboration of Asian-Americanist critique as a tradition of "imagining otherwise"—imagining what possibilities might open up when we dislodge assumptions about the culture we live in, in this case assumptions about which cultural strands are central and which marginal in our literary history. I also bear in mind Yunte

Huang's call for "an articulation of an American literature that transcends cultural and linguistic boundaries, a national literature rooted in transnationalism and committed to translingual practices" (5), and Wai Chee Dimock's actual, beautiful articulation a decade later of such a literature—an American canon that arose in fundamental ways "through other continents" and "across deep time." Certain acts of literary translation and historiography, like de Cristoforo's, have the capacity to reshape our understanding of where our literature comes from; they recover, too, alternative imaginative pathways for thinking about where our literature could have gone but did not, and perhaps more importantly, where it could go from here.

Japanese and American Haiku before World War II

The global poetic form today known as haiku originated in Japan around eight centuries ago, and is most widely known for its strict formal constraints and precise rendering of charming or idyllic scenes from nature—for being about "flowers and birds," as more than one critic has put it (Keene 116). The seventeen-syllable verse in 5-7-5 that adopts a seasonal theme, known as *Teikei*, has dominated haiku writing since the seventeenth century when the legendary poet Matsuo Bashō (1644–1694) popularized it. While the form is conventionally translated into English as a tercet, haiku in Japanese are usually composed as one line consisting of three phrases; the syllabic count is an Anglicization as well, as Japanese haiku poets count a phonetic unit known as *on* (or *onji* in character form) that often corresponds with the transliterated syllable.[11] (When

[11] With thanks to Ryu Yotsuya for helping to clarify this issue. The English translation of the form into a seventeen-syllable tercet in 5-7-5 is a source of controversy among haiku poets and translators. Some translators adhere to a one-line translation method; others

referring to either translated verses or English-language haiku, I will use "line," but in reference to Japanese-language verse will use "phrase"; for simplicity, I will use "syllable" in reference to all haiku, even though I recognize that *on/onji* are slightly different from syllables.) Prior to Bashō's time, haiku had its roots in a form of Japanese song dating back to the eighth century called *waka*, which traditionally contained five phrases with a set syllabic pattern of 5-7-5-7-7 (Barnhill 3). Over the centuries, variants of waka ranged from serious to light and witty, and covered themes as diverse as religious devotion, romantic love, and country life; waka was also practiced as a courtly pastime in which one poet would compose the first three phrases (known as *hokku*, or "starting verse") and then challenge another poet to compose the final two, completing the poem (Hakutani, *RWAH* 1; Ueda 5). The waka form survives most clearly today in *tanka*, a popular five-phrase (or five-line) verse in 5-7-5-7-7. The standalone haiku can be seen as early as the thirteenth century in the anthology *Hyakunin Isshu (One Hundred Poems by One Hundred Poets)*, compiled by Fujiwara no Sadaiye, and the 5-7-5 verse is also the constitutive repeating verse of a linked-verse form known as *renga* (Hakutani, *Haiku* 8). Today's haiku, however, owes much to Bashō, whose Zen practice imbued haiku with the contemplative tone and nature themes familiar to most contemporary readers of the form (Hakutani, *Haiku* 8; others). The term "haiku" now usually refers to the seventeen-syllable tercet, but is also a catchall term encompassing earlier hokku and

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will translate a three-phrase haiku into three English lines. Because word order is not as fixed in the Japanese language, translation into English syntax means word order is sometimes changed; as a result different translations of a single haiku can vary quite a lot in word/line (or word/phrase) placement.

haikai[12] (terms that have largely gone out of use) and more modern, freestyle variants such as Kaiko.

While haiku has featured many formal and thematic conventions over its long history, I would like to focus on a few distinctive temporal features that set haiku apart from other literary forms and that are especially relevant to internment camp literature. These include the incorporation of a *kigo* (usually translated as "season word") indicating time of year, the use of present tense, and the concept of the "haiku moment" (or the "flash," as some critics call it). By way of example, Bashō's most well known poem, which reflects all of these conventions, takes place in summer, the season of frogs:

The old pond—	*Furu ike ya*
a frog jumps in,	*kawazu tobikomu*
sound of water.[13]	*mizu no oto*

Bashō wrote the poem in 1681 just after returning home from a long, dangerous journey through the "deep north" of Japan. After months of being exposed to bandits and extreme weather, the poet saw his home, like an old pond, with new eyes. The frog, a familiar figure in Japanese verse, but usually included for the croaking sound it makes, here falls silent; instead, the speaker is struck by the sound of water (Barnhill 9).

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[12] *Haikai no renga*, a "comic" form of the linked-verse *renga*, evolved in the sixteenth and seventeenth centuries. One school of haikai known as Shōmon is where Bashō had his start; David Landis Barnhill, a translator of Bashō's work, states that "it is most accurate to speak of Bashō as a master of 'haikai' poetry" (4).

[13] Translation by Robert Hass.

As with Bashō's frog, haiku traditionally refer to a time of year either directly or by including a proxy, such as a seasonal animal, blooming plant, or holiday ritual. While the season word at first glance appears to make the poem more temporally specific, it actually has the opposite effect. Yoshinobu Hakutani explains that the season word confers upon each poem "vastness and universality, a sense of infinity and eternity even as the poem itself remains finite and temporary" (*RWAH* 10). The season word broadens the poem's meaning by placing the poet's observations within a perennial cycle of death and rebirth, such that the haiku could be set in any year and describe an experience any reader (past, present, or future) might have. In this way the season word also provides a bridge to philosophical or spiritual concepts that transcend historical experience. For Bashō, the frog poem transcends the specific, historical moment of surprise that it recounts, and instead conjures more broadly the Zen concept of spontaneity, represented by "the sensation of hearing the sound burst out of soundlessness" (*id*. 28). The verb *tobikomu* (to jump in) appears in its infinitive, which is typically translated as present tense.[14] The use of present-tense or infinitive verbs makes haiku feel more immediate to the reader: rather than describing a persona's past surprise when a frog jumps into a pond, Bashō recreates that moment of surprise in the reader.

Many haiku poets cultivate the sense that their verses take place outside of linear time, in a perpetual present where poet and reader meet. In his influential *Japanese Haiku: Its Essential Nature and History*, first published in 1957, Kenneth Yasude writes that haiku is "anti-temporal" in the sense that "the words which created the experience and the experience itself can become one" (31–32). Haiku's appearance of a- or anti-

[14] With thanks to Elana Solon for translation assistance.

temporality is further elaborated through the idea of the "haiku moment," which Yasude describes as "the intent of all haiku, and the discipline of the form" (39). For Yasude, the haiku moment is the instant of "ah-ness" enshrined in each poem, in which

> the beholder can only give one breath-long exclamation of delight: 'Ah!' The object has seized him and he is aware only of the shapes, the colors, the shadows, the blendings. . . . There is here no time or place explicitly for reflection, for judgments, or for the observer's feelings. There is only the speaking, impassioned object, with its 'extraordinary powers to set up echoes in the reader's mind.' (38–39)

Haiku's extreme brevity, Yasude suggests, allows the poet to convey his own "aesthetic realization" to the reader vividly and in minimal time—"one breath"—unlike with a novel or even a sonnet that would take much longer to read (32). Referring to the haiku moment as "the flash," W.S. Merwin writes in a similar vein that haiku is "dynamic in the manner of a single frame of thought—an instant that is unique, indivisible, and therefore whole. The flash itself, immeasurable in any time whatsoever: no-time manifesting in time" (xiv). For Merwin, the aesthetic insight restaged by haiku possesses a characteristic coherence or wholeness that, being "instant" and "indivisible," seems to inhabit a kind of "no-time." The flash arises from the poem's internally "dynamic" content, along the lines of what Yasude calls "the image that speaks," an image or combination of images that produces an aesthetic experience as if without a human mediator (Yasude 236). In "Vorticism," Pound terms this imagistic dynamism a "vortex," and defines the image as "a radiant node or cluster . . . from which, and through which, and into which, ideas are constantly rushing." What makes an image meaningful for

Pound, as for many writers of haiku, is this state of multidirectional "rushing," not a specific idea or signification that unfolds, say, through argument or narrative.

Haiku do not actually exist in "no-time"; nor do images "speak" without the poet and the form of the poem conveying their meaning. As Merwin observes, the poems "manifest[] in time"—that is, they take time (however little) to write and read, and require time for their significance to develop in the reader's consciousness. This may seem obvious, but is worth emphasizing to highlight the fact that haiku poems typically stage a pleasurable *illusion* of contemporaneity and instantaneity between poet and reader. The reader, with his exclamation of "ah!", is a party to this illusion. While haiku may seem atemporal, the act of reading unfolds in a present of its own, with its own historical conditions, which might be quite different from those of the poet. This point will become important when we examine the distinctive social practices that have helped haiku flourish in Japan and the United States, as well as haiku's capacity to preserve specific historical experiences for future generations that might otherwise be denied access to it.

Poets of freestyle, free-verse, or free-meter[15] haiku—a modern approach known as *Hiteikei* or *Jiyuritsu*, of which the Kaiko school is an example—generally embraced the concept of the haiku moment with its transcendent and universalizing potential. But they also challenged the haiku tradition to take on new subject matter, new values, and

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[15] Freestyle, free-verse, and free-meter are all terms used to describe modern haiku that does not follow a set form. The term free-meter might be a little confusing to readers of Western poetry. Traditional haiku is not "metered" verse in the sense of having a set pattern of stressed and unstressed syllables (like English poetry in iambic pentameter, for instance); but it is metered in the sense of having a rhythm, or pattern, of phrases with a certain number of syllables (5-7-5). Thus, haiku styles that eschew the 5-7-5 pattern are often called free-meter haiku.

new ways of representing time—departures that became especially salient for the Japanese-American poets who were interned during World War II. Kaiko haiku began in 1915 in Tokyo with two radical poets, Kawahigashi Hekigotō (1873–1937) and his student Ippekirō Nakatsuka (1879–1946)[16], who believed that the essence of haiku lay not in its formal structure or subject matter, but in its ability to distill a spare, intuitive "thought-picture" in as few words as possible, words that "seem to flow from 'heart to heart'" (*May Sky* 15, hereinafter *MS*; Furuta xix). While their style of haiku stayed very concise, it flaunted the old rules, containing a variable number of phrases and eschewing the syllabic count. The term Kaiko derives from the Japanese for "crimson sea," a reference to a deep red flower pictured on the cover of Ippekirō's influential haiku journal, *Kaikō*. The striking visual image of the flower, joined by the evocative verbal image of a crimson sea, exemplifies haiku's longstanding technique of juxtaposing or overlaying seemingly disparate images. But Kaiko haiku differed from traditional haiku by being daringly vivid and personal, veering into confessional. In the first issue of *Kaikō*, published in 1915, Ippekirō wrote, "Haiku merely limited to sketching from nature is out of the question. A poem born of my own uncontrollable excitement, itself evoked by a thing or an event at a certain time in a certain place, and a poem that is nothing but my own whole body, such is my kind of haiku, the kind of haiku I thirst for" (quoted in Furuta xix). Kaiko's bold, emotional tenor and variable form diverged from what its adherents thought of as the overly constrained haiku practiced mostly by older, conservative, genteel people.

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[16] I have written these poets' names with the family name second, following the English convention; in Japanese the family name would come first. However, further mentions of Ippekirō Nakatsuka will be just "Ippekirō" because that was the single pseudonym under which he published. With thanks to Ryu Yotsuya for this clarification.

In short, Kaiko poets, youthful and rebellious, set aside the centuries-old haiku structure in favor of emotion, intuition, and the free flow of line and image. This verse by Ippekirō typifies Kaiko haiku's rootedness in and departure from traditional haiku:

> May I be with my mother wearing summer kimono
> By this window in the morning.[17]

In this poem, the unadorned image of a window conjures in the speaker a delicate longing for his mother, now absent. The mood is wistful and intimate, with the poem operating like a window into the speaker's emotional life, exposing his private feeling for his mother to the outside world. Following convention, the poem conveys temporal immediacy through the deictic "this" (*this* window, here and now) and present tense supposition ("May I be"), and incorporates a season word. But the mother's "summer kimono" does not indicate the season in which the poem takes place, that is, the season in which the speaker longs for his mother; rather, summer is a remembered and desired season, disconnected from whatever season it might be in the speaker's present. With the season word, the speaker reaches for an image of his mother from the past, and he also gestures toward another point in time, "the morning," either the morning immediately to come or perhaps an ever-present imagined morning where memories of the speaker's mother reside. The power of Ippekirō's poem lies in the wishful space where past, present and future merge so that the speaker can be with his mother once again. The poem's

[17] Translation by Ryu Yotsuya.

relatively long lines and rolling meter[18] seem to link these different temporal and metaphysical moments in one long breath, producing grief and desire that flow, as the Kaiko poets say, "from heart to heart."

Kaiko's overt celebration of individual, emotional experience was a clear aesthetic departure from traditional haiku, which tended to filter emotion through images of nature, rendering human subjectivity only indirectly. Kaiko's individualistic ethos was a symbolic challenge to Japan's relatively rigid social structure. The movement came into being soon after the Meiji Restoration (1868–1912), a period in which Japan returned to imperial rule and took major steps toward industrialization, militarization, and increased foreign cultural exchange (Ng 2). This period also saw the consolidation of authority in the Imperial Court, which took social reform measures that would bolster imperial power and suppress any emergence of democracy (Beasley 7; Ng 2). With Kaiko, haiku's traditional elevation of the reader–poet dyad took on a new, potentially subversive quality as the ability to represent, and provoke, emotional empathy became a marker of poetic brilliance. The Kaiko poets were asserting the importance of private life and creativity within an imperial society that was growing increasingly militant and authoritarian. For this reason it is perhaps unsurprising that Kaiko caught on among some Japanese who left Japan for the United States, given the relatively freer and more egalitarian society to which they were heading. Some of the emigrants were young men avoiding newly mandatory military service, who already harbored ambivalent feelings about imperial rule; moreover, immigration tended to have a leveling effect, for Japanese of various

[18] I approach a translated poem as a whole text; though bearing a special relationship to the original, it is an aesthetic work of its own, a sort of collaboration between the original author and the translator. When I discuss certain language-specific elements like meter and enjambment, the analysis refers to the text at hand rather than the original.

social classes usually found themselves in manual labor or other lower-class occupations after arrival in the United States (Ng 2).

While Japanese immigrants brought Kaiko haiku with them to the United States, Kaiko was itself a product of prior transnational crossings. Makoto Ueda attributes the emergence of modern Japanese poetry partly to the introduction of translated English poetry in the late nineteenth century. At that time, haiku was one of two major verse forms practiced in Japan (the other being tanka), but it had declined in quality and social stature. According to Ueda, nineteenth-century haiku verses tended to be "trite in motif, hackneyed in diction, and lifeless in overall emotional appeal"; the form, in other words, had gone stale (6; see also Furuta xvi). In 1882, the anthology *A Selection of New-Style Poems*, edited by Japanese scholars Toyama Chuzan (1848–1900), Yatabe Shokon (1851–1899), and Inoue Sonken (1855–1944), introduced Japanese poets to translated verse by Shakespeare, Tennyson, Longfellow, and other European poets (Ueda 1). The anthology also contained poems by the three editors, written in a "new style" that still followed the convention of five- and seven-syllable phrases or lines, but were much longer, like English verse (Ueda 6–7). The anthology launched "a new era in Japanese poetry" in which poets "broke[] free" of the haiku and tanka forms (*id*. 2). By the first decade of the twentieth century, a new generation of Japanese poets had taken up the mantle of a new style. Under the influence of Western Naturalist writers like Flaubert, Tolstoy, and Chekhov, they emphasized "renovation of the seasonal theme, social contact, display of individuality (awakening of self), [and] anti-artificiality (return to nature)" (Furuta xvii).

Around the same time that *A Selection of New-Style Poems* appeared in Japan, the American art historian Ernest Fenollosa (1853–1908) was teaching at the Imperial University at Tokyo and amassing a large Japanese art collection, which he would eventually donate to the Boston Museum of Fine Arts' new Oriental art wing (B. Williams 108). Fenollosa's scholarly writings on Chinese and Japanese arts and languages, particularly his essay "The Chinese Written Character as a Medium for Poetry" (1906), would profoundly shape Pound's views on language and image (Lavery 131). Fenollosa was born the same year that the American navy commodore Matthew Perry arrived in Japan's Tokyo Bay, commencing trade and diplomatic relations between the United States and Japan; Perry's arrival is frequently referred to in Western Orientalist scholarship as the "opening of Japan," though it was also an opening for America in the many cultural and other exchanges that followed. From the beginning of Japanese–American relations in the nineteenth century, literary and artistic influence flowed simultaneously in both directions.

Early-twentieth-century Japanese immigrant poets brought to the United States not only the forms they worked in, but also the social practices that supported their writing. Like many other Japanese poetic forms, Kaiko haiku flourished through institutions that brought writers together as readers of each other's work—specialized poetry *kai*, or clubs, that met regularly for critique, mutual encouragement, and friendly competition. In the United States, where many Japanese immigrants were socially isolated from non-Japanese, the clubs continued; indeed, they took on greater importance, strengthening bonds among Issei (first-generation Japanese immigrants) who were both far from their home country and prohibited from naturalizing as U.S. citizens. By the

1930s, there were active haiku kai in the western United States similar to those in Japan, with a subset of these focusing on the Kaiko style of haiku.[19] As recounted in *May Sky*, in a typical Kaiko haiku kai in the United States, fifteen to twenty members would meet monthly and submit poems to the group for lively critique. The submissions were anonymous and managed by someone designated as the leader for the evening. Members gave suggestions such as changing a particular word or the order of words. They then revised their poems according to the feedback they received, and at the end of the evening, voted on the best haiku. The clubs crossed social groups, drawing women, men, farm workers, housewives, and bankers; and the anonymity of the critique meant contributions were treated equally, regardless of the poet's age, gender, or class. The kai also collected Japanese literature and kept archives of their own work, creating shared Japanese-language libraries.

The organized sociality of Japanese-American haiku differentiated it from the haiku of others in the United States who experimented with the form. It is significant that haiku grew out of a tradition of Japanese verse that was performed in a social setting, the waka exchanges in which poets at court composed hokku and challenged another poet to complete the verse impromptu. In renga, another variant that grew out of waka, poets met in clubs to compose linked verses on a single topic, usually selected at random from a pool of members' suggestions. In addition to these traditions of collaboration and

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[19] It is difficult to know how many of these clubs existed. While *May Sky* focuses on the work of interned poets within de Cristoforo's personal network—the Delta Ginsha and Valley Ginsha Haiku Kai, in Stockton and Fresno, respectively—she suggests they were not the only clubs: "The passing of the once energetic free-style Kaiko groups, especially the Delta Ginsha Haiku Kai and the Valley Ginsha Haiku Kai (which had been known for their international flavor and capable women poets), was a tragedy to the ethnic Japanese communities" (25).

competition, haiku's longstanding sociality is also rooted in its form: because of its brevity, much of the power of haiku has always been in what is unspoken, and Kaiko haiku was no different in this regard. As Ueda notes in his preface to *May Sky*, "readers of haiku have to be more active than those of [other] poetry, as they are forced to fill in the blanks and capture the emotion not spelled out in words," and, quoting an unnamed Kaiko leader of the early twentieth century, "[H]aiku is only one-half of a circle; it invites each reader to join the poet and complete the other half" (10). Kaiko accentuates traditional haiku's "invitation" to empathy by coupling it with emotion-laden images, encouraging the reader to feel deeply as well as to sense and think. Ippekirō's poem about missing his mother, quoted earlier, anticipates that the reader will bring to the poem her own experience of a mother's love—an empathic bridge that will allow the reader to experience a dawning of grief when she realizes the speaker's mother is likely gone, never to return.

Haiku is certainly not the only literary form to require the reader's participation; arguably, all literature does that. But haiku is unusually concentrated on the goal of conjuring a single moment of shared insight or emotion, in which the poet transfers to the reader a sudden internal experience brought about by something in the world. The haiku moment entails a staged understanding between poet and reader, often an understanding whose terms must be negotiated and revised before it will really "work." This negotiation took place in the clubs where poets critiqued and evaluated each other's writing; by helping each other find the right balance of telling and withholding, of spoken and unspoken, they coaxed haiku's moments of poetic epiphany into being. This social dimension of haiku encouraged the poets to continue writing Kaiko verse in the

internment camps. It also built the social networks that enabled de Cristoforo, decades later, to gather the verses that comprise *May Sky*, a task she described in the preface as "onerous and demanding" given that many of the poets had died and the surviving ones had scattered around the world (17). The production of Kaiko was simultaneously the production of human bonds that resisted the dispersals wrought by migration, war, internment, and postwar resettlement.

De Cristoforo's work as a poet, translator, and activist began with a Kaiko haiku kai in Fresno, California. The club was founded in 1928 by poets Neiji Ozawa (1886–1967) and Kyotaro Komuro (1885–1953), close friends who met when they immigrated to the United States on the same ship in 1907. *May Sky* includes brief, laudatory biographies of both men, whom de Cristoforo paints as community leaders as well as poets (41-48). As de Cristoforo recounts, Ozawa attended the University of California at Berkeley, where he was part of a student-led (and unsuccessful) movement that advocated naturalization rights for Asian immigrants. After graduating with a degree in pharmacology in 1915, Ozawa opened a pharmacy in San Francisco, where he founded the United States' first Kaiko haiku kai. Komuro had been a student of Ippekirō in Japan, and became a newspaper publisher and editor in Stockton, California, where Ozawa also moved in 1917. Together, the two men founded a Kaiko club in Stockton called the Delta Ginsha Haiku Kai, which Komuro led, and later, another club in Fresno called the Valley Ginsha Haiku Kai, which Ozawa led. The clubs met monthly, with up to twenty attendees per month; a joint meeting between the Stockton and Fresno clubs in January 1929 yielded forty attendees, with over 300 verses submitted for critique.

While Ozawa, Komuro, and other Japanese American poets maintained contact with colleagues in Japan, keeping a finger on the pulse of Japanese literature, their work took its own course in America. After 1925, Ippekirō's poetry began to move back toward the spiritual themes and classical approaches that had characterized Bashō's work from the eighteenth century (Furuta xix). The American Kaiko poets did not follow suit, but continued to work around Kaiko values of individualism, emotion, and intuition; they carried this approach with them into the internment camps. While Ippekirō in his later years returned to contemplation in nature, seasonal themes, and other, older conventions, the American poets were grappling with basic deprivations and a makeshift, enclosed universe consisting of barracks, deserts, guns, and barbed wire. Kaiko's innovations proved especially salient for them, and provided an important means of self-expression under very difficult conditions.

Indeed, *May Sky* demonstrates just how malleable haiku can be: under the circumstances of migration, war, and racial oppression, haiku evolved formally and thematically in ways that allowed Japanese-American poets to document and share their emotional lives and day-to-day experiences before and during internment. Introducing the poetry in *May Sky*, de Cristoforo writes that the poets' pre-war Kaiko haiku "expresses peacefulness and tranquility, as well as hope for their future in America," but with the onset of war and internment, the poets wrote poems that instead express "the internees' dejection, the oppressiveness of their lives behind barbed wire, and the sadness caused by this tragedy which daily faced them" (29-30). While the interned poets sometimes sought to capture revelatory experiences in nature, following traditional haiku, they also turned

to haiku as a way to crystallize moments of anguish during their imprisonment in a harsh, unfamiliar landscape.

De Cristoforo opens the anthology with a handful of prewar Kaiko haiku to illustrate the contrast; many of these are set outdoors, are pleasant in tone, and include mentions of gardening, children, and friendship. Some follow the season-word convention, and all are in present tense. In one autumn haiku by a poet identified as Reiko,[20] the speaker sees a flower come into focus in a field at sunrise; in another, written by Hekisamei Matsuda (a poet to whom de Cristoforo was married), the speaker observes his son Kenji playing outdoors.

The flower is yellow
I see it clearly now
dawn on autumn field

(Reiko, *MS* 33)

Autumn sun setting
Ken-bo learning
sword fighting skills

(H. Matsuda, *MS* 35)

Both poems are serene and set outdoors, with a sun rising or setting, and characteristically chart a moment of positive apprehension. As Yasude writes, haiku is "a

[20] This could be Reiko Gomyo, pictured as a member of the Fresno Kaiko kai on p. 45 of *May Sky*.

vehicle for rendering a clearly realized image just as the image appears at the moment of aesthetic realization, with its insight and meaning, with its power to seize and obliterate our consciousness of ourselves" (38–39). A haiku, in other words, perches at the cusp of realization and then tips the reader into it. The first poem captures the moment dawn produces enough light for the speaker to make out a distant flower. While the first line is a declarative statement about the flower, the second clarifies that the "I" who sees the flower "clearly now" is the poem's real subject; it is her personal dawning that matters most. In the second, a young child is grasping new skills, while his parent watches; the waning of the year is offset by the child's growth, and his playful initiation into sword fighting signals both personal transformation and cultural longevity.

As time goes on, however, the poems begin to incorporate quite different moods and more negative realizations as well. One verse in *May Sky*, written by a poet identified as Hiroshi, captures the anxiety that crept into Japanese Americans' lives in the months leading up to the United States' entry into WWII:

> Chrysanthemum blooming
> near fence
> American soldier passes
>
> (*MS* 37)

The chrysanthemum, a common Japanese icon representing longevity, continues to bloom in alien surroundings, but for how long? In the enjambed second line, the flower encounters the stunting presence of a fence, a manmade structure that adds tension to the

speaker's otherwise serene contemplation of nature. That tension develops into a moment of fear and wonder when an American soldier crosses the scene, intentions unknown. In hindsight, the poem seems premonitory, as if it foresaw the barbed-wire fences and armed sentries that would soon surround its writer. Regarding the Kaiko community in America, Issi Fukushima writes in his monograph *Pursuing the Origin of Kaiko*,

> It is said that their gaiety and bright atmosphere brought unusual emotional spirit to the Kaiko. . . . Having established their own unique life style over the years with their exceptional talent, they were enjoying life . . . . [H]owever, their ambitious plans were disrupted with the abrupt war between Japan and the United States, which thrust them into a bottomless pit. (translated by de Cristoforo, *MS* 29)

Japan's attack on Pearl Harbor on December 7, 1941 and the United States' ensuing declaration of war on Japan had immediate, drastic, and lasting effects on all aspects of Japanese-American life. The next section of this chapter outlines the background of Japanese-American internment, its basic contours, and its implications for Kaiko poetry in the United States.

Doing Time: Evacuation, Internment, and Kaiko Haiku

The changes that war brought to the Japanese-American community did not come out of the blue, but were rooted in decades of interracial and interethnic conflict on the West Coast. Neiji Ozawa and Kyotaro Komuro first arrived in California at the peak of Japanese immigration to the United States, which was also a turning point in relations between Japanese Americans and the rest of the West Coast community. Ozawa and

Komuro's experiences as Issei (first-generation, Japanese-born immigrants) and those of de Cristoforo, a Nisei (second-generation, U.S.-born), in many ways were typical for Japanese Americans of their respective generations. Japanese immigration to the United States began in the mid-1800s, with young men emigrating to work as plantation laborers in Hawaii, and some eventually moving to the mainland for other opportunities; by 1900, Hawaii's population was nearly forty percent of Japanese descent (Ng 2). New Japanese arrivals increased until the early 1900s, when mainland anti-immigrant sentiment rose sharply against the Japanese, who had become a visible though still small minority on the West Coast. The decade spanning 1901–1910 saw nearly 130,000 new arrivals from Japan, more than any other decade (Ng 3).

Anti-Asian racism on the mainland United States was exclusionary in thrust, with a variety of racial myths deployed to justify the desired elimination of Asians from the country altogether. Much of the rhetoric deployed against Japanese revived the "Yellow Peril" mythologies and imagery that had been used against the Chinese, whose earlier immigration met similar hostility (Yang 22). In a 1900 speech, the mayor of San Francisco, James D. Phelan, declared, "The Japanese are starting the same tide of immigration which we thought we had checked twenty years ago. The Chinese and Japanese are not bona fide citizens. They are not the stuff of which American citizens can be made" (Ng 8). In 1905, the year that the xenophobic and highly vocal Asiatic Exclusion League was founded, the *San Francisco Chronicle* ran headlines such as "The Yellow Peril—How Japanese Crowd Out the White Race," "Japanese a Menace to White Women," and, perplexingly, "Brown Artisans Steal Brains of Whites" (Neiwert 19). The view that the Japanese, like the Chinese before them, were inassimilable and physically

dangerous as well as economically threatening to white Americans drove occasional outbursts of mob and vigilante violence against Japanese immigrants (Ng 8). Mob attacks on the Japanese were reminiscent of (though did not go as far as) racial violence deployed against Chinese Americans in California and the Pacific Northwest during the 1880s "Chinese Expulsion." During that period, white mobs rounded up Chinese residents and forced them at gunpoint to board ships bound for China—a tactic repeated so many times it became known as "the Tacoma Method" (Hildebrand). During World War II, the internment program would evolve into a multi-prong approach to reducing the presence of the Japanese in America. This included a disastrous "repatriation" program that resulted in thousands of U.S.-born Japanese losing their U.S. citizenship and being deported to Japan, a country many of them had never lived in; repatriation will be discussed further later in the chapter.

In 1907, when Ozawa and Komuro immigrated, President Theodore Roosevelt entered into a "gentlemen's agreement" with the government of Japan in which Japan would stop issuing passports allowing its citizens to emigrate; this allowed Roosevelt to capitulate to public pressure to stop Japanese immigration without embarrassing Japan (now a trade partner) with a formal exclusionary law or policy (Ng 3). Although the agreement effectively stemmed the flow, continuing anti-immigrant activism brought about an official prohibition on new arrivals from Asia with the Immigration Act of 1924 (Ng 4). New immigration from Asia ceased, and the policy of Asian exclusion would not formally end until 1952, when tiny quotas were established for immigration from Asian countries, or effectively end until the immigration policy overhaul of 1965. At the state level, California passed a restrictive new alien land law in 1913 prohibiting foreign-born

non-whites from owning or leasing land; seven other states followed with similar laws by 1925, including all the West Coast states (Ng 9).

In 1940, there were around 127,000 people of Japanese descent living on the U.S. mainland and 158,000 in Hawaii; nearly all of the mainland Japanese Americans lived on the West Coast and most of those in California (Inada 80; Muller 9). Just over one-third of this population were Issei, while most of the rest were Nisei (Muller 9). As Issei, Ozawa and Komuro were prohibited from becoming U.S. citizens under the Naturalization Act of 1790, which set forth procedures through which "any alien, being a free white person" could apply for U.S. citizenship, excluding other racial groups and slaves.[21] However, Nisei born before 1924 were generally dual citizens, as they were U.S. citizens by birth and Japan followed the rule of paternal *jus sanguinis* until that year, granting citizenship to those born of Japanese-citizen fathers (*id*. 11). Violet de Cristoforo, born 1917 in the then-territory of Hawaii, was such a dual citizen.

De Cristoforo also belonged to a subset of the Nisei known as Kibei, U.S.-born Japanese Americans whose parents sent them "back" to Japan for part of their childhood education; she spent several years during elementary school living with relatives in Hiroshima, and visited Japan again as an adult in 1939. Numbering around 11,000 (fifteen percent of Nisei) at the time of the Pearl Harbor attack, the Kibei had mixed attitudes toward Japan, as most felt they did not belong there (*id*. 13–14). Because Kibei were completely fluent in Japanese, unlike many other Nisei, they comprised much of the corps of linguists employed by U.S. military intelligence in the Pacific during World War

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[21] In the 1922 case *Ozawa v. United States*, a Japanese-born immigrant (no relation to Neiji Ozawa) attempted to naturalize as a U.S. citizen by arguing that Japanese are white; the Court held that Japanese are not white and are therefore excluded from naturalization.

II (*id*. 14). Thus, although in some contexts the U.S. government viewed strong Japanese language skills and time spent in Japan as signs of possible disloyalty to America, they also managed to take advantage of the Kibei's bilingualism when it was useful to do so. De Cristoforo's own bilingualism would be put to use immediately after the war, when she was repatriated to Japan and worked as a translator for the U.S. occupying force in Hiroshima. In Japan, because she was paid as a "native" in devalued yen, she also worked two other jobs to make ends meet (*MS* 285), and eventually sent her children to live with relatives because she felt she could not care for them. The U.S. government's use of Kibei language skills in these contexts was exploitative at best, and bordered on coercive—adding to the significance of de Cristoforo's later redeployment of her translation ability.

In the fall of 1941, just months before Pearl Harbor was attacked, Ozawa addressed the members of the Kaiko club in Fresno, California, as de Cristoforo recalls in *May Sky*. Concerned about the worsening political climate for Japanese Americans, Ozawa urged his fellow poets to keep writing Kaiko haiku and to preserve their work, for he believed their poetry was about to become an important historical record (*MS* 16). At that time, it already seemed likely that the United States would go to war, and hostility and racist violence against Japanese Americans were rising. In the tumultuous years to come, the Kaiko club members did keep writing, but preserving their poetry became nearly impossible. Soon after the attack on Pearl Harbor on December 7, 1941, Japanese literary clubs began destroying their archives and libraries, fearful that non-Japanese people would suspect them of harboring subversive materials (*MS* 24). Their fears were not unfounded, for paranoia about Japanese-American espionage and sabotage was

rampant, spurred by incorrect (and later definitively disproven) news reports about "fifth column" activity enabling the attack on Pearl Harbor (Takaki 388). Within twenty-four hours after Pearl Harbor was attacked, over 1,200 Japanese Americans, mostly Issei, were arrested; high numbers of arrests, searches, and interrogations continued for months as police and federal investigators sought potential saboteurs or troublemakers (*MS* 72; Inada xi). Some of those arrested were sent to Department of Justice detention centers and held for months or years (Inada xi). Stepping up the anti-Japanese rhetoric, the *Los Angeles Times* editorial board declared on January 20, 1942, "A viper is nonetheless a viper wherever the egg is hatched—so a Japanese American, born of Japanese parents—grows up to be a Japanese, not an American" (quoted in Takaki 388). Issei were mostly assumed by the government to be disloyal to the United States, but even Nisei were not protected from suspicion by their citizenship or by being "Americanized."

Just over two months after Pearl Harbor, on February 19, 1942, President Franklin D. Roosevelt issued Executive Order 9066, which laid the groundwork for the eventual internment of an estimated 110,000 to 120,000 ethnic Japanese living on the West Coast, including all members of the Kaiko clubs. E.O. 9066 gave the Secretary of War (and military commanders working under his direction) broad authority to designate certain areas of the country as "military areas," "from which any or all persons may be excluded, and with respect to which, the right of any person to enter, remain in, or leave shall be subject to whatever restrictions the Secretary of War or the appropriate Military Commander may impose in his discretion." The following month, Lt. Gen. John L.

DeWitt, the commander in charge of the Western Defense Command (WDC),[22] used his "discretion" to declare a military area along the West Coast that included half of California and parts of Washington, Oregon, and Arizona; this was later expanded to include all of California. In March and April, notices were issued for the "evacuation," as it was initially called, of "all persons of Japanese ancestry" residing within the designated area; nighttime curfews for Japanese Americans were instituted as well.

Most, but not all, Japanese Americans complied. One who did not, college student Gordon Hirabayashi, defied the curfew order in Seattle in protest and announced he would also defy the evacuation order. Arrested, convicted, and imprisoned for the act, he appealed, eventually reaching the Supreme Court along with other appellants in the same situation. *Hirabayashi v. United States*, decided June 21, 1943, over a year after internment began, affirmed the authority of the military under E.O. 9066 to declare military areas and set curfews on people of Japanese descent. A later case, *Korematsu v. United States*, decided December 18, 1944, went further and affirmed the WDC's exclusion of Japanese Americans from the West Coast, citing the following reasoning (and tortured language) from *Hirabayashi*:

> Whatever views we may entertain regarding the loyalty to this country of the citizens of Japanese ancestry, we can**not** reject as **un**founded the judgment of the military authorities and of Congress that there were **dis**loyal members of that population, whose number and strength could **not** be precisely and quickly ascertained. We can**not** say that the war-making branches of the Government did

[22] For the purpose of defending U.S. soil from attack during World War II, the nation was divided into several regions administered by military commanders. The Western Defense Command included California, Oregon, Washington, Idaho, Montana, Nevada, Utah, and Arizona; it initially included Alaska but that was later changed.

> **not** have ground for believing that, in a critical hour, such persons could **not** readily be isolated and separately dealt with, and constituted a menace to the national defense and safety which demanded that prompt and adequate measures be taken to guard **against** it. (*Hirabayashi* 99, quoted in part at *Korematsu* 218; emphasis mine)

Both cases legitimating E.O. 9066's ethnic discrimination relied on this convoluted string of negative constructions. The Court's language reinforces the exclusionism—or what David Neiwert would call eliminationism—that ran through American anti-Asian racism. The Court gave dramatic deference to military and civilian leaders acting on Executive authority, and to Congress, which affirmed E.O. 9066 in an act passed on March 21, 1942 (*Hirabayashi* 92). The court went on to explain that although most racial and ethnic distinctions in governance are unconstitutional, in this case "facts and circumstances" demonstrated that this "group of one national extraction may menace [national] safety more than others" (*Hirabayashi* 101). In *Korematsu*, the Court took care to respond to claims that internment was based on racism. It argued that "[t]o cast this case into outlines of racial prejudice, without reference to the real military dangers which were presented, merely confuses the issue. Korematsu was not excluded from the Military Area because of hostility to him or his race. He was excluded because we are at war with the Japanese Empire" (*Korematsu* 223). As a result of that war, the Court continued, military and legislative authorities deemed it necessary to instate security measures

affecting people of Japanese ancestry, who were naturally susceptible to espionage or sabotage because of their ancestral ties (*id.*).[23]

Regardless of how the Court characterized the government's official motives for the exclusion order, at the time of the evacuation DeWitt explained the military necessity of his actions in explicitly racial terms. In a memorandum to the Secretary of War, the WDC commander wrote, "In the war in which we are now engaged racial affinities are not severed by migration. The Japanese race is an enemy race and while many second and third generation Japanese born on United States soil, possessed of United States citizenship, have become 'Americanized,' the racial strains are undiluted" (quoted in Muller 17). A secret report on Japanese-American loyalty commissioned by Roosevelt in 1941 had found that the vast majority of Japanese Americans (ninety to ninety-eight percent not including Kibei) were "loyal" and even "pathetically eager to show this loyalty" (quoted in *id*. 15). But for DeWitt, even "loyalty" meant little; the general famously declared, "[A] Jap's a Jap. They are a dangerous element, whether loyal or not" (quoted in Starr 95).

Interestingly, Hawaii, which was administered by a different military commander, General Delos Emmons, never saw the levels of internment effected on the mainland, even though that was where an attack had actually taken place. There were more Japanese in Hawaii than on the entire mainland; because ethnic Japanese comprised such a large percentage of Hawaii's population (around forty percent), their presence had long been more accepted than on the mainland and, perhaps more to the point, Hawaii's

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[23] Another case, *Ex Parte Endo*, decided on the same day as *Korematsu*, found, somewhat contradictorily, that although the *exclusion* order was constitutional, the *detention* of concededly loyal U.S. citizens was not.

economy was dependent upon their labor (Ng 10–11, Takaki 379–382). In the end, only 1,444 Japanese Hawaiians were interned, under one percent of the 158,000 who lived there; by contrast, in California, where Japanese Americans comprised only one percent of the population yet were viewed by whites as an economic threat, virtually all 94,000 were interned (Takaki 379). The stark difference in numbers resulted from nearly opposite paths chosen by two regional military commanders acting under E.O. 9066, as well as two quite different histories of migration and assimilation that were "coming home to roost" (*id*. 379, 387). Military threat was supposedly the reasoning under which Japanese Americans' constitutional rights were suspended during World War II, but the comparison between the WDC and Hawaii shows that prewar social conditions, racial prejudice, and particular leaders' inclinations were determining factors.

Over the course of the war, various government agencies operated several different types of facilities for detaining Japanese Americans and others considered a security threat. The West Coast evacuees reported first to designated local control centers, then were transported under armed guard to regional "assembly centers" operated by the War Relocation Center (WRA). The assembly centers were generally horse race tracks or out-of-use fairgrounds, where evacuees were held for up to six months, living in rudimentary shelters like converted horse stalls while more permanent facilities were being constructed. Eventually, ten semi-permanent WRA "relocation centers" opened in remote areas around the country, some as far from the West Coast as Arkansas and Wyoming. These consisted of blocks of barracks and other facilities, such as eating halls, surrounded by a perimeter of barbed wire and high guard towers manned by armed sentries. Generally, the camps were located in desert areas with difficult-to-farm land and

few signs of civilization nearby.[24] In 1943, when the government instituted processes for (supposedly) sorting the "loyal" from "disloyal" among the detainees, a higher-security "segregation center," also WRA-administered, opened to hold those determined via various mechanisms to be disloyal. The Tule Lake Segregation Center features prominently in *May Sky* and is discussed below. In addition to the WRA facilities, the Department of Justice operated several "internment centers" for enemy aliens—essentially, prisons for Issei and others who were determined to be a security risk.[25] Today the term "internment camp" is used in common parlance and most government documents to refer to any or all of these facilities (and Japanese Americans of a certain age will often say simply "camp"); detainees held at any of them can usually be called "internees."

Following the WDC evacuation orders, Ozawa was held temporarily at the Fresno Assembly Center; Komuro and his family were sent to the Stockton Assembly Center, where de Cristoforo and her husband and two children were also held. De Cristoforo gave birth to her third child in a horse stall at the assembly center; having also recently been treated for a cancerous tumor, she was in frail health, but just two weeks after the birth, the family was placed in a crowded, unhygienic train boxcar for the five-day journey to

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[24] Most of the relocation centers, though, included some land on which internees managed to grow food, which augmented the generally terrible (and sometimes inadequate or poisonously spoiled) food provided to internees. Reports of food poisoning, poor food quality, and food shortages are common in oral histories of the camp experience (see Denshō; Tateishi). The camps also included poorly resourced schools operated by the WRA, staffed by white teachers who moved into or near the camps; an estimated 30,000 children attended these schools from 1942 to 1945 (Watanabe).

[25] Detainees held at the DOJ internment centers also included a small number of Americans of German and Italian descent who had fallen under suspicion, as well as 2,200 people of Japanese descent who had been shipped in from Latin American countries under a hemispheric security policy (Inouye).

the Jerome Relocation Center in Arkansas (Woo). Ozawa spent most of the war at the Gila Indian Reservation Sanatorium in Arizona undergoing treatment for tuberculosis; Komuro was imprisoned at the Rohwer Relocation Center in Arkansas, where he continued to convene a Kaiko haiku kai. In the fall of 1943, de Cristoforo, her husband and children, her brother Tokio, and her elderly parents-in-law were transferred to their third camp, the high-security Tule Lake Segregation Center in California, near the Oregon border. Her husband, also a Kaiko poet, was soon transferred to the DOJ Internment Center in Santa Fe. Other members of the Kaiko clubs were similarly scattered among the camps, so the war period saw dramatic dispersal of the Kaiko community. The community did not really reconstitute after the war, as some former internees were repatriated (and some voluntarily returned) to Japan, while others resettled either in California or new locations not on the West Coast.

Given only a few days to sort out their affairs, and severe baggage restrictions, the evacuees incurred heavy financial and property losses[26]; just as devastating for some, they also left most of their writing and books behind. Much of this prewar literature was lost, as many internees were unable to make arrangements for safekeeping of their print materials, since their relatives and friends were interned as well. However, interned

[26] Many, including de Cristoforo's family, had already had their bank accounts frozen by U.S. law enforcement during the two years before Pearl Harbor, preventing them from accessing resources stored in Japan. Now, because they were allowed to bring only essential belongings that they could carry and did not know how long they would be away, many sold their possessions, homes, and businesses for very small sums to non-Japanese, some of whom had come from out of state to take advantage of the hasty liquidation. After a time, the WRA established staffed offices to facilitate sales and leases of property from evacuees to non-Japanese, though other measures for (supposedly) protecting internees' property interests were either slow in coming and ineffective, or never materialized past the idea stage (Nakasone-Huey 30-34; *Relocation of Japanese Americans*).

writers and editors quickly organized in the camps. Newspapers were established at all of the relocation centers, with stable editorial boards and regular publication (Bensyl 86–87).[27] Additionally, literary clubs specializing in a variety of forms met in the camps, as they had before the war, and through these clubs a little-known body of literature was produced. At the Stockton Assembly Center, Kaiko club members met regularly over the six months they were detained there, from May to November 1942; during this time they submitted over 2,000 verses for critique, though most of these were not preserved (*MS* 79). Komuro, who led the Kaiko kai at Rohwer, eventually compiled and edited two volumes of haiku written by internees, published in December 1944 as a supplement to the camp newspaper. The front matter of these volumes is reproduced in *May Sky*, along with a summary of the prefaces written by Komuro (*MS* 83–89, 209). De Cristoforo herself reports having written hundreds of haiku during her four years of imprisonment, though only a handful survived, all written during the final year of her internment. The fifteen poems that stayed in her possession were published privately in 1988 as a bilingual chapbook titled *Ino Hana: Poetic Reflections of the Tule Lake Internment Camp 1944*. *Poetic Reflections* includes an English half and a Japanese half; brief prose "reflections" and illustrations accompany each poem. *Poetic Reflections* and *May Sky* are the only published compilations of translated Kaiko verse from the camps.[28]

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[27] This was no surprise, given that newspapers in Japanese, English, or both played an important role in connecting Japanese Americans to each other prior to the war, with English-language Japanese American newspapers in California alone reaching a circulation of 80,000 by the 1930s (Bensyl 85). These newspapers "served to fill both practical and intellectual voids," conveying useful information and also providing an outlet for opinion writing and creative expression in the forms of fiction, poetry, and artwork; they spun off separate literary and art journals at many of the camps *(id*.).

[28] Writers of forms besides Kaiko haiku met in clubs as well. For instance, C. E. Rosenow, Marvin Opler, and F. Obayashi have researched *senryu* clubs that convened

During their imprisonment, Japanese-American Kaiko poets adapted or experimented with haiku's conventions, including the key temporal aspects of haiku discussed earlier, finding new avenues for representing their experience of time while imprisoned. Internment was, so to speak, "lost time": imprisonment interrupted work, education, and relationships for years, and its traumatic aftermath and far-reaching social and economic impacts affected many internees for much longer, in some cases the rest of their lives. As discussed below, a constant, anxious awareness of time's passage pervades many of the internment camp verses. In some poems, a conflicted tedium becomes the tenor, as internees wish for time to pass more quickly, but feel frustrated and dejected about the fact that time should pass at all. In other poems, internees seek another version of haiku's "infinitude" (to borrow again Yasude's formulation), delving into the history of the land they temporarily inhabit in order to find parallels of their own experience.

The indefinite nature of internment—its lack of a foreseeable endpoint—made the turning of seasons particularly poignant, as internees' personal losses deepened the longer they were held. As a result, the traditional season word, rather than announcing a timeless

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prior to the war and continued in the camps. Like haiku, senryu derives from waka and maintains a 5-7-5 syllabic pattern, but it is characterized by a tradition of social commentary and the recording of ordinary life; often witty or ironic in tone, senryu frequently cover subjects considered "low culture" or even vulgar (Rosenow 210-11). Rosenow argues that in the early twentieth century, senryu written by Japanese Americans constituted a "conscious project" of documenting the daily lives of immigrants, who were usually laborers; they wrote about, for instance, financial hardship, nights out drinking, and brawls (*id*. 214). Obayashi, an interned member of the senryu club at Tule Lake Segregation Center in California, collected some of the internment senryu, which record experiences like being fingerprinted and coping with boredom (*id*.; Opler and Obayashi 11). With Opler, Obayashi writes that "when Center life rears its 'ugly head' in Senryu poetry, it received a rebuke which is sharp and incisive, restrained and dignified, witty and pungent" (Opler and Obayashi 11). The club structure provided much-needed social interaction and support for the interned, many of whom turned to writing as a way to make sense of, respond to, and sometimes decry the conditions in which they found themselves.

encounter with nature, frequently calls attention to the historically specific circumstances with which the poets struggled. In this verse by Kazue Matsuda (Violet de Cristoforo, writing under a former name), the pace of activity in the camps is disjointed, with internees living "in disarray," some busy while others are idle:

> Women are busier than men
> people living in disarray
> and there are Irises
> (*MS* 227)

Despite the provisional nature of camp life, where chores as well as resources were unevenly distributed, the speaker notes in wonder, "and there are Irises": normal life stops, but time does not, and spring arrives nonetheless. In another haiku, written by Senbo Takeda, an internee laments the idleness of adults who have been removed from their homes and previous occupations:

> Much idle time—even adults
> angling for dragonflies
> black barracks
> (*MS* 263)

The speaker's tone is ironic and touched with resignation, as the poem describes adults regressing to a childish summer pastime, capturing dragonflies, to while away their

confinement. The adults mimic the insects' elusive, darting movements, "angling for dragonflies" while the dragonflies angle for freedom. Rather than seeking in nature space for contemplation, the internees seek diversion—a figurative escape from their thoughts and literal escape from the stationary "black barracks" into which they have been trapped. Summer insects recur in a poem by Matsuda in which the speaker notices that her children are getting older:

> Myriad insects
> in the evening
> my children are growing
>
> (*MS* 233)

What could be a tender or sweetly sentimental moment under normal circumstances—a parent remarking on how fast children grow—here darkens with frustration, as the reader realizes the children are growing in captivity. The first two lines hew to convention in their concise description of nature, but the final line presents a first-person interjection, the speaker's sudden, unfiltered thought. The swarm of summer insects becomes irritating, unsettling, and inescapable. Rather than instilling haiku's traditional sense of infinitude, the seasonal references in all three poems underscore that time is a waning resource, which internment is squandering.

Other poems explore the isolated, often stark landscapes in which most of the camps were located, charting a sort of poetic excavation of the land. This, too, was frequently an exercise in "marking time"—that is, using haiku to map the area's

complicated history, and to document the poets' own developing relationship to that history.[29] Since the purpose of internment was to keep potentially treacherous Japanese Americans from contact with the outside world, the camps' environments were inhospitable and often featured a flat desert area surrounded by mountains and few signs of civilization. Such landscapes have become iconic through the much-exhibited work of two white American photographers, Ansel Adams and Dorothea Lange, who both visited internment camps to document internees' lives. Viewing Adams' and Lange's photographs, it would be easy to think of the striking landscapes as natural and eternal, unchanged from ancient times, while the built environments of the camps were aberrations in the land's history. But what the poets captured in their work was a landscape with discernable, intertwined geological and human pasts troubled by both repetition and decline.

For example, at the Tule Lake Segregation Center, poets and artists often depicted nearby Castle Rock Mountain, a distinctive, cliff-like formation, and the sandy, shell-strewn area around Tule Lake where they were permitted to wander. Shells and shell fragments were found on the surface of the area's loose, crumbly sand as well as several feet down, while the unusual looking "mountain" became a constant presence in internees' lives. This haiku ode by Suiko Matsushita addresses the shells and refers to a "cliff" that is likely Castle Rock Mountain:

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[29] With apologies to Karen Ford Jackson, whose very thoughtful and informative 2009 article is titled "Marking Time in Native America: Haiku, Elegy, Survival," after a haiku poem by Gerald Vizenor titled "Marking Time."

Oh shells—

the cliff, your bygone world

is slowly crumbling

(*MS* 245)

Eschewing the traditional season word, which would have evoked an eternal cycle, the poem depicts time passage as a cliff's "slow[] crumbling," a gradual undoing of millennia of sedimentation. The shells are remnants of ancient, once-vibrant aquatic life, now reduced to empty brittleness, with the imposing Castle Rock only a crumbling repository of a "bygone world." But the shells are not just symbols of emptiness or death. They also represent the makeshift aesthetic life the poets and other internees constructed in the camps: as an improvised pastime, Tule Lake internees would dig for shells in hopes of collecting beautiful or unusual ones, and competitively paint them or glue them together in decorative arrangements. In an oral history interview with *Denshō: The Japanese American Legacy Project*, former Tule Lake internee Peggie Nishimura Bain describes the hunt for shells: "[E]ventually, [people] found out that these shells are in layers, and if you dig, you could find just veins of shells. So it got so that people would go out and dig these shells, and they'd dig four feet down, they'd get in way up, way up to their waist" (Bain). While Matsushita's poem is a lament, the reference to shells also captures the internees' desire to create art, connect with one another, and find meaning in their new environment, even as they felt their own past lives crumbling. The internees quite

literally—and figuratively, through poetry and art—dug into their physical environments in search of creative revelation.[30]

Digging's excavation and transformation of a geological landscape presented an interesting parallel to Matsushita's (and other Kaiko poets') engagement with haiku tradition while at Tule Lake. Although the season word is missing from Matsushita's poem, two other haiku conventions come into play: the filtering of human subjectivity through nature in the form of anthropomorphism, and the use of a *kire-ji*, usually translated as "cutting word." The kire-ji is a kind of caesura that marks a turn in a haiku, similar to the volta in a sonnet. As is typical of Kaiko haiku, both conventions are deployed to accentuate the speaker's emotion and invite the reader's empathy. The opening apostrophe, "Oh shells," projects the speaker's emotional state onto the landscape, while the dash, a classic kire-ji, invites the reader to decipher and share the grief contained in the preceding words. In Japanese, the cutting word comes from a part of speech that does not have an analog in English, so it is often translated (or interpreted by English-language haiku writers) as punctuation, such as a colon, dash, or ellipsis. (Think, for example, of Pound's "In a Station of the Metro," in which the semi-colon performs the crucial work of juxtaposition.) The kire-ji creates what Yasude calls a "thought-pause," out of which "rises a whole aura of things left unsaid that fills out the verse just as an artist in *sumi* fills the space of his silk without filling it" (77). In this poem, the dash as thought-pause creates a moment of heightened, but suspended, empathy; the reader recognizes there is emotion pooled in the first two words, and

[30] I cannot help but recall here Seamus Heaney's canonical poem "Digging," in which the poet-speaker declares, "Between my finger and my thumb / The squat pen rests. / I'll dig with it."

wonders what thought or explanation will follow. The reader experiences not only the sadness of the lament, but also the state of suspension that produces it; in this small way, the reader is invited to share the anguished uncertainty of an indefinitely paused life.

Moreover, in the human history attached to Castle Rock's sedimentary layers, Tule Lake internees discovered affinities to another group that had faced physical relocation by the U.S. government in the past—Native Americans. De Cristoforo explains in *Poetic Reflections* that Castle Rock Mountain was known to all as "the last battle ground of the Modoc Indians"; the tribe lost the land in 1873, but their lengthy resistance provided de Cristoforo with "inspiration" throughout her time at Tule Lake (*PR* E23; Ford, "Lives" 68). Ford observes that this was a "complicated" inspiration, since it recalled both resistance and defeat (Ford, "Marking" 337). Several poems written by de Cristoforo refer to Castle Rock Mountain, including the following one from *Poetic Reflections* and two from *May Sky*:

Memorized Shape of the Mountain Walk In The Same Direction On Winter Days

(*PR* E23)[31]

[31] In her 1988 chapbook, de Cristoforo translated her poems using a one-line, or unlineated, method. This is a method that some haiku translators prefer because they think it preserves the original flow; others lineate the poems instead to highlight phrase breaks in the one-line, Japanese-language original. De Cristoforo chose to lineate all the haiku in *May Sky*, which was more widely published, perhaps to meet English-language readers' expectation that haiku be written in multiple lines.

Foolishly—simply existing

summer days

Castle Rock is there

(*MS* 229)

Clear morning evokes

deep feeling for snow

on Castle Rock Mountain

(*MS* 231)

Internment produced what often seemed an absurd, tedious, and "foolish" existence, with internees powerless to change their unjust circumstances—but Castle Rock was "a monument to defiance" (Ford, "Marking" 338). Ford argues that internees' haiku poems about Castle Rock were a kind of linguistic reversal, fashioned in response to official designations of Japanese Americans as "resident aliens" or "enemy aliens." Such labels became "racist locutions turned back on the government in these poems where the country itself is the enemy land, the source of betrayal and alienation" (Ford, "Lives" 68). In the first poem above, the speaker seems to retrace the steps of the Modoc Indians, "walk[ing] in the same direction," though whether or not the speaker's own fate will match the Indians' remains to be seen (Ford, "Marking" 337). What is clear is that in all three poems the mountain has become part of de Cristoforo's visual and poetic lexicon; once "memorized"—that is, taken root in her imagination—Castle Rock and its history of

defiance provide a figurative scaffold for any "deep feeling" her surroundings may "evoke[]."

In an article on Native-American haiku poets Gerald Vizenor and William Oandasan, Ford argues that *May Sky* and *Poetic Reflections* both offer meditations on Native-American history that contrast sharply with other depictions of Native Americans in non-Native literature. The "Vanishing Indian" has been a frequent trope in Anglo-American haiku, and such depictions of Native Americans typically strike an elegiac tone and romanticize Native Americans' disappearance (Ford, "Marking" 338). Jack Kerouac's poems, for example, depict famous Indian chiefs in tears, as if Kerouac "can only imagine Chief Crazy Horse and Geronimo crying, their defeat and sorrow as natural as the waning of the year" (*id.* 338). Such poems accept Indian defeat, and blend the sadness of an undoubtedly complete conquest into snow, trees, clouds, and birds (*id*.). But, Ford observes, the haiku in *May Sky* are different. They come from a standpoint not of apologism or advocacy, as Anglo-American haiku typically do, but of sympathy or even empathy. The poems reflect the fact that Japanese Americans "came into contact with Native peoples during their relocation and recognized in the Native American experience of removal parallels to their own existence" (*id*. 337). While traditional haiku sought a sense of timelessness through nature, at Tule Lake the landscape provided a bridge between the internees and another group's past, elevating human history to the level of revered nature.[32] There is, in other words, a kind of infinitude at the heart of Kaiko haiku, a sense that human experience is cyclical, but the cycling is not always (or

[32] Ford notes that internees at camps other than Tule Lake frequently wrote about other marginalized ethnic groups as well. For instance, at Rohwer they wrote about African American laborers who worked nearby; at camps in Texas and Arizona, about Native Americans and Mexican Americans whom they encountered (Ford, "Lives" 68).

primarily) tied to the seasons. It is conveyed in social interactions and events that repeat across time and space. The transhistorical social bonds encouraged by haiku allowed interned poets to contextualize their experiences and feelings, and to articulate them as part of a longer history of racial injustice. For de Cristoforo, such an articulation was key to her acts of defiance while interned and a necessary part of her postwar search for legal redress, both of which will be discussed in the final section of this chapter.

Recovering Lost Time: Resistance and Reparations

May Sky documents many vivid, emotion-laden details of interned life, a function for which Kaiko haiku's imagistic style and characteristic invitation to emotional empathy seem especially well suited. De Cristoforo recalls that she wrote haiku in large part "to give vent to my feelings while being detained in the concentration camps," and she introduces the verses in *May Sky* as evidence of "the emotional impact of being uprooted . . . the turmoil and anguish [the poets] suffered" (*MS* 17). Strangely enough, while the imprisoned Kaiko poets were expressing their inner lives through haiku, the U.S. government was attempting to discern their thoughts and feelings as well—via a sprawling, only semi-organized administrative apparatus that historian Eric Muller calls "the loyalty bureaucracy." In their attempts to read the hearts and minds of Japanese Americans—to determine which people were and were not "loyal" to the United States—several governmental agencies engaged in the usual law-enforcement tactics of surveillance, searches, and interrogations. But they also developed new methods like the infamous "loyalty questionnaire," discussed below, that led to over 12,000 internees being classified "disloyal" and imprisoned at the turbulent Tule Lake Segregation Center.

Approximately the last third of *May Sky* is devoted to the poets and poetry of Tule Lake. De Cristoforo's own poems appear in this section of the anthology; she is the second poet featured in the section, deferentially placed after Ozawa, her mentor. The first of her verses is as follows:

Like-minded people gather	*Líke-minded péople gáther*
new shoots sprout from pine tree	*néw shoots spróut from píne tree*
early summer sky	*éarly súmmer ský*

(*MS* 225)

The poem conveys a sense of harmony in both form and content, at least on the surface. It reads evenly and simply, with short words arranged roughly in trochaic trimeter throughout, and ends with a classical seasonal reference. The themes appear conventional and pleasant: an "early summer" gathering of "like-minded people," likely a reference to the poet's Kaiko club, set next to the generative image of "new shoots from the pine tree." The pine shoots symbolize new ideas and new forms of expression, even as the third-person perspective hearkens back to traditional haiku, which tends to avoid the first and second person. But, as with all haiku, what is unspoken is just as important as what is spoken. For the knowledgeable reader, this haiku's moment of insight comes coupled with the realization that a gathering of artists is possible *even at Tule Lake*, the most restrictive of the three camps in which de Cristoforo was imprisoned. More specifically, the Tule Lake Segregation Center was where the government sent the "disloyal" people deemed too dangerous to keep at the regular relocation centers where they might spread

subversive ideas to loyal Japanese Americans. Thus, there is a second reading of de Cristoforo's poem that we must hold in balance: a bitter one in which the speaker ironically comments on the *government's* gathering of people *it* deemed "like-minded" at Tule Lake.

De Cristoforo's transfer to Tule Lake from Jerome in the fall of 1943 came about after the WRA implemented a screening process that would supposedly allow the government to begin releasing internees—but the screening actually had more to do with wartime military enlistment and other labor needs. In early 1943, a shortage of enlistees led the Roosevelt administration to consider forming a military unit of "loyal" Japanese-American men; of such a regiment Roosevelt wrote in February, apparently unironically, "No loyal citizen of the United States should be denied the Democratic right to exercise the responsibilities of his citizenship, regardless of his ancestry" (quoted in *Personal Justice Denied* 191; hereinafter, *PJD*). At the same time, it was also becoming apparent to some in his administration that internment could not continue indefinitely. Leadership problems, court challenges (albeit not yet successful ones), and political pressure to end internment were cropping up, so the agencies responsible for internment began considering possible ways to allow internees to leave the camps and resettle outside the West Coast exclusion zone.[33] To accomplish either an all-Japanese-American military

[33] Although Japanese Americans still could not reenter the West Coast due to the WDC exclusion order, it was thought they could resettle in places outside the exclusion zone (Muller 88). When Roosevelt was asked at a press conference about potential problems with resettling Japanese Americans *en masse*—impliedly, in white communities that did not want them—he replied lightheartedly that resettlement in small numbers would not be disruptive: "[T]hey wouldn't—what's my favorite word?—dicombobulate—(Laughter)—the existing population of those particular counties very much. After all—what?—75 thousand families scattered all around the United States is not going to upset anybody" (quoted in Takaki 404). The *voluntary* concentration of Japanese Americans, in

unit or resettlement of internees, the government administered a controversial questionnaire to all 78,000 internees over the age of seventeen beginning on February 6, 1943.[34] Respondents were asked questions aimed at determining how likely they were to aid the enemy Japanese government, such as how well they spoke Japanese, whether they had spent time in Japan, and what magazines and newspapers they read.

The forms also included two questions that together became known as the "Loyalty Oath," Questions 27 and 28. The version completed by U.S.-citizen men of draft age also functioned as their Selective Service enrollment, and their Questions 27 and 28 read as follows:

> 27. Are you willing to serve in the armed forces of the United States wherever ordered?
>
> 28. Will you swear unqualified allegiance to the United States of America and faithfully defend the United States from any or all attack by foreign and domestic forces, and forswear any form of allegiance or obedience to the Japanese emperor, or any other foreign government, power, or organization?[35]

The questionnaires caused much confusion, anxiety, and anger among the internees, as opinions varied widely about how best to answer, and little information was given about

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other words, was still interpreted as a threat, to which the solution was dispersal to places where they would always be outnumbered. As long as internees were forced to assimilate, and could not reconstitute themselves as organized, tightly knit communities, they would neither threaten nor "discombobulate" non-Japanese Americans, Roosevelt reasoned.

[34] Various versions of the questionnaire were administered as the program was rolled out; the actual forms had a variety of titles such as "Application for Leave Clearance" (that is, clearance to leave the camps) or "Statement of United States Citizen of Japanese Ancestry," but their purpose was the same, and all contained some version of the infamous Questions 27 and 28.

[35] The questionnaires given to women, older internees, and Issei had variations for Question 27, such as whether the internee was willing to serve in the nurse corps.

how responses would affect the internees' fate. For instance, some men wondered whether answering "Yes" to Question 27 constituted an actual agreement to voluntarily enlist in the military, or when such hypothetical enlistment would be effective. The majority of internees answered "Yes" and "Yes" to Questions 27 and 28, and could consequently be deemed "loyal" absent other risk factors. However, WRA administrators were surprised by the large number of "disloyal" Japanese Americans the questionnaire uncovered: 12,000 adults, or over fifteen percent of adult internees, for various reasons either refused to complete the form or answered "No" to at least one of the loyalty oath questions. The percentage of draft-age men who would not answer "Yes-Yes" was even higher than the interned population as a whole—twenty-two percent, or 4,600 internees (Takaki 397).

Tule Lake Relocation Center was selected for conversion into a segregation center for the newfound disloyal because it was the camp where the greatest number of internees did not answer "Yes-Yes"; nearly one third of internees, or 3,000 people, refused or failed the loyalty questions at Tule Lake (Denshō). On July 15, 1943, the center officially converted into the Tule Lake Segregation Center—a heavily guarded detention facility that would eventually house over 12,000 "segregees" (*id.*).[36] The Segregation Center covered an area of 26,000 arid acres, where temperatures ranged from -20 degrees in winter to 100 degrees in summer; in a 3,000-acre section tellingly called the "colony," internees grew vegetables for their own consumption, working under guard at all times (*MS* 66–67). The entire compound was "surrounded by a high barbed wire fence with guard towers spaced at regular intervals, each manned and equipped with a searchlight

[36] The 6,500 "loyal" internees who previously inhabited the internment camp were shuffled to six other relocation centers (Denshō).

and machine gun," while a battalion of military police equipped with tanks provided "security" inside the camp (*id.* 66).

Many of those housed at the Tule Lake Segregation Center were awaiting deportation to Japan, including de Cristoforo and her family. As part of the loyalty questionnaire, internees were given the option of requesting "repatriation" or "expatriation"—permanent resettlement in Japan—as an alternative to facing unknown consequences for answering "No-No." For many Issei, this seemed the safest option, since they could not become U.S. citizens and their future in the United States was uncertain; foreswearing all allegiance to Japan (by answering "Yes-Yes") and then remaining in the camps, essentially stateless, was a bleak prospect. Their Nisei children then faced the dilemma of choosing whether to go with their parents—in a culture that held parent-child bonds to be extremely important—or remain in the United States; for Nisei, choosing repatriation meant renouncing their U.S. citizenship, for which additional procedures were established. De Cristoforo's then-husband encouraged her to request repatriation, as his Issei parents were doing, so that the family could remain together. De Cristoforo agreed, and instead of answering yes or no to the loyalty questions, she stated that she was requesting repatriation with her husband's family (Woo). She and her children, along with her brother Tokio and her husband and in-laws, were sent to Tule Lake, since deportation would not be possible until after the war. By war's end, nearly 8,000 U.S. citizens of Japanese descent had renounced their U.S. citizenship and requested repatriation to Japan (Inada 333).[37]

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[37] As Lawson Fusao Inada recounts in *Only What We Could Carry: The Japanese American Internment Experience*, after the war Wayne Collins, a civil rights attorney, attempted to assist some of these individuals in regaining their citizenship. Collins argued

Tule Lake is remembered by former internees as a site of great oppression—but also a place where strong, if ultimately futile, political resistance emerged. Soon after their arrival at Tule Lake, de Cristoforo's brother and husband were arrested for participating in protests relating to dangerous labor conditions and a food shortage at the center. Like many others, Tokio Yamane was imprisoned in the center's stockade "Bull Pen" and severely beaten, while Hekisamei Matsuda was transferred to the Santa Fe Internment Center in New Mexico, where he spent the remainder of the war imprisoned as an enemy alien (Woo). The Tule Lake "food riots" were reported sensationally by national media, "with most of the coverage depicting the Tule Lake segregees as rabidly disloyal and the WRA as ineffectual in controlling them" (Muller 88). Distrust and hostility ran high within the segregation center, and martial law was declared on November 14, 1943 as camp administrators attempted to regain control and quell resistance; the army was called in and remained in control until mid-January 1944 (Muller 88). By this time, some in the Roosevelt administration were realizing that unjust detentions were adding to, rather than allaying, any threats posed by Japanese Americans—and at least one even made the connection to Native-American history as some of the internees did. In Washington, D.C., Assistant Secretary of War John McCloy drafted a memorandum warning of "another American Indian problem" should internment continue, and suggesting that the government end the West Coast exclusion, despite "violent objections" by some white California residents (quoted in Muller 89).

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that the Nisei expatriates had renounced their citizenship under duress. Initially, the courts agreed, but in 1950 the Ninth Circuit overturned that ruling and held instead that each case had to be heard individually. Regaining citizenship was a protracted process that not all Nisei were inclined or had the means to accomplish. The last of these cases was heard in 1968 (Inada 33).

By January 1944, as martial law was being lifted, the Kaiko poets who found themselves at Tule Lake had reconvened a Kaiko haiku kai, the Tule Lake Valley Ginsha. Members had been transferred to Tule Lake from Rohwer, Jerome, and other relocation centers. Their reunion was bittersweet, and according to de Cristoforo their poetry was "plaintive and, at times, defiant," reflecting their worsened circumstances (*MS* 205). De Cristoforo recalls that the early months at Tule Lake were particularly painful for some Issei segregees who received "farewell visits" from Nisei sons who had enlisted, often against their parents' wishes, in an effort to prove their loyalty to America. Such visits "gave rise to a vigorous outpouring of haiku expressing the disappointment, frustration, and even indignation of the Issei who had remained behind barbed wire fences while their sons risked their lives for a country that continued to regard their parents as disloyal" (*id.*). The club continued to meet throughout that year, with more poets joining as they arrived at Tule Lake from relocation centers; by December 1944, however, the club had mostly ceased because "many of the club's male members were moved to the Justice Department Camp in Santa Fe" (*id.* 206). The Santa Fe contingent continued to write, however: since letters were subject to censorship and sometimes withheld altogether, lonely inmates "sought comfort in their haiku," writing about "the inhospitable land or the beauty of the brilliant sunlight on the snowy landscape, the longing for their homes, wives and families, and their hopes for an early end to the War"; their poems expressed their "disillusionment and disappointment at being interned as 'enemy aliens' when, in reality, they were aliens only because the discriminatory laws had denied them citizenship and full acceptance" (*id.* 74). Meanwhile, around 35,000 other internees who

had been deemed loyal were released from relocation centers with permission to resettle in areas outside the West Coast exclusion zone (*PJD* 234).

On December 17, 1944, the WDC finally rescinded its West Coast exclusion order—not because it judged the security threat ended, but because the Roosevelt administration was warned as a courtesy that the Supreme Court would imminently rule on two cases affecting internment, *Korematsu* and *Ex Parte Endo*. Both decisions were announced December 18, 1944. While *Korematsu* held that it was constitutional for the WDC to forcibly exclude all Japanese Americans from the West Coast military area under E.O. 9066, seeming to validate the internment program, *Endo* somewhat confusingly held that it was unconstitutional to wantonly detain "concededly loyal" U.S. citizens. So if the government could forcibly remove all Japanese Americans from the West Coast, but could not detain them based solely on ancestry, where were they to go? The answer lay partly in the repatriation program: "back" to Japan, whether or not the internees had been born there. But for the rest—the "concededly loyal"—the two rulings left a logistical conundrum that, as it turned out, would not need to be resolved. *Endo* likely would have spelled the end of mass internment, had the government not preemptively begun to dismantle the program (*PJD* 235).

De Cristoforo remained at Tule Lake, caring for three young children and her parents-in-law, until March 1946, when the family (minus her mother-in-law, who died of cancer at Tule Lake) was repatriated to Japan. Arriving in Hiroshima just months after the atomic bombing, de Cristoforo received several shocks: her husband, who was repatriated before her and from whom she had been separated for over a year, had left her and remarried; then, seeking refuge with her parents, she discovered that their family

home had been destroyed in the atomic bombing. Worst of all, she found her mother wandering near what used to be their home, traumatized and disfigured. Severely burned, hairless, and unable to speak, the woman "looked like a monster," de Cristoforo later recalled (Woo). De Cristoforo stayed in Hiroshima to care for her mother. She worked as a translator for the U.S. occupying force, but also worked two additional jobs to make ends meet because, as a Japanese "native," she was paid in devalued yen rather than in dollars (*MS* 285). De Cristoforo remained in Japan until 1953, when she regained her U.S. citizenship after marrying an American man who was stationed in Japan. The couple returned to California, where de Cristoforo finally began the difficult task of rebuilding a life in America. Although she continued to write poetry during this period, it was decades before she considered compiling and publishing either her own small archive of poems from internment or poetry by her fellow Kaiko poets.

It is no coincidence that de Cristoforo's recovery and translation of internment camp haiku began in the 1980s, during the same period that the decades-long campaign for legal reparations for internment was beginning to bear fruit. *May Sky* makes clear that these seemingly separate endeavors—one literary, the other political and legal—are interdependent and both necessary to a proper ethical accounting of internment. Thus, throughout the 1980s, de Cristoforo engaged simultaneously in projects of literary and legal recovery. In 1981, she testified before the Commission on the Wartime Relocation and Internment of Civilians (CWRIC), which was established by Congress in 1980 to study the history and impacts of E.O. 9066. The CWIRC's book-length report of its findings *Personal Justice Denied*, published in 1983, is one of the most complete published histories of internment. *Poetic Reflections*, de Cristoforo's first chapbook, was

published in the same year that Congress passed, and President Ronald Reagan signed, the Civil Liberties Act of 1988. The Act provided for a program of reparations that included cash redress payments to survivors (or their descendants, if they were deceased) of $20,000 each, historic preservation of some of the camps, official apologies, and public education programs about internment.[38] Payments began in the early 1990s. The Act was a small step towards repairing a grave past injustice, and it increased public interest in internment history, all of which gave de Cristoforo further motivation to continue her life's work—her project of literary recovery. In 1997, more than four decades after the end of the war, she finally completed the logistically, creatively, and emotionally demanding work that *May Sky* required.

The work of recovering internment-era Kaiko haiku has been a fundamentally transnational project, as its aims have included the rebuilding of ties between writing communities in the United States and Japan, and the recovery of linked literary archives in both countries that were lost to war. While interned Japanese American poets lost much of their writing in multiple forced moves among camps, de Cristoforo reports that in one U.S. Army air raid on Tokyo, "the Kaiko depository of haiku books and literary materials was completely lost" (*MS* 25). After the war, publishing of Kaiko haiku resumed at least in Japan, though haltingly. In a two-page autobiography at the end of *May Sky*, "About the Compiler," de Cristoforo notes that after the war she contributed

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[38] This legislative measure was not the first designed for redress of internment; President Harry S. Truman's 1948 Japanese American Evacuation Claims Act allowed survivors to file claims for losses incurred during internment, but in practice helped relatively few survivors because of its heavy documentation requirements (Nakasone-Huey 9). Although claims totaling $148 million were filed under the 1948 Act—a small fraction of actual losses—ultimately only $38 million was paid (*id*. 9). The CWIRC reported decades later that the IRS had actually destroyed the 1939–1942 tax returns of all evacuees, making it impossible for many to prove their prewar earnings (*id*. 12–13).

regularly to the *Kaiko Haiku Journal* based in Tokyo. She also mentions receiving an honorable mention in a competition sponsored by the United States–Japan Conference on Haiku Poetry, which took place in San Francisco in 1987. In 1988, when she published her chapbook, Neiji Ozawa's son, Masato (Masando) Ozawa, also published a Japanese-language collection of his late father's poetry titled *Byoshu*, which contained some of the elder Ozawa's poems from the internment period. Nearly all of those poems were previously unpublished, and some are reproduced in translation in *May Sky*. De Cristoforo notes that *Byoshu* was also the source of much of the biographical information contained in *May Sky*; such information was difficult to come by, since the Kaiko clubs' records had been "lost or destroyed in the turbulent days following the Pearl Harbor attack" (*MS* 44). After the publication of *Poetic Reflections*, de Cristoforo says, "with encouragement from several haiku authorities both in America and Japan, I resolved to translate the poetry assembled in this anthology [*May Sky*]—I feel it is the legacy of wartime poets to future generations" (*id.* 17). A Japanese-language version of *May Sky* appeared in Japan two years before the translated version in America. Published by a press in Kyoto, the 1995 anthology "was acclaimed by the Japanese media for filling a gap in the readers' knowledge of the Japanese-American internment and in the war-time literary activities of the Kaiko Haiku poets in North America" (*id.* 285-286).

Literature written in the camps is still difficult to come by, though a growing body of recovered, unpublished texts (written in English and Japanese) and artwork produced in the camps has contributed to public knowledge of the experience, largely through archive-based scholarship. The body of historical documentation from internees' perspectives (as opposed to the voluminous administrative records that recorded

governmental perspectives) has grown over time. In the decades since World War II, several large oral history projects have been carried out with survivors, including over 750 testimonies delivered nationwide before the CWIRC in the early 1980s, John Tateishi's compilation *And Justice For All* (1984), and more recently, the Denshō Project's 833 video-recorded oral history interviews. Several well-known published works of literature by former internees or their descendants, written in English after World War II, have become staples of Asian-American literature courses; these include Miné Okubo's graphic memoir *Citizen 13660* (1946), John Okada's novel *No-No Boy* (1951), Monica Sone's autobiographical novel *Nisei Daughter* (1953), Jeanne Wakatsuki Houston and James D. Houston's *Farewell to Manzanar* (1973, adapted into a film in 1976), Lawson Fusao Inada's poetry collection *Legends from Camp* (1992), and the artwork of Roger Shimomura (b. 1939). However, few of these texts have made their way into anything like a general canon of American literature and are rarely, if ever, taught in American literature survey courses. Although extensive photographs of internment by Adams and Lange are easily accessible and have been widely exhibited, the literary and visual imaginations of those most deeply affected by internment—internees and their descendants—have remained relatively obscure.

There are many reasons for this, some having to do with the practicalities of internment and release and the emotional tolls exacted by the entire experience. After the war, those released from camps turned their energies to survival, with many needing to rebuild their lives from scratch; some lived in poverty or dependency because they had lost their prewar occupations, savings, property, and social standing (*PJD* 295–296; Nakasone-Huey 7–8). Those who were repatriated often found their ancestral

communities devastated by wartime damage and their relatives struggling to survive through black market bartering. Unsurprisingly, the economic and practical problems that faced former internees forced many to deprioritize literary and artistic work.

Moreover, war and internment were acutely stressful and emotional periods in survivors' lives, which created psychological barriers to postwar expressive work. For nearly all internees the war period was also characterized by shame, which compounded traumatic gaps and silences. As Kevin Starr has described it, a

> deep sense of shame and hurt . . . afflicted nearly everyone, except perhaps the very young, as men and women left behind their homes and piled onto buses or onto trains, their fellow Americans—in uniform with fixed bayonets—providing an armed escort. Here they were, Americans, uprooted, tagged for shipment, facing the loss of three, nearly four years, the best years, in many cases, of their lives, their hurt and shame kept contained behind the stoic reserve that was so characteristic of them as a people: the same self-control with which they had absorbed fifty-plus years of rejection that had led to this moment. (95)

As a result of the trauma, pain, and shame inflicted by internment, it was quite common for former internees to avoid speaking about internment to their children and grandchildren, even though internment became a sort of touchstone in all of their lives. For Sansei (third-generation Japanese Americans, most born after the war) and their children, which camp someone's parent or grandparent was in became a common introductory detail in social situations, yet further details were scarce.[39] One Sansei

[39] One Sansei interviewed by the CWIRC said that whenever he met Japanese Americans of his parents' generation, conversation would inevitably reach the topic of camp; they would "ask, 'Were you in camp?' And of course I wasn't. And that doesn't end the

recalled of his parents, who had been interned: "My feeling was that there was much more to their experience than they wanted to reveal. Their words said one thing, while their hearts were holding something else deep inside" (*id.*). Tetsuden Kashima, a U.S.-born sociologist who was interned with his family as a baby, calls the withholding of information about internment a "social amnesia . . . a group phenomenon in which attempts are made to suppress feelings and memories of particular moments or extended time periods . . . a conscious effort . . . to cover up less than pleasant memories" (quoted in *id.* 297–298). For many of the former internees who testified before the CWRIC, that testimony was the first time they had spoken about their experiences with anyone, even their children.

As it turned out, Kaiko haiku was a form unusually suited to combatting the "social amnesia" caused by a group trauma like internment. Sometimes it did this by divulging details that would have gone unexpressed, but just as often it did it by honoring the silence, by holding up silence as a crucial part of self-expression. I will end this chapter with these verses from *May Sky* by Neiji Ozawa, which characteristically blend the visible and invisible, spoken and unspoken, aspects of camp experience:

> Sensing permanent separation
> as you left me in extreme heat
> on gravel road
>
> (*MS* 215)

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questions because then they ask, 'Were your parents in camp?' And if you tell them what camp your parents were in, and if they were not themselves in that camp, then they would ask if you knew so-and-so who was in that camp" (quoted in *PJD* 297).

Even babies born inside barbed wire fence

mingling—

on New Year's Day

(*MS* 219)

From the window of despair

May sky

there is always tomorrow

(*MS* 223)

If the legal and official records construct internment as absence—as evacuation, exclusion, or a court opinion's tortured string of negatives—the haiku in *May Sky*, like these verses by Ozawa, insist that internment was material experience grounded in real bodies and real places. Japanese Americans *had to go somewhere*, and they did: they went to camps made of gravel, sky, barbed wire, barracks, and armed guards, and they spent their time in mundane as well as creative and life-changing activities. But as much as these poems constitute an important record of internment life, they are always partial, withholding details and leaving the reader with questions. Nevertheless, many of the poems seem to anticipate a future reader who might understand—a reader who might, through empathy and historical awareness, fill enough gaps to produce an ethical accounting of internment's many injustices. In the first of Ozawa's poems above, the speaker's discomfiting physical exposures to heat and gravel are subordinate to his

amorphous, yet more painful, "sense" of "permanent separation." Importantly, the poem is in second person, unusual for haiku; the address drafts the reader into the scene, not only to witness but to play the part of a potentially responsible party who "left" the speaker, willingly or not, to his lonely fate. As the final poem makes clear, the poet-speaker looks toward a more just future, to which the reader holds the key. Haiku, an ancient form best known for its stricture, provided a tiny window through which the imprisoned poets saw both the "May sky" and the promise of "tomorrow"—a promise that includes the reader. While Ozawa is the poet, it is de Cristoforo as translator and compiler who transforms the poem into an ethical accounting: reaching the English-speaking reader, Ozawa *in translation* calls for a reparative justice that is, at the time of the anthology's delayed publication, still in process.

Interlude

One of the wholly logical outcomes of the WRA's loyalty screening process was that the small number of Japanese Americans who actively claimed loyalty to the Japanese Emperor were brought together at the Tule Lake Segregation Center. Once there, they found each other and formed a "strongly militant pro-Japan faction," as described by the CWIRC (*PJD* 248–250). The mostly Kibei[40] "resegregationists," as they were called, initially requested that they be interned in a separate camp "composed solely of people who preferred Japan and the Japanese way of life" (*id.* 248). By mid-1944, this was not necessary, since the resegregationists dominated the camp socially and politically; they organized Japanese language courses, lectures, and sports, and led daily, outdoor, military-style exercises that included wearing "uniforms bearing emblems of the rising sun" (*id.*). Children at Tule Lake were also taught to march and bow in respect to the Emperor, along with language and other cultural skills "in preparation for our eventual expatriation," recalls Taeko Okamura, a former child internee (*id.*).

For an unarmed population surrounded by barbed wire and guarded by military police with machine guns, the marching, uniform wearing, and other exercises were more bark than bite in terms of actually resisting imprisonment. But these gestures served the militants' more direct purpose of either cultivating support for their anti-U.S. views or intimidating those who did not share them. The activities were, in effect, a kind of political performance. Such performances were carried out mostly by disaffected Kibei

[40] A subset of the Nisei (U.S.-born, second-generation Japanese Americans) who were educated partly in Japan. Kibei were sometimes not as "Americanized" as other Nisei, since they were raised to be completely fluent in Japanese language and culture, and many did not feel fully accepted in either Japan or the United States.

whose thoroughly bicultural identities had from the start cast them as suspicious in the view of the U.S. government; now imprisoned, with not much left to lose, they expressed their anger and dissatisfaction via the few modes that remained available to them. To say their gestures were "performance" is not to say that the group had no means for real violence, however. In 1944, the resegregationists were implicated in the murder of a moderate internee as well as a series of beatings of suspected informants, demonstrating the extent to which the group's views had radicalized in the camps (*id.* 248). Lacking the ability to physically resist their heavily armed oppressors, the extremists turned on their fellow internees.

Meanwhile, as the "disloyal" resegregationists at Tule Lake were making a show of militancy, even drilling for supposed future battles in service of the Japanese Emperor, "loyal" Nisei men in the relocation centers faced the prospect of being drafted to serve in the U.S. military. Certainly, some interned Nisei welcomed the draft (and some enlisted voluntarily) because it gave them the opportunity to prove their loyalty to the United States, not to mention leave the camps. But others viewed the draft as "yet another humiliation," and a vocal minority chose to refuse military service as a form of protest (*id.* 246). Over three hundred draft-eligible men failed to appear for required physicals or induction, and of these 263 were convicted and sentenced to two to three years in federal prison for draft evasion (*id.*).[41] While the draft resisters could do nothing to end their internment, they could and did refuse the further disciplining and devaluation of their

[41] The so-called "No-No boys" included those who either refused to answer "Yes-Yes" to the Loyalty Oath questions (which meant they were sent to Tule Lake), or answered "Yes-Yes" but then refused to appear for required physical examinations or military induction.

bodies within the biopolitics of a wartime muster—even if they had to accept another form of imprisonment as punishment.

Although displays of pro-Japan militancy at Tule Lake and draft resistance throughout the camps were fairly visible (albeit controversial) forms of protest, they have not been the stuff of schoolbook historiography. Dominant histories have certainly acknowledged the injustices of internment, but often by emphasizing the patriotism, patience, and compliance of internees; only a few exceptions, like George Hirabayashi's and Fred Korematsu's acts of civil disobedience, are noted. It is often observed, for instance, that the 442nd was the most decorated U.S. military regiment of World War II, implying that Nisei deserved justice because of their unusually great sacrifices in combat. The so-called "No-No boys"—those who refused the Loyalty Oath or the draft—were largely shunned by their communities when they returned from prison, as reflected in John Okada's 1951 novel *No-No Boy*. Certain embodied expressions—self-sacrifice in the name of patriotism, for instance—have been remembered more fondly than others by later generations of both Japanese Americans and non-Japanese Americans.

Within the field of Asian-American studies, however, a wider range of views and actions of the interned have been inscribed as internment history. One draft resistance leader, Frank Emi, shared his story publicly for the first time in 1988, the year the internment reparations bill passed and the year Violet de Cristoforo published her first collection of translated internment poetry. Speaking before the Fifth National Conference of the Association for Asian American Studies, held at Washington State University, Emi said,

> Today, I hope to dispel the myth that we were all 'Quiet Americans'—that after being stripped of our constitutional rights by our own government, removed from our homes, businesses and jobs, then interned in concentration camps located in God-forsaken areas of the deserts and prairies, we all went quietly and sheep-like into segregated combat units to become cannon fodder to gain acceptance by the Great White Father. (excerpted in Inada 314)[42]

The view that Japanese-American draftees were "cannon fodder" was common in the camps: Nisei were initially excluded from military service because their ancestry rendered them suspect, only to be drafted later when the government experienced a shortage of service members. Even those who voluntarily enlisted received no special consideration for their families, who remained behind barbed wire while they went into combat.

Emi helped coordinate the anti-draft "Fair Play Committee" at Heart Mountain Relocation Center in Wyoming, the camp with the most organized draft resistance; the Committee claimed two hundred members, and held public meetings with up to four hundred attendees (*id.* 317). Emi recalls "nobody" he knew at his camp being happy about the draft (*id*. 316). At Heart Mountain, sixty-three men went to federal prison for refusing to comply with draft procedures; of these, fifty-one had signed a form letter explaining that they were protesting the deprivation of their constitutional rights, and would comply with the draft if their rights were restored (*PJD* 246; Onion). The Committee's alleged leaders were either sent to Tule Lake or, in the case of Emi and four others, prosecuted for conspiracy and sentenced to four years in federal prison (Inada

[42] Emi's speech was later published in the conference proceedings and was excerpted in Lawson Fusao Inada's edited collection *Only What We Could Carry*.

320). However, another twenty-seven Heart Mountain draft resisters were tried by a different judge who dismissed their indictments, calling it "shocking to the conscience that an American citizen can be confined on the ground of disloyalty and then, while so under duress and restraint, be compelled to serve in the armed forces" (*id.*). After the war, all Nisei convicted of draft evasion were pardoned by President Harry Truman, though by then they had served on average two years in prison (*id.*).

Over two decades later, as America was escalating its involvement in a new and very different war (and gearing up to a new draft), the Black Panther Party for Self-Defense staged a now-iconic demonstration on the steps of the California State Capitol. On May 2, 1967, around thirty openly and legally armed men and women assembled to protest a recently introduced gun control bill that was aimed at curtailing Panther activities in Oakland, California. Party Chairman Bobby Seale read a statement to media titled "Executive Mandate Number One," prepared by the Party's founder and Minister of Defense, Huey P. Newton. The statement listed a number of grievances against the U.S. government, and positioned the new gun control effort as the latest in a long series of state acts aimed at subjugating or eliminating black people.

Throughout the statement, the Panthers connected the oppression of black people to violence committed against other people of color both in the United States and abroad, and directly referenced both the Vietnam War and Japanese-American internment:

> At the same time that the American government is waging a racist war of genocide in Vietnam, the concentration camps in which Japanese Americans were interned during World War II are being renovated and expanded. Since America has historically reserved the most barbaric treatment for non-white people, we are

> forced to conclude that these concentration camps are being prepared for black people who are determined to gain their freedom by any means necessary. The enslavement of black people from the very beginning of this country, the genocide practiced on the American Indians and the confining of the survivors on reservations, the savage lynching of thousands of black men and women, the dropping of atomic bombs on Hiroshima and Nagasaki, and now the cowardly massacre in Vietnam, all testify to the fact that toward people of color the racist power structure of America has but one policy: repression, genocide, terror, and the big stick. (Newton, ch. 20)

If disarmed Nisei men had manipulated martial rhetoric and gestures during World War II as a form of political expression, the Panthers now took this strategy to a new level. The Party's 1966 "Ten-Point Platform" had demanded, among other things, exemption from military service for black people and an end to the epidemic of police violence in black neighborhoods. Now, speaking back to a security-obsessed government, the Panthers framed their "militant" activism around an anti-war, anti-imperial agenda. They brought together a rejection of U.S. military service with an assertion of their own forms of martial power, which they projected through their characteristic uniforms, marching, and arms bearing. They proclaimed that arms were necessary for black survival in a nation that viewed black people as a domestic security threat, yet was willing to send them overseas to kill other people of color. Most of all, the Panthers refused the mainstream ideological separation of foreign and domestic policies that had long masked the links between oppression of nonwhite peoples at home and abroad. The Panthers' elaboration of a need for armed, black self-defense, couched in global and historical

terms, was vehemently rejected by white police and legislators. After the dramatic, widely broadcast State Capitol protest, the gun control bill passed quickly, amended to take effect immediately.

The Black Panthers were some of the most visible participants in the Black Power Movement of the 1960s and 1970s. They were particularly memorable because of the way they tapped into and recast visual images and performative gestures associated with military power. In other words, they engaged elements of a shared martial imaginary as a way of demonstrating that prevalent mythologies of racialized threat and security were not necessarily the only ways to imagine those concepts. The Panthers' shows of militancy were read by many as a dangerous misappropriation of legitimate, governmental power; but the Panthers viewed police and military power as already misdirected forms of state violence, intended to subjugate and exclude them rather than to protect them. The next chapter explores the Panthers' rhetorical, performative, and legal claims of black self-defense. Such claims provocatively inverted a dominant, racialized cultural logic in which white people are assumed the only selves legitimately in need of defense, while nonwhite people are seen as the source of threat.

Chapter 2: Defensible Selves: The Black Panther Party and the Right to Bear Arms

"We Are the Revolutionaries"

In 1961, when Jonathan Jackson was eight years old, his brother George Jackson went to prison. At age eighteen, George drove the getaway car while his friend robbed a gas station of seventy dollars; for this he received an indefinite sentence of one year to life. By that time, George was a seasoned street criminal, rebellious and self-absorbed by his own account. Of his teenage years he later wrote, "Jonathan, my new comrade, just a baby then, was the only real reason that I would come home at all." Both brothers grew up while George Jackson was locked away. George wrote to Jonathan with advice about girls and learning to drive; he also imparted at length his views on black culture, race relations, and the coming revolution, views he had developed through reading. By 1970, Jonathan was seventeen and a member of the Black Panther Party like his brother.

In February 1970, George Jackson and two other inmates were indicted for the murder of a white prison guard at Soledad Prison.[43] There was little evidence to support the murder charge, but prior to the guard's death prison officials had singled out each of the "Soledad Brothers"—George Jackson, Fleeta Drumgo, and John Clutchette—as "militant" activists. Jonathan Jackson knew conviction would mean the death penalty for his brother.

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[43] The murder was seen as retaliation for an incident the previous month in which another white guard had shot and killed three black inmates in the prison yard during an alleged fight; the guard in that prior incident had fired from a high watch tower without warning.

On August 7, 1970, Jonathan Jackson entered the Marin County courthouse with several guns concealed under his coat, including an automatic rifle. The trial of James McClain was underway.[44] In George Jackson's retelling of events, his brother calmly announced, "All right, gentlemen, I'm taking over now," before handing guns to McClain and another inmate (Jackson, *SB* 329; newspaper accounts).[45] Together with a fourth accomplice, they took the judge and five jurors hostage. They duct-taped a sawed-off shotgun to the judge's neck. They demanded as their ransom that the Soledad Brothers be released.

Not long after, Jonathan Jackson lay dead in the courthouse parking lot, as did two of his accomplices and the judge. His mission to free his older brother had predictably ended in a storm of bullets.

Jonathan Jackson's final act was consequential for those close to him, who included well-known figures in the Black Power Movement. After his death, it was discovered that two of the guns he brought to the courthouse were registered to Angela Davis, who became the target of a nationwide FBI manhunt; her time as a fugitive turned her into a counterculture icon. George Jackson experienced his brother's death as a personal turning point. The final letter in *Soledad Brother: The Letters of George Jackson* is dated "August 9, 1970 / Real Date, 2 days A.D." George Jackson explains, "We reckon all time in the future from the day of the man-child's death." The letter closes defiantly: "Revolution, / George."

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[44] McClain was an inmate who had allegedly stabbed a San Quentin prison guard.
[45] According to multiple newspaper accounts, Jonathan Jackson's words upon entering the courtroom were: "This is it. Everybody line up." George's secondhand account may have been a bit romanticized.

Flesh and symbol, Jonathan Jackson embodied the multifaceted violence with which African Americans had long lived and through which they sometimes died. Davis wrote, "In Jon's seventeen years he had seen more brutality than most people can expect to see in a lifetime" (5). He was inured to street violence and state violence, and like the rest of the Black Panthers did not shy from political violence. For George Jackson, Jonathan represented a will to live free in a racist society: "Man-child, black man-child with machine gun in hand, he was free for a while. I guess that's more than most of us can expect."

This chapter is, in a sense, about the ideas and narratives, as well as the social, political, and legal conditions that led a 17-year-old "man-child" to the Marin County courthouse with a coat filled with guns and a suicidal plan. Jonathan Jackson's choice of the gun over other methods to achieve political goals cannot be understood—and perhaps would not have occurred—without reference to certain images, stories, and myths already in circulation about the use of arms. These included specific conceptions of tyranny, revolution, martyrdom, youth, race, and masculinity that had been brought into focus by the Black Power Movement of the 1960s and 1970s. The courthouse "invasion," as some media accounts described it, was executed with an audience in mind: "We are the revolutionaries," one of the hostage takers declared before telling a photojournalist to "take all the pictures you want" ("Judge, Three Others"). Jonathan and his accomplices meant for their action—a deadly species of political performance targeting the law and its agents—to be folded into a cultural mythology of armed black resistance.

More properly, this chapter is about what it means to "pick up the gun"—for revolution, self-defense, or any other purpose—in the United States, a nation in which a

uniquely intransigent constitutional right to bear arms interacts with dynamic and eclectic cultural mythologies of arms bearing. Although the right to keep and bear arms arises from an ostensibly universal Bill of Rights, practices of arms bearing are embedded in a raced and gendered social imaginary, and develop in conjunction with discourses of identity, rights, and citizenship. Throughout American history, some forms of arms bearing have been considered by dominant social groups to be critical to the performance of American national identity, while others have been deemed subversive or detrimental to society. While some version of the white, male revolutionary survives as a civic ideal—an iconic Patrick Henry traversing our imaginations proclaiming, "Give me liberty or give me death!"—in mainstream culture the black, brown, or yellow revolutionary has generally been targeted as a public enemy or, at best, naively romanticized. The American right to bear arms has had profoundly different meanings and consequences for different identity groups. It has never been truly universal in conception, application, or impact; nor have most politically powerful constituencies striven for it to be so.

The right to bear arms is also far from static, though it is codified as the Second Amendment to the U.S. Constitution. The way Americans imagine and understand the right has evolved to suit the exigencies of many disparate historical and political contexts. In just the last half century, the right has transformed from a "revolutionary" tool of leftist minority groups to a rallying cry for white supremacists and the far right. Casual observers of present-day gun politics are often surprised to learn that the first social movement to advocate a strong individual right to bear arms was the nineteenth-century radical abolitionist movement, or that gun control has been, many times in American history, a tactic for preserving white supremacy and both a conservative and a liberal

cause. Today, public debates about gun violence, gun rights, and gun policy reflect a high degree of social fragmentation, particularly along lines of race, class, gender, and political affiliation, even as they circle around an ideal of universal rights.

In seeking a fuller understanding of the right to bear arms in American culture, this chapter starts by examining dominant narratives of arms bearing, particularly narratives of threat and self-defense, that are propounded by Supreme Court jurisprudence and mainstream political speech. It then turns to a series of performative gun-rights protests by the Black Panther Party of the 1960s to recuperate certain ignored or discredited narratives of arms bearing. The stark contrast between these two sets of narratives calls attention to the racialized character of what I call a *defensible self*—the subject of the Second Amendment right to bear arms as understood by a dominant martial imaginary. Many moments in American literary and cultural history offer a view into the peculiarly volatile racial politics of the Second Amendment; Donald Pease and David C. Williams, for instance, have both produced insightful work on the rise and fall of the white militia movement of the 1990s. After tracing a racial history of the Second Amendment, this chapter homes in on another such moment: the emergence of the Black Panther Party for Self-Defense in the late 1960s as a response to widespread police violence in black communities. The Black Panthers' theatrical protests—and the drastic legislative response that followed—demonstrate the extent to which the legal arms bearing subject has been popularly imagined as a white, male property owner.

The Right to Bear Arms in Law and Myth

The Second Amendment to the U.S. Constitution states in its entirety, "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed." The amendment has a long, complex cultural history that has developed largely in the absence of judicial interpretation. Unlike some other constitutional rights, the right to bear arms lacked basic definition until recently: only in 2008 did the U.S. Supreme Court delineate the amendment's scope and meaning for the first time, articulating in *District of Columbia v. Heller* an individual right to possess and use firearms that is rooted in every person's "inherent" right to private self-defense and that is not contingent upon militia service. The respondent, Dick Heller, was a D.C. special police officer who wished to keep a handgun in his home for protection against criminals but was prevented from doing so by a combination of laws. Firearms kept within Washington, D.C. had to be registered, but the District barred registration of handguns, effectively creating a ban on handguns; additionally, firearms kept in the home were subject to a trigger-lock requirement that disabled them. In a 5-to-4 decision, the Court overturned these restrictions. Justice Antonin Scalia wrote for the majority, "[T]he inherent right of self-defense has been central to the Second Amendment right"; further, the right "extends . . . to the home, where the need for defense of self, family, and property is most acute"; and handguns are considered "the quintessential self-defense weapon" (628–29). Two years later, in *McDonald v. Chicago*, the Supreme Court extended the central holding of *Heller* beyond federal jurisdictions (like Washington, D.C.) to states and localities. Both cases reinforced a reading of the amendment that

emphasizes individual liberty over other concerns, such as the nation's high levels of gun violence.

The two cases ensured a large amount of freedom in private gun ownership going forward and were undoubtedly a victory for gun rights advocates. The Court's self-defense theory proved palatable for many Americans; even gun control advocates tend not to question (in principle) an individual's right to protect self and family. The self-defense theory also conveniently avoided legitimating a "right to revolution" against the government, which some interpretations of the Second Amendment tend toward. By reaching back to centuries-old English law and a "natural rights" tradition for the self-defense rationale, the majority in *Heller* managed to sidestep the history of the eighteenth-century militia that lurks conspicuously in the Amendment text itself. The Court noted that some restrictions on the right to bear arms were permissible, such as existing laws prohibiting gun ownership by convicted felons or the mentally ill, but it established no analytical framework for assessing such restrictions.[46]

The Second Amendment remains a site of immense cultural activity and ideological contestation. *Heller* and *McDonald* did not—perhaps could not—rein in the public's imagination, which continued to nurture politically potent narratives of arms bearing that had little to do with protecting one's home from intruders (the scenario

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[46] In "Heller II," *Heller v. District of Columbia* (2011), the D.C. Circuit Court of Appeals determined that under *Heller* (S. Ct. 2008), registration requirements for handguns were presumptively permissible, and that, applying intermediate scrutiny, prohibition of assault weapons and large-capacity magazines was constitutional as well. But see *National Rifle Association v. Bureau of Alcohol, Tobacco, Firearms, and Explosives*: "Heller did not set forth an analytical framework with which to evaluate firearms regulations in future cases," though some federal circuits have "filled the analytical vacuum" since *Heller*, with most of them settling on a two-prong inquiry that uses either strict or intermediate scrutiny.

foregrounded by both cases). Soon after President Obama's first election, the grassroots Tea Party movement threatened to act out the familiar myth of the freedom-loving American Revolutionary "patriot" who arms himself against a tyrannical government. The movement peaked in 2010, around the time Senate candidate Sharron Angle warned that "the nation is arming" in preparation for "Second Amendment remedies" to Democratic leadership (Pepper). The revolution myth clearly lost none of its cultural valence in the wake of *Heller*. Indeed, the modern mythology of arms bearing is as vivid and eclectic as ever not in spite of *Heller*, but because *Heller*, by favoring strong individual gun rights, preserved the cultural space for it.

By labeling various stories or theories of the Second Amendment as "myths" and part of a "mythology," I mean they are narratives that, through repetition, have acquired a specific kind of cultural authority: the ability to explain social phenomena and historical developments in a way that reinforces the dominant values and beliefs of the community in which they circulate.[47] As cultural historian Richard Slotkin observed in his study of the myth of the American frontier, myths are often so familiar to those who receive them that they no longer need to be explained or fully narrated, but can be conjured by the use of mere "symbols, 'icons,' 'keywords,' or historical clichés" (Slotkin 6, quoted in Tweedy 1). The term myth refers to the core narrative that can be represented or invoked visually, orally, or in written form, rather than the specific film, book, speech, or other expression that invokes it. The "mythology" of American gun rights—or what David C. Williams has called the Second Amendment's "mythic landscape"—is the larger body of

[47] For a helpful, more thorough, and slightly different definition, see Richard Slotkin's discussion of myth in *Gunfighter Nation: The Myth of the Frontier in Twentieth-Century America* (6–7).

myths that circulate within a community at any given time, encapsulating and reinforcing various ideological stances on the Second Amendment (98). Myths and mythologies are important to social imaginaries because they provide the ready narrative scaffolding that allows people to fill in gaps in others' expressions, giving fuller meaning to images, symbols, "keywords," and so forth.

Myths frequently form the basis of law and public policy, and therefore merit critical examination. "Self-defense," though widely accepted as a fundamental right, is difficult to conceptualize or recognize without myth, that is, without often-repeated narratives of how threat and security, aggression and protection, play out in real life. Such narratives are not neutral. Throughout American history race, gender, and sexuality have shaped the rubrics through which threat is identified, as well as the appraisal of things and people worth protecting. Two distinctive, and interrelated, aspects of the majority opinion in *Heller* deserve particular consideration in this regard: first, the Court's selective reliance on non-contemporary sources of law and jurisprudence, particularly a "natural" right to self-defense that it treats as largely ahistorical; and second, the Court's dogged focus on a private, autonomous, individual bearer of arms, a subject that differs dramatically from the eighteenth-century concept of "the people" designated in the Amendment text.

Prior to *Heller*, the major interpretive question surrounding the Second Amendment was whether the right is "individual" (accruing to private citizens) or "collective" (belonging to the state militia). The question is often phrased in these terms—individual versus collective—even though, as Justice Stevens points out in his dissent in *Heller*, such a formulation is not very useful: "a conclusion that the Second

Amendment protects an individual right does not tell us anything about the scope of that right"; moreover, even if the Second Amendment is collective, "[s]urely it protects a right that can be enforced by individuals" (636). The appellant in *Heller*, the District of Columbia, argued that the right was intended for and limited to the militia context, and that therefore private, non-militia uses of firearms were not protected by the Amendment. The respondent, Heller, argued that the Amendment protects an individual right to bear arms for all "traditionally lawful purposes," including private defense of one's home (*Heller* 577).

The difference of interpretation arises from the syntax of the Amendment text, a single sentence that the Court divides into two parts for analysis. As the Court puts it, the sentence "could be rephrased, 'Because a well regulated Militia is necessary to the security of a free State, the right of the people to keep and bear Arms shall not be infringed,'" with the comma separating the "prefatory" and "operative" clauses (*id.*). The majority acknowledges that the prefatory clause states a "purpose" of the amendment—namely, "to prevent elimination of the militia"—and that "[l]ogic demands that there be a link between the stated purpose and the command" (*id*. 599, 577). However, the Court sided with Heller in giving effect to only the operative clause—the "command"—while the dissenting justices read the prefatory clause as limiting the scope of the operative clause.[48] The majority asserts that most people at the time the Second Amendment was written "undoubtedly" believed the right to bear arms was "even more important for self-defense and hunting" than for preservation of the militia (599).

[48] Unless the command is ambiguous, which the Court determines it is not, "a prefatory clause does not limit or expand the general scope of the operative clause" (578).

Lacking the guidance of direct precedents,[49] the majority opinion relies on a wide range of legal, jurisprudential, and historical sources that far pre-date *and* far post-date the founding.[50] Most importantly, the Court asserts that the Second Amendment "has always been widely understood" to have "codified a *pre-existing* right," rather than to have created a new one at the time of its adoption (*id*. 592; original emphasis). That right, according to the majority, derives from the longstanding English right to bear arms, which was codified in the English Bill of Rights of 1689 and, by the late eighteenth century, "had become fundamental for English subjects" (*id*. 593). Despite the fact that the English right arose in different historical circumstances from the American Second

[49] The majority and dissenting justices disagree about the interpretation of the few Supreme Court cases that could be considered indirect precedent, none of which directly explicates the Second Amendment's scope and meaning. An example is *United States v. Miller*, which in 1939 upheld federal restrictions on the possession of short-barreled shotguns contained in the National Firearms Act of 1934. The *Miller* Court held that because such a weapon bore no "reasonable relationship to the preservation or efficiency of a well regulated militia, we cannot say that the Second Amendment guarantees the right to keep and bear such an instrument" (178). The dissenting justices read the case as supporting their contention that the Second Amendment protects a right to bear arms that is limited to militia contexts because it implies that weapons protected by the Amendment must be suitable for militia use. The majority, on the other hand, notes that the case bears only on what type of weapon is protected, and says nothing regarding to what purposes that weapon might be put. The result is a seemingly contorted majority reading in which the Second Amendment protects weapons that are suitable for militia use, without requiring that the weapons actually be used in or kept for use in a militia. This is not a new interpretation but fits with a line of cases from the early to mid-twentieth-century that take the same approach. The logic here seems to be that because the militia consists of the population at large, that entire population must be familiar with the use of militia weapons in order to be ready for militia service. Therefore, people must be permitted to keep and bear militia-related weapons and, since they have them already, they can use them for all lawful purposes, including self-defense, hunting, etc.

[50] In the 2012 case *National Rifle Association v. Bureau of Alcohol, Tobacco, Firearms, and Explosives*, the Fifth Circuit noted, "Heller illustrates that we may rely on a wide array of interpretive materials to conduct a historical analysis. See *554 U.S.* at 600–26 (relying on courts, legislators, and scholars from before ratification through the late 19th century to interpret the Second Amendment); see also *United States v. Rene E.*, 583 F.3d 8, 13–16 (1st Cir. 2009) (relying on wide-ranging materials, including late 19th- and early 20th-century cases, to uphold federal ban on juvenile handgun possession)" (194).

Amendment, and although it was phrased differently, limited to Protestants, and held against a monarch only, the *Heller* majority insists that it "has long been understood to be the predecessor to our Second Amendment" (*id*.). The militia may have provided the occasion for codification, but, the Court insists, the right itself originates with self-defense.

In connection with the English right, the Court also invokes a vague conception of natural rights in order to situate the right to bear arms as already axiomatic at the time of the founding (*id*.). The Framers were no doubt influenced by theories of natural law and natural rights, and indeed relied on such ideas in declaring independence from British rule. The Court does not explain, however, why a natural-rights theory should drive interpretation of the Second Amendment, especially given that a right bestowed by nature surely predated the invention of any technological "arms." The majority relies partly on *Blackstone's Commentaries* from 1765, which states that the English right to bear arms can be traced to "the natural right of resistance and self-preservation" (*id*. 594). As Carl T. Bogus has observed, it was not atypical of Blackstone to "attempt[] to explain the reason for the right by putting a gloss of natural law on it," for "[s]cience was the vogue of the day" and it was popular to present society's laws as "flowing logically from natural law" (Bogus, "Hidden History" 399, 397).[51] The Court similarly seems to rely on the gravitas of the term "natural right" to give its rationale a veneer of scientific truth. Natural law also conveniently suggests a lack of historicity—"nature" ostensibly precedes history and is not changed by it—that makes it easier for the Court to largely

[51] For an alternative view, see David B. Kopel's 2008 article "The Natural Right of Self-Defense: Heller's Lesson for the World," who has examined in some detail the roots of the "natural right" concept as it functions in *Heller* and strongly advocates a natural law reading of the Second Amendment.

disregard the Amendment's drafting history and historical context, which support a militia-based interpretation. While the Court criticizes the dissenting justices for relying too much on the Second Amendment's drafting history to draw conclusions about the Amendment's purpose, the majority calls upon an even more dubious source: post-enactment legislative and interpretive history, not just from the early years of the nation, but as far forward in time as the post-Civil War era.[52]

The dissenting justices do not deny that a fundamental right to self-defense exists, or that the English Bill of Rights may have influenced popular understandings of the right to bear arms. They argue, however, that the right to bear arms for self-defense is not the specific right codified by the Framers. Stevens' dissenting opinion argues that the Second Amendment was a solution to an urgent, historically specific problem faced by the polity,

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[52] The Court cites a selection of nineteenth-century state court cases that it says support its interpretation. These include two open carry cases often cited by gun rights advocates, namely *Nunn v. State*, an 1846 Georgia Supreme Court case that overturned a ban on open carry of pistols, and *State v. Chandler*, an 1850 Louisiana Supreme Court case that upheld a right to open carry because that the Second Amendment "is calculated to incite men to a manly and noble defence of themselves, if necessary, and of their country" (*Heller* 613, citing *Chandler* 490). The *Heller* majority notes that post-Civil-War cases also provide a window into the Second Amendment's scope and meaning because during the Reconstruction era, there was "an outpouring of discussion of the Second Amendment in Congress and in public discourse, as people debated whether and how to secure constitutional rights for newly free slaves" (614). This was particularly important because of post-Civil War legislative efforts to disarm black Americans in Southern states. Thus the Court turns to Congressional documents and late-nineteenth-century legal treatises to gauge the prevailing understandings of the Second Amendment during that era. While many of these cases and documents do evince views similar to the *Heller* court's, they demonstrate only how certain people in an era long after the founding interpreted the Amendment; none are authoritative, and the Court itself notes that post-Civil-War cases "do not provide as much insight into [the Second Amendment's] original meaning" (*id*.). The manipulation of Second Amendment history—including relying on "history" that comes long before and long after the Amendment was written—achieves a result that is unsurprising given the majority justices' political orientations, namely the validation of strong individual gun rights.

namely "[t]he proper allocation of military power in the new Nation" (*Heller* 652).[53] The Framers recognized a need for adequately trained and supplied security forces, but were wary of creating standing armies (Hamilton). Delegates of Southern states noted with concern that the draft Constitution allowed Congress to organize and arm state militias, but "did not prevent Congress from providing for the militia's *dis*armament" (*Heller* 655; original emphasis); the Second Amendment would provide a needed "guarantee against such disarmament" (*id*. 661). Stevens also notes that the Second Amendment contains no "reference to civilian uses of weapons," the dissent imputes to the Amendment only the purpose that the text itself explicitly states (*id*. 647-48).

As with many Supreme Court cases, despite gestures toward originalism, the majority interpretation in *Heller* distinctly reflects its own, twenty-first-century historical and political context.[54] This comes across most clearly in the opinion's heavy focus on the individual subject, or holder, of the right to bear arms. This individual is different from the rights-bearing subject designated in the Amendment text—"the people," a collectivity that is difficult to situate among today's forms of human organization. As David C. Williams has elaborated, today's gun discourses stubbornly propound a

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[53] Justice Breyer, who joins in Stevens' dissent, also writes a separate dissenting opinion arguing that even if the right to bear arms was principally about self-defense, the regulations imposed by the District of Columbia would pass constitutional muster.

[54] Originalism is an approach to judicial interpretation that attempts to decipher the law's "original intent"; with respect to the Constitution, it frequently means consulting historical sources and founding-era jurisprudence to figure out what the Framers intended when they used particular words and phrases. Interestingly, David B. Kopel has argued that the case is an example of living constitutionalism, which he sees as not incongruous with originalism (see Kopel, "Living Constitution"). My view of this case's "originalism" is somewhat similar to Cass R. Sunstein's, who wrote shortly after *Heller*, "The Court spoke confidently in terms of the original meaning, but perhaps its ruling is impossible to understand without attending to contemporary values . . . ." (Sunstein 247). Sunstein compares the development of gun rights in *Heller* to the development of the privacy right in the 1965 Supreme Court case *Griswold v. Connecticut*.

dichotomy between the individual and the government that leaves little room for fluid, non-state collectivities such as the eighteenth-century concepts of "the people" and "the militia" (70–74). The militia was understood to arise directly from "the body of the people"; while not actually universal, its membership consisted of all able-bodied, white, male citizens within a certain age range, who supplied their own weapons (*id.*). Unlike the present-day federal military, the militia was not an arm of the government; it existed in part to protect the citizenry from overreaching by the government, and its members dispersed (though remaining ready) when no longer needed. In theory, the state militia system was flexible, able to constitute itself when, where, and at the level of force needed. Local militia units could be called up to protect public safety and restore order in relatively small, contained incidents, such as localized rioting; or their forces could be combined to address larger-scale collective threats, such as invasion or war. Asking whether the Second Amendment right to bear arms is "individual" or "collective" fails to resolve much because "the militia" was both.

The *Heller* majority skims over the history of the militia and instead hails a strongly individualist right to bear arms that emphasizes private security for self, family, and property. The individualist approach can be explained in part by the fact that although state militias no longer exist, "the people" that would otherwise constitute them do, as individuals. State militias were mostly absorbed by the National Guard in 1903, after several decades in which control over the militia gradually shifted away from states and towards the federal government (Carafano and Zuckerman). Today, the governments of twenty-three states and territories continue to maintain small state defense forces, but these are negligible in size compared to the federal military (*id*.). The rise of a massive,

centralized, professional military has rendered the concept of the militia archaic and incongruous; non-governmental groups that arm and call themselves a militia are more likely to wind up on a terrorist watch list than to be hailed as "the people" in arms. The collective nature of arms bearing has dissipated, with present-day gun owners more likely to own guns for individual self-defense—and these gun owners "typically associate firearms with fear of their fellow citizens, not solidarity" (D. Williams 71).

The rights-holding, arms-bearing individual that the *Heller* Court imagines is not a generic citizen or member of the polity. Rather, the Court's vision of self-defense and individual liberty reflects a particular understanding of the self that, while clearly rooted in eighteenth-century Enlightenment thought, is also central to a neoliberal conception of governance that resonates in present-day politics. To understand this, it is necessary to view more closely the idea of self-defense that lies at the heart of current Second Amendment jurisprudence.

Self-Defense and the Defensible Self

The problem framed by the facts of both *Heller* and *McDonald* is the need for protection of self, family, and property from intrusion or violence by criminals in an urban setting. Defensive use of firearms in such a context implicates the self-defense doctrine in criminal law: self-defense is a "justification" that a defendant accused of a violent crime (generally homicide or battery) may plead to argue that her act of violence was appropriate under the circumstances and should not be punished.[55] Although nuances

[55] A "justification" is different from an "excuse," though both are affirmative defenses; an excuse concedes that the defendant committed the act and that it was wrong to do so, but proposes that the defendant was not fully culpable because of mitigating factors, such

may vary between states, the basic conditions of a self-defense justification are fairly uniform. Generally, three requirements must be met: (1) the defendant believed that the use of force was necessary under the circumstances to prevent imminent, unlawful death or serious physical harm of himself or another; (2) that belief was reasonable; and (3) the level of force used in self-defense was proportional to the perceived threat (Forell 1403; Zbrzeznj 233).

The doctrine of self-defense has deep roots in English common law, but underwent changes once transplanted in America, most significantly in the erosion of the duty to retreat. In English common law, a person had a duty to retreat, or escape, if it was possible to do so before resorting to the use of force against a threatening person. In the United States, most states have adopted what is known as the Castle Doctrine, which holds that retreat is unnecessary when one is on one's own property (Zbrzeznj 233).[56] The Castle Doctrine lowers the bar for a shooter to make a self-defense claim if he finds an intruder in his home—his "castle." Lydia Zbrzeznj attributes the elimination of the duty to retreat to cultural factors, principally an American machismo that dictates that the "true man" does not retreat.[57] Accordingly, Jeannie Suk has argued that gendered

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as insanity or duress. There is a gray area between justification and excuse in cases of mistaken self-defense, which I will discuss later.

[56] See the Indiana Supreme Court case *Runyan v. State* (1877): "A very brief examination of the American authorities makes it evident that the ancient doctrine, as to the duty of a person assailed to retreat as far as he can, before he is justified in repelling force by force, has been greatly modified in this country, and has with us a much narrower application than formerly. Indeed, the tendency of the American mind seems to be very strongly against the enforcement of any rule which requires a person to flee when assailed, to avoid chastisement or even to save human life, and that tendency is well illustrated by the recent decisions of our courts, bearing on the general subject of the right of self-defence."

[57] Zbrzeznj quotes from, *inter alia*, *Runyan v. State*, 57 Ind. 80, 84 (1877), which attributes the change to "the tendency of the American mind" to refuse to flee in the face

narratives have shaped the law of self-defense and that stereotypes of feminine victimhood have largely been preserved by modern changes to self-defense law. Within the past few decades, increasingly popular "Stand Your Ground" laws extend the Castle Doctrine further by allowing a person to shoot in self-defense anywhere she has a right to be, at home or not, without first retreating (*id*. 266).

In the American legal system, where the government generally maintains a monopoly on the legitimate use of violence, the self-defense justification is exceptional: it is a rare instance of the law condoning private violence, even homicide, between individuals. For such an aberration to be reasonable, self-defense presumes the existence of what I will call a *defensible self*.[58] This means, first, a self that is considered by society to be worthy of preservation, even at the cost of another's life; and second, a self that is rational and competent to lawfully safeguard its own wellbeing if allowed the means to do so. The defensible self is crucial to *Heller*'s interpretation of the Second Amendment: only such a self can reasonably be entrusted with broad access to firearms and, therefore, the power to make life-or-death decisions about other people. These decisions arise not in a militia context, where they would theoretically be made in the collective interest and within a chain of command, but rather in private interactions, on an ongoing basis. Self-defense law effects an ad hoc privatization of law enforcement in the spaces where state protection does not reach.

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of danger, and *Erwin v. State*, 29 Ohio St. 186, 199-200 (1876), which states that "a true man," when attacked through no fault of his own, "is not obliged to fly from an assailant" (236; emphasis omitted).

[58] To be clear, "defensible self" is not a legal term, but rather my way of drawing attention to certain assumptions embedded in the doctrine of self-defense.

The defensible self is the Court's ideal arms bearer, and he might look familiar to critics of neoliberalism: he is akin to the figures Wendy Brown dubs *Homo oeconomicus*, "rational, calculating creatures whose moral autonomy is measured by their capacity for 'self-care'—the ability to provide for their own needs and service their own ambitions" (Brown, "Neo-liberalism"). As the ideal participant in a capitalist, market-based society, *Homo oeconomicus* has become central to twenty-first-century political and economic life: he thrives in a world in which "the state exists to secure the freedom of individuals on a formally egalitarian basis" without intervening in, or even recognizing, preexisting social and economic inequities (Brown, "Neo-liberalism"). In Brown's view, neoliberal rationality has emerged as a mode of governance that functions principally by "carr[ying] responsibility for the self to new heights" (*id*.). *Heller* aids in this enterprise, first, by securing to property-owning citizens the ability to protect what is theirs (their "castle") from those who would usurp it (putative criminals); and second, as will be explained, by reinforcing a scheme of individual self-preservation that in practice favors some groups over others.

The doctrine of self-defense is formally egalitarian, for all Americans may in theory make use of it. Under *Heller*, however, the regulation of arms bearing in the United States—commonly called "gun control"—is simultaneously the determination of who, or what, constitutes a defensible self. This determination takes place within a political and economic system that incentivizes both property ownership and "self-care." Even as *Heller* declares arms bearing essential to self-defense, it also explicitly validates some limitations on what makes a proper arms-bearing subject. For example, the government may constitutionally prohibit gun ownership by "felons and the mentally ill,"

even though doing so compromises those people's supposedly "fundamental" and "inherent" right to self-defense (627).[59] Such restrictions are widely considered "sensible," but often have a disparate impact on marginalized communities.[60] There is also a broader process, apart from categorical legal restrictions on arms bearing, through which the defensible self is socially constructed in political discourse and popular culture. Self-defense doctrine has developed from, and is enacted within, a social imaginary that privileges the figure of the autonomous, white, male, property-owning, U.S.-citizen arms bearer. It is no accident that Dick Heller, the lead plaintiff in *Heller*, is a white, male, U.S. citizen property owner living in a city with a large black population that still maintains de facto residential segregation.

Like many other landmark Supreme Court cases, *Heller* was planned and executed by activists; Robert A. Levy, chairman of the board of the libertarian Cato Institute, personally funded it and served as co-counsel. The *Heller* team no doubt chose its plaintiffs cautiously in order to construct a narrative that would most likely achieve its goal of maximizing individual gun rights. This meant, in part, selecting a plaintiff to whom the justices would attribute both a clear need for arms and the wherewithal to properly use them—that is, someone immediately recognizable to the Court as a

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[59] As Stevens points out, this pronouncement creates an inconsistency in the Court's reasoning: the majority at first seems to claim that the phrase "the people" in the Second Amendment means the same thing that it does in the First and Fourth Amendments; but then the majority limits that broad class to only "law-abiding, responsible" citizens, even though the First and Fourth Amendments would not be denied to non-law-abiding or irresponsible citizens (*Heller* 644).

[60] The prohibition on felon gun ownership, for example, disproportionately disarms minorities, particularly black men, continuing a long history of American gun control directed at communities of color; see Michelle Alexander's *The New Jim Crow*. It is also possible that poorer people, who rely more on state-run mental health care, are more likely to be reported as dangerously mentally ill to the federal background check system.

defensible self. As the Supreme Court's paradigmatic gun owner, vetted by libertarian activists, Dick Heller reinforces a particular set of narratives about who requires (or deserves) self-defense and against whom—who is and who is not a defensible self in American society. These narratives have a long history and deep roots in American law and culture.

The defensible self is a corollary to the rational, ethical, and self-conscious Enlightenment individual who dominated eighteenth-century political thought—an individual who has long been coded as a white male. Both figures developed in the European imagination as a contrast to the irrational "savages" who supposedly occupied Africa and the Americas prior to the arrival of Europeans. Ann Tweedy, in her work on American Indian law, argues that *Heller*'s notion of self-defense is rooted in certain myths that accompanied white settler-colonialism: white settlers perceived a need for armed defense against Native Americans, whom they viewed as a naturally violent race and whose land claims they presumed illegitimate. Even today, Tweedy writes, American Indians are viewed as violent and untrustworthy, a stereotype that has serious consequences for Indian law. The "savage Indian" stereotype reveals itself in *Heller* in numerous ways. For example, in oral arguments, Justice Kennedy asked whether the right to bear arms was not concerned with the ability of "the remote settler to defend himself and his family against hostile Indian tribes and outlaws, wolves and bears and grizzlies and things like that?", a question that Tweedy quotes from in the title of her article (6). Along similar lines, in the majority opinion itself Scalia quotes Charles Sumner when describing the long tradition of gun use in the United States: "The rifle has ever been the companion of the pioneer and, under God, his tutelary protector against the red man and

the beast of the forest." Kennedy, the "swing vote" in *Heller*, and Scalia both illustrate that today, even at the highest levels of the law, the right to bear arms is understood at least partly through the story of the settler and the savage: the white man in the wilderness, defending his small patch of civilization against Indians, wild animals, and "things like that."

The impact of Indian stereotypes in the law has been severe: after a long history of curtailments of Indian sovereignty, tribal nations today lack jurisdiction over non-Indians who commit crimes on Indian land. Tribal courts' limited jurisdiction has contributed to high rates of violent crime on reservations, including an epidemic of sexual assaults on Indian women committed by non-Indian men—many of them predatory repeat offenders—who go unprosecuted by both tribal courts and federal courts (the former because they cannot and the latter because they almost always decline to) (Erdrich). While the white male settler was, in part, defending white women against the imagined sexual aggression of Native American men, Indian women have paid and continue to pay a high price for the resulting legal deficiencies, argues Tweedy. In effect, Native Americans have been deprived of their own right to individual and collective self-defense, even as white Americans have shored up their sense of security through particular, racially biased interpretations of the right to bear arms.

Native Americans are of course not the only group against whom white self-defense has historically been defined. Carl T. Bogus argues that slavery and race were much more important to the Second Amendment's origin than is usually acknowledged, given that state militias throughout the South were used primarily as slave patrols in the late eighteenth century until the Civil War. Reading between the lines of both familiar

and less well-known documents, Bogus recounts an unofficial, "hidden history" of the Bill of Rights, consisting of political haggling and compromises executed to gain Southern support for the Constitution (321). The Second Amendment, in his view, was intended to reassure Southern states (most of all Virginia, whose ratification was crucial and in doubt) that they could continue to use their state militias to restrict the movements and activities of slaves and to prevent and put down slave insurrections. In states where slaves comprised as much as half the population, Bogus writes, "[t]he militia was the first and last protection from the omnipresent threat of slave insurrection or vengeance" (*id*. 337). Patrick Henry, a slave owner and anti-Federalist, went so far as to suggest that the new federal government would use its powers to enlist blacks into the standing army and emancipate them. Speaking to the Virginia Convention, he warned, "Slavery is detested. . . . Have they [the federal government] not power to provide for the general defence and welfare? May they not think that these call for the abolition of slavery? May they not pronounce all slaves free, and will they not be warranted by that power?" (quoted in *id*. 352). Again, the safety and security of white citizens was measured by their ability to control the threat they perceived to emanate from non-white populations. Bogus concludes by noting the importance of the Second Amendment's racial history not only for legal interpretation, but also for the way the right to bear arms is represented in discourse and culture: "The Second Amendment takes on an entirely different complexion when instead of being symbolized by a musket in the hands of the minuteman, it is associated with a musket in the hands of the slave holder" (*id*. 408). Tweedy and Bogus open the door to further race-conscious analyses of Second

Amendment law that can help reframe present-day debates about gun rights and gun control.

One major problem of a self-defense-based Second Amendment lies in the identification of threats requiring self-defense. A growing body of social science data demonstrates that "shooter bias" exists: both white and black people are more likely to shoot an unarmed black male than an unarmed white male (Feingold and Lorang 223-224). Such bias plays out in the phenomenon that blogger Julian Abagond has dubbed the "phantom Negro weapon," in which an unarmed African American, usually male, is perceived as a threat, presumed to be armed, and accordingly shot in "self-defense." The "phantom" gun or knife may turn out to be a wallet, cell phone, or drink can. One example of the phenomenon is the Trayvon Martin case from 2012.[61] Martin was an African American teenager walking from a convenience store to the home of a family friend in a gated community in Florida, when he was shot and killed by Neighborhood Watch patrolman George Zimmerman, a white Hispanic man who claimed that Martin made him fear for his life. Shortly before the confrontation, Zimmerman was following Martin in an unmarked SUV despite being instructed not to by a 911 operator. Local prosecutors declined to press charges, accepting Zimmerman's assessment that the unarmed, African American boy wearing a hoodie and walking in an affluent neighborhood posed enough of a threat to justify Zimmerman's behavior. After a public outcry demanding "Justice for Trayvon Martin," the state of Florida appointed a special investigator to re-evaluate the case. Prosecuted for second-degree murder in 2013, Zimmerman was ultimately acquitted by a jury that accepted his claim of self-defense

[61] It has been a few years since Martin's death, and I address the belatedness of this analysis in the coda to this chapter.

under Florida's sweeping Stand Your Ground law. Not all observers saw Martin's death as a travesty: soon after news of Martin's death broke, shooting targets decorated with his image and other paraphernalia cropped up for sale on the Internet, and some media outlets began digging for dirt to fight the portrayal of Martin as an "innocent" boy.

The injustice of Trayvon Martin's death was compounded by its resemblance to numerous other instances in which unarmed, young black men have been shot and killed in *mistaken* self-defense, often by law enforcement officers. Mistaken self-defense poses a problem in criminal law because it blurs the lines between justification, excuse, and guilt.[62] It also suffers from procedural inconsistency and lack of transparency, since in many cases local prosecutors or internal review boards save a shooter from a murder charge. Even when a case goes to trial, the standard by which a self-defense claim is judged leaves a troubling amount of room for bias and error. In the three requirements for self-defense set forth earlier, the crucial question is not whether the shooter *actually* needed to shoot the victim in order to prevent imminent death or harm, but rather, whether the shooter *reasonably believed* that he needed to. In most jurisdictions, reasonableness is evaluated through the eyes of an imaginary "reasonable person" (or sometimes, tellingly, "reasonable man"); the judge or jury is asked to determine what this reasonable person would have thought or felt under all the circumstances that faced the shooter (Forell 1401, 1405). The standard has been called "the common law's most enduring legal fiction," and it has been criticized for being "broadly, vaguely, and

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[62] If a case of mistaken self-defense goes to trial, self-defense can function as an excuse rather than a justification, since the fact finder determines that the killing was wrong, but the shooter is nevertheless not culpable because his mistake was sincere and "reasonable." Mistaken self-defense can also highlight differences between criminal and tort law; as Caroline Forell points out, a criminal trial and a civil trial based on the same facts might reach different conclusions about the shooter's culpability.

discordantly defined" as well as skewed toward a masculine perspective (Forell 1405; Ingram 430–431).[63] For most of American history, the reasonable person has been described as male and is still sometimes called the "reasonable man," even though a shift to a genderless standard ostensibly occurred in the 1970s and 1980s (Forell 1405). While some characterize the reasonable person as an ordinary being of mediocre abilities, others imagine him as a community's ideal of moral, rational judgment. It is still unclear whether the reasonable person should consider background characteristics such as the shooter's or victim's age, size, or strength (*id*. 1404). However, scholars have suggested that prosecutors, judges, and juries are more likely to empathize with a shooter's fear of a nonwhite person, and therefore more likely to find a claim of self-defense "reasonable" when the victim is a person of color (Lee 1563).

At the same time that racial bias makes people of color, particularly young black, Latino, and Native men, more prone than white people to being shot in mistaken self-defense, self-defense as a justification for violence has historically been less available to nonwhite Americans. Robert J. Cottrol and Raymond T. Diamond have highlighted the extent to which black Americans' self-defense rights have been compromised. They write that white and black Americans have had "radically different experiences with respect to violence and state protection," given law enforcement's long complicity with, and often involvement in, racist violence aimed at controlling black populations (359). At many points in American history, black Americans were denied the right to bear arms for their own self-defense through either discriminatory gun laws or white vigilantism. In the antebellum period, African Americans' "right to possess arms was highly dependent on

[63] Moreover, there is fundamental difficulty in evaluating whether a shooter's fear, which some view as an inherently irrational characteristic, is reasonable.

white opinion of black loyalty and reliability," particularly in the South, and during earlier periods could also be contingent upon the necessity of extra arms for frontier defense (*id*. 326). After the Civil War, Southern state laws restricted black ownership and use of firearms, while private violence by whites kept free blacks confined to certain geographic areas, locked into near-slavery-like working conditions, and unable to vote (*id*. 349).

As the above histories show, Native Americans, African Americans, and other people of color have been socially and legally constructed as non-defensible selves, deserving of the violence directed at them and untrustworthy as arms bearers in their own defense. Writing in 1991, well before *Heller*, Cottrol and Diamond argue for an individual-rights theory of the Second Amendment that takes into consideration the "subcultures in American society who have been less able to rely on state protection," and who instead have had to cultivate individual and community-based strategies of armed self-defense (319). Such strategies have not generally been well received by those outside the activist community, and have sometimes been a source of controversy within it as well. The next section examines what happened when the dominant self-defense narrative was turned on its head by a group of young African Americans, mostly male, who organized and took up arms to protect working class black neighborhoods from police brutality in the mid-1960s. Through a series of dramatic political demonstrations, the Black Panther Party for Self-Defense asserted that African Americans were both in need of self-defense and capable of bearing arms in a legal, organized manner—that they were, in essence, defensible selves. The Black Panthers' performative acts provoked fear

and outrage among white residents, police, and legislators, leading to the introduction of a new gun law that changed the landscape of gun rights in California.

Performing the Defensible Self: The Black Panther Party for Self-Defense

Between its start in 1966 and its end in the late 1970s, the Black Panther Party produced a rich, though now widely dispersed, archive of expressive media that includes the Party's newspaper *The Black Panther*, other periodicals and pamphlets, writing of various genres, posters and buttons, artwork, photography, and even musical recordings by Party members. More difficult to pin down are the distinctive embodied expressions—consisting of posture, gesture, and movement—that are essential to the Panthers' cultural legacy yet seldom analyzed as texts themselves. These include the raised fist, the flag flying and uniform wearing, the marching and standing in military formation, and the carrying of arms. Along with the unofficial uniform itself—black jacket, dark sunglasses, black beret—such stylized, repeated gestures make the Black Panthers some of the most visually recognizable figures from the era. This type of expression, which I consider here as performance, is both ephemeral and iterative.[64]

The Panthers largely embraced their popular designation as "militants," but their performance of military style, rhetoric, and gestures was always multivalent, a critical

[64] While the Panthers' characteristic gestures have been repeatedly recorded in writing and visual media, their study is complicated by the fact that past performances are always filtered through some medium of preservation, such as photojournalism or historiography. Performative work is ephemeral and iterative by nature; perhaps because it is so its basic contours can be preserved in many different forms, including narrative accounts (written and oral), audio or visual recordings, cultural memory, and references in later literature, art, and discourse. Analysis therefore sometimes has two distinct, though related, objects: the performance itself and the material form in which it is captured.

reinvention rather than imitation. By "thinking through movements . . . the otherwise unthinkable" (to borrow from Joseph Roach's definition of performance), the Panthers satirized, critiqued, and directly resisted the practices of a racially biased and increasingly militarized law enforcement infrastructure (Roach 27). The early Panthers' most significant political demonstrations, the focus of this analysis, included their campaign to "patrol the police" in black neighborhoods, which began in 1966, and their armed gun rights demonstration at the California State Capitol in 1967. Both were responses to economic injustice and violent, racist policing, and both used image, gesture, sound, and movement to highlight some of the complex, interrelated ways racial identity and arms bearing are understood, imagined, and regulated in the United States. The State Capitol protest transformed the Party from a small, local activist group into a national media sensation, and remains one of the iconic scenes from that era in U.S. history. To productively "read" the State Capitol protest as performance—as embodied expression—it is necessary to understand how and why the Black Panther Party for Self-Defense emerged. This means revisiting the Party's early campaign to "patrol the police."

In the 1960s, Oakland, California was experiencing problems familiar to many American cities with large black communities at that time: unemployment, poverty, terrible schools, and an epidemic of racist, violent policing. Although Oakland's population in 1966 was one-quarter black, the police force of 600 officers included only 19 black members (about three percent) (Pearson 116). Shootings and beatings of unarmed black men by white police officers were routinely found to be "justifiable" homicide or battery. The situation was potentially explosive, given the spectacular urban riots that occurred in cities across the nation in the early and mid-1960s. The 1965 Watts

Riot in Los Angeles, for example, had killed 34 people, injured thousands, and caused massive property damage. While such riots woke many Americans to the impact of sustained inequality, they also raised the stakes of racial conflict. Recognizing that the Bay Area had neighborhoods with similar socioeconomic conditions to Watts, some felt it was only a matter of time before violent civic disorder reached the Bay Area as well ("Los Angeles Riot").

In 1966, two college students living in Oakland, Huey P. Newton and Bobby Seale, drew up a "Ten Point Platform" demanding, among other things, jobs, housing, exemption from military service for black people, and an end to police brutality. This was the start of the Black Panther Party for Self-Defense.[65] The demands expressed in the Ten Point Platform reflected socialistic ideas that Newton and Seale had developed after reading Mao Tse Tung, Frantz Fanon, and other global thinkers who were influential in anticolonial and anti-imperialist movements. To a large extent, the Platform addressed basic needs in the black community that other African-American rights and social-justice movements had attempted, with limited success, to meet over the years. The Panthers saw themselves as an alternative not just to the mainstream Civil Rights Movement's agenda of non-violence, which relied to some extent on black people getting beaten and killed *without* defending themselves, but also to the black cultural nationalists who were concentrated on college campuses, intellectualizing about "Africa" but detaching themselves from everyday working black people. For inspiration, Newton and Seale looked not to Martin Luther King, Jr. as many in their parents' generation did, but to

[65] Around this time, there was another group out of northern California that also called itself the Black Panther Party, and a third in Harlem. All these branches had borrowed their logo from the Lowndes County Freedom Organization.

Malcolm X and Robert F. Williams, activists who had within the preceding decade begun to popularize the idea of organized, armed resistance to white supremacy. The Black Panthers were also heavily influenced by the Nation of Islam, which, as Jeffrey O.G. Ogbar put it, laid "the axiological foundation on which more radical organizations would build" (197). But unlike many of the social movements and organizations that preceded them, the Panthers emphasized the needs of the "lumpen proletariat," or the poor and working classes (*id*. 194–95). Like many in the Black Power Movement, they oscillated between, on one hand, cross-racial, transnational identification with poor and oppressed people the world over, and on the other hand, the desire for a distinctly black, American mode of activism to combat domestic racism.

From the beginning, Newton and Seale evinced a keen appreciation for publicity by producing highly orchestrated visual images and gestures that they knew would be talked about, broadcast, or reproduced. The Panther leaders also had a sharp sense of irony that led them to call out the absurd social and political conditions created by white supremacy. In a bid to attract members to the new party, Newton and Seale began a campaign they called "patrolling the police." Although the campaign remained local and lasted only a few months, it set in motion events that ultimately placed the Panthers on the world stage.

During Panther police patrols, small groups of openly (and legally) armed Panthers followed beat officers through black neighborhoods to observe arrests and police stops. Newton, who was taking law classes, brought his law textbooks and loudly read relevant rules at the officer and detainee. He often engaged in verbal confrontations with the officer, but made sure his group did not physically approach; he knew it was

their constitutional right to observe police carrying out duties as long as they did so from a certain distance. In these staged encounters, Newton practiced "shock-a-buku," a term he coined for unexpected maneuvers that keep the "enemy" off guard (Newton, ch. 18). One example was mirroring the officer's questions. If the officer asked, "What are you going to do with that gun?", Newton replied, "What are you going to do with *your* gun?" If the officer asked "Are you a Marxist?", Newton replied, "Are you a fascist?" (Seale 90-91). Some police officers reacted with curses and insults; the Panthers "responded in kind, calling them swine and pigs" (Newton, ch. 17). The confrontations often ended with a baffled, frightened officer giving up and leaving.

The Panther police patrols were not particularly effective as a strategy of community protection, though the Newton and Seale advertised them as such.[66] More accurately, the patrols were embodied political speech, or a kind of performance art intended "to capture the imagination" of black people, as Newton put it (*id.*). By mirroring police practices and language, the Panthers deployed the familiar rhetorical strategy of "signifying" through repetition and difference. In his classic theory of African-American literature, Henry Louis Gates, Jr. defines signifying—or "Signifyin(g)," his Derridean neologism—as a distinctively African-American vernacular tradition in which a speaker or writer conveys a received concept, but adds a layer of "meta-discourse" to it (Gates 47). This can be done through a variety of devices, such as puns or homonyms with ironic, often humorous reversals of meaning. In many cases, signifying launches a "political offensive" by supplanting the dominant (white-identified,

[66] Newton claimed that "the statistics of murder and brutality by policemen in our communities fell sharply" as a result of the police patrols (Newton, ch. 17). While this might be true, I do not have corroboration for it.

standard English) meaning of a word or idea with a subordinate (black-identified, vernacular) one (*id.* 47). In such a linguistic move, Gates writes, we "witness . . . the (political, semantic) confrontation between two parallel discursive universes: the black American linguistic circle and the white" (*id.* 45). In a racially divided society, black speech has always encompassed multiple registers of meaning, adding layers of commentary or strategic ambiguity to dominant speech, sometimes in a way that is apparent to other black people but not to nonblack people. By reading to the police officer from a law textbook, Newton conveys the received meaning of the law, but also casts doubt on the officer's authority as a mediator between the law and citizens. Similarly, when Newton asks the police officer, "What are you going to do with *your* gun?", he replicates the officer's question formally, but radically shifts its context and meaning: that Newton asks the question at all challenges the usual power relationship between the white officer and the black community he patrols, and the question itself highlights (implicitly criticizing) the prevalence of unwarranted police violence. Moreover, the act of patrolling—monitoring the police by physically following them with guns—turned the police's act of patrolling African Americans into an absurd spectacle. As Newton recalled, once the Panthers started tailing a patrol car, "If [the policeman] darted around the block or made a U-turn trying to follow us, we let him do it until he got tired of that. Then, we would follow him again. Either way, we took up a good bit of police time" (Newton, ch. 17).

Not surprisingly, the Panthers' activities quickly drew heightened law enforcement attention and harassment. According to police department records located at the California State Archive, the Oakland Police Department circulated among its officers

the names, addresses, and vehicle descriptions of known Party members and began to watch their movements closely. Newton writes that the police harassed the Panthers with frequent traffic stops that resulted in no ticket or minor charges that were later dropped (*id.*). The confrontations reached a crescendo one day when Newton, Seale, and three other Black Panthers were stopped by a patrol car while driving near the Panther headquarters. A typical verbal exchange began between Newton and the police officer, with Newton answering most questions with either recitations of the Constitution or mocking questions of his own. When asked for his phone number, Newton replied, "Five," and when asked what that meant, he replied that the Fifth Amendment protected him from self-incrimination. Historian Hugh Pearson describes the incident, based largely on Newton's and Seale's accounts:

> Soon four more patrol cars pulled up. The officer from one of the cars approached and asked Newton if he could see Bobby Seale's 9-mm pistol. 'No you can't see it!' Newton answered. 'No you can't see the pistol, nor this [his own rifle], and I don't want you to look at it.' The officers grew beside themselves with anger. 'Constitution my ass!' one of them said, perplexed by Newton's skill at turning the exact letter of the law around on the police department. 'Who in the hell do you think you are?!'
>
> All the Panthers in the car, except Huey, were nervous. They were ready to back down. Not Huey, who was now very angry. He opened the car door and asked, 'Who in the hell do you think *you* are!?! . . . This police officer is supposed to be carrying out his duty, and here you come talking about our guns. We have a constitutional right to carry the guns anyway, and I don't want to *hear* it.' Having

> carefully studied the law, which stated that you could carry a weapon in a vehicle as long as it wasn't loaded, Huey hopped out of the car and then dropped a round of ammo into his M-1. (Pearson 114–15)

Pearson's account of this incident resembles the trickster-hero anecdotes often used by Newton, Seale, Davis, and other Black Power activists in their storytelling. Here, Newton is braver and smarter than his interlocutors; he lays discursive traps, such as the "Five" gambit, into which the buffoonish officers walk. By verbally refusing to let the officers "see" or "look at" his or Bobby Seale's obviously visible guns, Newton calls out and rejects the officers' criminalizing gaze. In an ironic role reversal, the angry, "perplexed" police respond by cursing the Constitution they are bound to uphold, while Newton schools them in his own legal rights. When Newton finally makes a physical motion—stepping out of his car to legally load his gun—it is precisely calculated to demonstrate his mastery of the law. Loading a single round threatens no great violence when facing five patrol cars; it is, rather, yet another way of signifying on the police.

As the scene progressed, a crowd of local residents gathered to watch, and with the skill of a stage manager, Newton folded his audience into the exchange. In Pearson's account, the police attempt to disperse the crowd with threats of arrest. In response, Newton "took the keys to the Panther office, opened the office, and told the people to go inside and observe all they liked. They went in" (*id*. 115). From inside the glass-fronted office, the spectators deliver an outward gaze that is significant to Newton's performance in two ways. First, the presence of numerous witnesses makes unprovoked police violence against the detained Panthers less likely. Second, the black residents themselves perform a reversal of the white-on-black surveillance to which they are accustomed: from

the relative safety of black-controlled private space, their own improvised Panopticon, they, too, "patrol the police." The Panthers' proposition was relatively simple: that working-class black people should and could wrest control of their neighborhood away from police. Turning patrolling *by* the police completely around, the Panthers (if only momentarily) redrew the map of black–white power relations in the urban black neighborhood—a space where, from Newton's perspective, "the occupying army of racist police" had imposed its rule for generations (Newton, ch. 26).

The Panther police patrols turned out to be a good recruiting tool for the fledgling party. The repeated confrontations were not only interesting to watch but also entertaining to recount. The campaign spoke most directly to young African American men, those Newton called "the brothers from the block," some of whom seemed in search of new role models after Malcolm X's assassination the previous year. In *Seize the Time: The Story of the Black Panther Party and Huey P. Newton*, first published in 1970, Bobby Seale narrates (his version of) one of Eldridge Cleaver's first experiences of the Black Panther Party, learning about the police patrols:

> Eldridge just couldn't understand . . . how we pulled this shit off or why niggers would be crazy enough to go out there in the streets. . . . He said that when Malcolm was teaching, he was just dealing with rhetoric about how we had to organize a gun club . . . . He said it was abstract and he couldn't visualize it. Or if he did visualize it, he visualized a whole army, the black race armed. But then, when he saw us out there . . . about ten, twelve dudes with some guns, and he saw all those pigs. It looked like we didn't have a chance, it looked hopeless, but then

> many times it looked so beautiful and inspiring, that he just had to relate to it. (Seale 133-134)

As Seale explains it, the patrols allowed Cleaver to "visualize" black empowerment in a way he had not previously been able to. The police patrols fit no template Cleaver was conscious of: they were neither the bourgeois-sounding "gun clubs" advocated by Malcolm X, nor the improbable configuration of "a whole army, the black race armed." The Panthers armed and organized on a different, more dynamic, and perhaps more achievable scale: neighborhood-by-neighborhood, they demonstrated to African Americans how to protect their residential space in small, local groups.

Although the Panthers' police patrols seemed a fresh—or at least unexpected—concept, they were not in fact entirely new. The patrols' constitutive gestures, images, and interactions recalled (to some extent subliminally) the patrolling of race relations at many other points in American history by both oppressor and oppressed. They contained echoes of Southern slave patrols that protected white plantation society against the constant threat of slave rebellion; Negro militias that arose during and after Reconstruction to protect black neighborhoods from Ku Klux Klan violence; armed black neighborhood patrols organized in the 1950s and early 1960s by Robert F. Williams, an intellectual forefather of the Panthers; and, of course, the white-dominated police patrols whose grip on black neighborhoods the Panthers sought to loosen. The patrol has in all these instances served as a mechanism for either enforcing or subverting a racial hierarchy.

As performance, the Panther police patrols drew from a collective "mnemonic reserve" of embodied expressions, what Roach calls a "genealogy of performance." In

Roach's theory, bodies produce meaning by configuring memory, space, and time in significant ways:

> patterned movements made and remembered by bodies, residual movements retained implicitly in images or words (or in the silences between them), and imaginary movements dreamed in minds, not prior to language but constitutive of it, a psychic rehearsal for physical actions drawn from a repertoire that culture provides. (Roach 25–26)

Movement is referential insofar as observers can recognize it, even if subconsciously, as a repetition or refashioning of the past work of other bodies. Importantly, genealogies of performance provide a frame for examining not just historical continuity in movement, but also the body's capacity for critiquing and resisting dominant social formations: genealogies "attend to 'counter-memories,' or the disparities between history as it is discursively transmitted and memory as it is publicly enacted by the bodies that bear its consequences" (Roach 25-26 [check quote]). A genealogy of performance is a "repertoire" of gestures that allows the body to participate in a kind of kinesthetic semiotics with material as well as political implications; it contains the materials for physical domination *and* resistance.

As Marlon Ross has observed, "bodies are always in motion, changing their cultural-historical placement by struggling against the terms of their stigmatization *even when arrested*" (5; my emphasis). The institution of the racial patrol has long "arrested" black bodies in multiple senses: it constrains African Americans' physical mobility everyday, sometimes violently; and it captures people into a judicial-penal system that is primed to target and discipline black bodies. White-on-black patrolling is a spatial as well

as psychological tactic: even when it does not result in actual violence, it establishes the boundaries of racial territory through surveillance and threats of violence, and it cultivates a relation of dominance between patroller and patrolled. But African Americans have also at various times repeated the motions of patrolling as a way of "struggling against the terms of their stigmatization." That is, they have used the form of the patrol to subvert—and to signify on—the white-on-black patrol.

Historians' treatment of such (counter-)patrols is tellingly discordant: for example, while Saul Cornell paints Reconstruction-era Negro militias as a creation of the federal government, championed and organized by Republicans in Congress (Cornell 176–77), Andrew Witt emphasizes the agency of black militia members themselves. Witt writes,

> African Americans knew they had to protect their own communities because the federal government became less and less concerned with the plight of blacks. Out of this climate, the militias were born with the purpose of defending African American communities and preserving the right to vote. Black militias conducted parades and drills similar to military regiments, taking a calculated risk to test the theory that a show of black militancy would serve as a deterrent to white violence. Militias fought numerous gun battles with white aggressors, and the outnumbered African Americans more than held their own in most instances. (14)

Witt's history suggests the Black Panther Party's police patrols follow a tradition of African Americans organizing to defend their communities from racist attacks by whites. The contrast between Cornell's and Witt's accounts points to the ambiguity of repeated gesture: were Negro militias created in the image of white militias by a white-controlled

Congress, or was the form of the popular militia actively adopted and reinvented by the Negro militiamen themselves in response to white supremacy? Interestingly, Witt foregrounds the militias' performative aspect—their "show of black militancy"—while providing a somewhat vague, romanticized description of the militias' more tangible achievements, their "numerous gun battles with white aggressors" in which they "more than held their own." It is the "show" of militancy—the image, the form—that survives in the genealogy of performance from which Panther police patrols spring.

Whatever their origin, the existence of Negro militias was a thorn in the side of many Southern whites and may have been a factor in the rapid rise of the Ku Klux Klan in the late nineteenth century. Louis F. Post, a self-described "carpetbagger" who moved to South Carolina during Reconstruction, describes a wave of Klan violence "provoked" by the drilling and marching of armed Negro militias (Post 54). In a 1925 memoir, Post quotes from a racist Southern historian named Reynolds (of whom Post is critical), who writes that the "offensive" Negro militia "constantly drilled and frequently moved about the country districts, to the disgust of white citizens and the terror of their wives and children"; and although the militias had committed no violence, their "insolence was naturally a source of much irritation" (*id*.). One particularly "insolen[t]" habit was "their custom of marching 'company front' so as to occupy an entire street," forcing white carriage drivers to make way (*id*., quoting Reynolds). Reynolds claims militiamen also frequently drank, became violent, and threatened to kill white people (*id*. 55). Following the elections of 1870, the Klan began conducting "raids" on Negro militiamen. Justice Stevens in his *Heller* dissent mentions one such raid, which is described here in additional detail: a Negro militia captain named Jim Williams, whom Reynolds described

as “a bold and aggressive fellow” and “unquestionably a hater of the white race,” was dragged from his home at night and killed by sixty hooded, white men. As Post describes it, “On the dangling corpse those despicable savages then pinned a slip of paper inscribed . . . with these grim words: ‘Jim Williams gone to his last muster’” (*id*. 61, cited in *Heller* 671). The lynching of Captain Williams demonstrated how violently whites could react to the sight of organized, armed, black men occupying the streets—public spaces where white town residents were used to seeing shows of deference, not militancy, from their black neighbors.

The Black Panther Party’s police patrols, occurring a century later, did not meet with Klan violence or lynching. Their “show of black militancy” was nevertheless calculated to tap into a deeply rooted fear that contours the white martial imaginary: the fear that black people would one day arm themselves *en masse* and wreak havoc on white people in public spaces. This old fear had been piqued by a recent series of urban riots around the country. The Panthers knew patrolling the police would be provocative—and the Oakland Police Department took the bait. To the police’s chagrin, however, they found that the Panthers’ patrols were entirely legal. Newton had studied California gun laws carefully and trained his companions to follow them to the letter. Unable to stop the Panther patrols under current laws, the police department turned to the California State Legislature for help.

On March 16, 1967, about five months after the Panthers began their patrols, Captain John Arca of the Oakland Police Department telephoned the office of Donald Mulford, the Republican state assemblyman for the East Bay. As recorded in a staff memorandum to Mulford, Arca requested “corrective legislation” to address these

"negroes [who] were violently anti-white and carried loaded shotguns and had 45 automatics strapped to their hips" (Buchanan). Arca feared that "there would be a 'shoot-out' in the not too distant future" and that "innocent bystanders might also be injured" (*id*.). Mulford required no convincing. He was already aware of the Black Panthers' activities and had been collecting news clippings and other materials relating to the group; he had also requested and received information from the City of Richmond's police chief about the Black Panther Party just days before Arca's call (Brown).[67] Around this time, Mulford himself telephoned a local radio show on which Newton was being interviewed to express his intention to put an end to the Panther police patrols (Newton, ch. 20). After Arca reached out to him, Mulford wrote and introduced AB 1591, a bill that would for the first time prohibit Californians from carrying "a loaded firearm on [their] person[s] or in a vehicle while in any public place or on any public street," in all incorporated cities and some unincorporated areas (California).[68] Since concealed carry without a permit was already illegal, the bill was aimed at eliminating open carry of the sort practiced by the Black Panther Party.[69] Mulford was candid about the bill's target, writing to Governor Ronald Reagan that "[t]he Black Panther movement is creating a serious problem. The bill was introduced at the request of the Oakland Police Department" (Mulford). AB 1591, or the Mulford Act, was quickly nicknamed the "Panther Bill" by some news media.

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[67] Over the next several years Mulford's paranoid file on the Panthers would grow to fill four bulging folders, which today are kept at the California State Archive as Mulford's bill file for AB 1591.

[68] The bill contained exceptions for certain categories of people, such as law enforcement officers and private security personnel.

[69] Cynthia Deitle Leonardatos has written a thorough article demonstrating that AB 1591 was aimed at the Black Panther Party and had no other purpose.

The Black Panther Party for Self-Defense reacted strongly to AB 1591. Newton drew up a statement, "Executive Mandate Number One," condemning the Panther Bill as racist and calling on black people to "arm themselves . . . before it is too late." On May 2, 1967, when the General Assembly was scheduled to debate the bill, thirty young, African-American men and women assembled on the steps of the California State Capitol to convey the message. Most wore the Panther uniform and twenty carried a rifle, shotgun, or handgun in full view.[70] There were more reporters than usual at the Capitol because the governor was hosting an event for schoolchildren; sensing an opportunity, Bobby Seale led his group of protesters into the Capitol building. That day would produce a spectacular first encounter between the Panthers and national news media.

A security guard informed the Panthers they could enter with their guns because they were not "violating anything" (Seale 156). Nevertheless, Seale writes, the onlookers they encountered inside "were saying with their eyes and their faces and expressions, 'Who in the hell are these niggers with these guns?'" (*id.* 157). The group set out to find the Assembly Hall, and on the way encountered a state police officer who tried to stop them. Seale began a now-familiar routine of challenging the "pig," but in this case was unexpectedly aided by the horde of photographers:

> Movie cameramen, still cameramen, regular cameras. Bulbs were flashing all over the place. . . . I turned around and asked a reporter, 'Could you please tell me where I go to observe the Assembly making the laws? I want to go there. I want to

[70] According to Bobby Seale, the group included twenty-four men and six women, ages ranging from 16 to 31, and twenty of the men were armed (Seale 153-156). Huey P. Newton was not there because, Seale explained, "The brothers felt we could not risk Huey getting shot or anything, so we voted that he would stay behind in Oakland" (*id.* 153). Others have reported that there were fewer people in the group and/or that it consisted only of men.

> see Mulford supposedly making this law against black people.' That's what I was thinking to myself—I want to see this. So he said, 'Straight down, sir.' I went ahead and saw this gate. As I was approaching the gate . . . this pig jumped out, this state pig, and said, 'Where the hell are you going?' I said, 'I'm going to observe the Assembly. What about it?'
>
> 'You can't come in here!'
>
> 'What the hell you mean, I can't come in here? You gonna deny me my constitutional right? Every citizen's got a right to observe the Assembly. What's wrong with you?'. . . [Meanwhile,] the reporters were vamping inside the gate. And so many reporters were trying to get in there, they bammed and knocked the pig all up against the wall. Trying to get pictures. (*id.* 158)

This three-way exchange between police, reporters, and Seale introduces the Panthers' complex relationship with the media. While the reporters seem at first glance to be assisting the Panthers—by giving directions and diverting the officer—the two groups' interests differ. Seale signifies on the media as well as the police by speaking simultaneously in multiple registers, layering what Gates calls "meta-discourse" on top of the interaction. First, Seale (seemingly) innocently asks a reporter to "please tell me where I go to observe the Assembly making the laws," but then adds ironically, "I want to see Mulford supposedly making this law against black people." Seale is not a citizen-tourist come to the capitol to observe democracy at work; *his* observation of the Assembly is a kind of surveillance, like the Panther police patrols. He intends to expose the legislature's racism using the mindless cameramen, who are so hungry for spectacle that they "bammed and knocked" a police officer just "to get pictures." Immediately after

posing his question to the reporter, Seale inserts a comment intended for the reader that adds a third layer of meaning to the exchange: "That's what I was thinking to myself—I want to see this." The "this" he (not so) privately wants to see is not just the making of laws, nor just the making of racist laws. He also wants to see—in life and press photographs—the Panthers' protest, with its multiple layers of signification and irony, and all the reactions to it.

The Panthers entered the Assembly Hall, where the legislature was in session. Startled by the crowd, a legislator immediately called for the cameramen to be removed; someone else repeatedly told the Panthers, "You're not supposed to be in here" (*id.* 160). They stayed only a few minutes; both Panthers and press were escorted from the Hall, with a bit of tussling as security guards tried to disarm some of the Panthers. Back in the corridor, still surrounded by reporters, Seale remembered Newton's statement and finally opened and read aloud "Executive Mandate Number One." The mandate condemned "the racist California Legislature" for the proposed AB 1591, which was "aimed at keeping the black people disarmed and powerless" even as "racist police agencies throughout the country are intensifying the terror, brutality, murder, and repression of black people."[71]

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[71] The text of "Executive Mandate Number One" in its entirety:

> "The Black Panther Party for Self-Defense calls upon the American people in general and the black people in particular to take careful note of the racist California Legislature which is now considering legislation aimed at keeping the black people disarmed and powerless at the very same time that racist police agencies throughout the country are intensifying the terror, brutality, murder, and repression of black people.
>
> "At the same time that the American government is waging a racist war of genocide in Vietnam, the concentration camps in which Japanese Americans were interned during World War II are being renovated and expanded. Since America has historically reserved the most barbaric treatment for non-white people, we are forced to conclude that these concentration camps are being prepared for black people who are determined to gain their freedom by any means necessary. The

Echoing the Declaration of Independence in structure, the mandate contains a catalog of grievances against the government—examples of racist state violence such as slavery, "genocide" against American Indians and the Vietnamese, and atomic bombings in Japan. This is followed by a recitation of peaceful means by which black people have pursued change—they have "begged, prayed, petitioned, demonstrated, and everything else"—and finally a declaration that they have had enough and "the time has come" for action. Black people "have suffered so much for so long at the hands of a racist society," the mandate states, recalling the Declaration of Independence's statement that "mankind are more disposed to suffer, while evils are sufferable." Like the American Revolutionaries whose "repeated Petitions [were] answered only by repeated injury" from English rulers "deaf to the voice of justice," the Panthers say that "City Hall turns a

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> enslavement of black people from the very beginning of this country, the genocide practiced on the American Indians and the confining of the survivors on reservations, the savage lynching of thousands of black men and women, the dropping of atomic bombs on Hiroshima and Nagasaki, and now the cowardly massacre in Vietnam, all testify to the fact that toward people of color the racist power structure of America has but one policy: repression, genocide, terror, and the big stick.
>
> "Black people have begged, prayed, petitioned, demonstrated, and everything else to get the racist power structure of America to right the wrongs which have historically been perpetrated against black people. All of these efforts have been answered by more repression, deceit, and hypocrisy. As the aggression of the racist American government escalates in Vietnam, the police agencies of America escalate the repression of black people throughout the ghettoes of America. Vicious police dogs, cattle prods, and increased patrols have become familiar sights in black communities. City Hall turns a deaf ear to the pleas of black people for relief from this increasing terror.
>
> "The Black Panther Party for Self-defense believes that the time has come for black people to arm themselves against this terror before it is too late. The pending Mulford Act brings the hour of doom one step nearer. A people who have suffered so much for so long at the hands of a racist society, must draw the line somewhere. We believe that the black communities of America must rise up as one man to halt the progression of a trend that leads inevitably to their total destruction."

deaf ear to the pleas of black people for relief" from racist, increasingly violent policing methods. Accordingly, the mandate continues, the Black Panthers "believe that the black communities of America must rise up as one man to halt the progression of a trend that leads inevitably to their total destruction." The referenced "trend" is the disarming of African Americans in anticipation of further subjugation.

Most of the protesters were arrested that day and jailed. Later, Bobby Seale would agree to serve six months for the "crime" of disrupting a legislative session, in exchange for the dropping of charges against others. The California State Capitol protest put the Black Panther Party on the map: overnight, a small, local activist group based in Oakland, California became a national, even international, sensation. The *Sacramento Bee* ran the front-page headline: "CAPITOL IS INVADED," with a sub-headline reading "State Police Halt Armed Negro Band." The *L.A. Times*' editorial board called for new gun laws after "a band of Negroes armed with loaded [guns] forced its way into the Assembly chamber at Sacramento." Other media stories also painted the Panthers in language suggesting either a foreign militia or a group of bandits had "invaded" the capitol, even though security guards had allowed the Panthers in for their demonstration. Photographs and video footage showed the armed Panthers standing in a militaristic V-formation on the steps of the capitol; Panthers walking down hallways in the capitol building, guns at their sides, with Bobby Seale coolly smoking a cigarette; and close-up scenes of individual armed Panthers confronting white security guards, their long guns framed conspicuously. While mainstream white Americans interpreted these scenes as a grave threat to law and order, the striking images attracted a significant number of young African Americans to the Party. Within weeks, Black Panther Party branches sprang up

all over the country. The Party was on its way to becoming the phenomenon FBI director J. Edgar Hoover would call, in 1969, the "greatest threat to internal security of the country" (PBS).

AB 1591 gained momentum following the California State Capitol protest. One week after, the bill was revised to state that because of the "urgency" of the matter, it would "take effect immediately," citing "the increasing incidence of organized groups and individuals publicly arming themselves for purposes inimical to the peace and safety of the people of California." It passed and was signed into law by Governor Reagan on July 28, 1967. AB 1591 was a drastic measure: it changed the legal landscape and visual politics of gun rights in California by shifting the dominant paradigm of self-arming from open carry to permit-only concealed carry. California had then, and still has, a restrictive system for concealed carry in which permits are issued only after a showing of "good cause" and "good moral character" and an investigation by law enforcement. As a result, relatively few people were able to legally carry a concealed weapon.[72] However, prior to passage of AB 1591, Californians could carry legally owned weapons without a permit if the weapon was visible; open carry was considered safer and more responsible than concealed carry because it alerted others to the presence of a firearm. After AB 1591, California was left with one of the strictest gun control regimes in the nation, a status it

[72] As of mid-June 2015, the Ninth Circuit Court of Appeals is preparing to rule on a case, *Edward Peruta v. County of San Diego*, that affects California's restrictive concealed-carry permit system. California has traditionally been a "may-issue" state, meaning that citizens applying for a concealed-carry permit must show a reason for it beyond just that they are law-abiding and want one. In 2014, a three-judge panel of the Ninth Circuit ruled that this restrictive system was unconstitutional, which could have the effect of making California a "shall-issue" state, in which any citizen meeting minimum requirements could acquire a concealed-carry permit without demonstrating a special reason for it. However, the Court announced later in 2014 that it would rehear the case *en banc*; oral arguments were heard on June 16, 2015.

maintains today, and guns largely disappeared from public view.[73] The Black Panther Party, ultimately outmaneuvered in the legislature, ceased its police patrols. With the new law, conservative leaders demonstrated that they were willing to restrict gun rights for all in order to keep a few black activists unarmed.

The move from open carry to concealed carry was not limited to California; from the early 1970s, legal carry in public places began to be "suppressed in most states," according to David Kopel, a libertarian scholar who has worked for the Cato Institute ("Living Constitution" 125-26). Kopel writes that the "gun prohibition movement," his label for gun-control advocates, "sought to make guns into cigarettes—pushed out of public spaces, and confined to an ever-smaller physical zone where permission was granted" (*id*. 126). Kopel correctly suggests that removing guns from public view is a way of stigmatizing firearms and encouraging a cultural shift in favor of stricter gun regulation. It is important to add that such stigmatization occurs unevenly: in California, it was undoubtedly the sight of legally, purposefully armed African Americans that finally pushed guns into concealment, after open carry had been in place for centuries. The change in gun rights in California may have influenced the move to concealed carry nationwide, as state legislatures responded one after another to the racial and political unrest of the 1960s with increased gun regulation. The Black Panthers also provided "an especially visible element" that primed the nation for passage of the federal Gun Control Act of 1968 (GCA) (Carter 64). That GCA created the Bureau of Alcohol, Tobacco, and Firearms and today remains the basis of all federal firearms regulation (*id*. 240–241).

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[73] Although the law has been revised multiple times since 1967, the basic prohibition on carrying loaded weapons in public places remains in effect in California.

Tellingly, the GCA also outlawed the inexpensive handguns known as Saturday Night Specials, which were associated with urban crime and rioting, leading some to surmise that the Act "was passed not to control guns but to control blacks" (Winkler, "Secret History").

The Panther Bill and surrounding events were about more than firearms being carried in public places; they were also about the use and control of public space itself. Disarming the Panthers (and those who would follow their short-lived example) was a way to reinforce police control of black neighborhoods, while public responses to the Panthers' State Capitol protest made clear that the space of the capitol—the putative site of lawmaking and democratic governance—belonged only to some segments of the population. Senator Donald Grunsky introduced AB 1591 to his fellow state legislators in this way:

> Armed bands, carrying loaded shotguns, automatic and semi-automatic rifles and pistols, have invaded our courts, the offices of municipal government, and, indeed, they have even violated the Chambers of the Assembly here in the State Capitol. They have carried their loaded weapons into school houses while children were attending school. They have formed vigilante gangs with the purpose of taking the law into their own hands. And they have paraded up and down our city streets brandishing their loaded weapons. (Grunsky 2-3)

Although not named, the Black Panthers are clearly the subject of Grunsky's statement. The "invasion" trope widely used by media and politicians reflected the dominant view that the Panthers had entered a space where they were "not supposed to be"—as they were literally told in the Assembly Hall, despite having entered the capitol building

through a security checkpoint. Speaking in the same building from which the Black Panthers had been ejected, Grunsky reinforces the Panthers' outsider status: the Panthers physically "invade" from elsewhere; they fall outside the law even when they operate within it; and most importantly, they are excluded from the possessive "our" used to describe virtually all of the public places the bill aimed to protect—streets, schools, courts, government offices, and the state capitol. The Panthers' actions offended the narrow "us" Grunsky imagined as his constituency not just by carrying dangerous weapons that could reasonably be seen as a public hazard, but also by disrupting the social order of public spaces associated with civic life, political participation, and governance.

Coda: Yesterday's News

The invasion narrative propounded by Grunsky and others after the Panthers' State Capitol protest came as no surprise to the Black Panthers, who were becoming skilled at tapping into some of the more fearful spaces of the dominant (white) social imaginary. The Panthers knew not only the power, but also the versatility, of images—their capacity to speak in different registers, to convey different messages to multiple audiences at once. What could strike terror and rage in the heart of the average white legislator could also stir awe and hope in young African Americans as well as politically progressive people of other races. It could also, of course, cause great consternation among some antiracism activists, including African Americans, who believed a more peaceful or conciliatory path was advisable. What mattered to the Panthers was that *they* were producing new or re-signified images that would enter, and perhaps transform, a

shifting social imaginary. As Newton put it, their hope was to "capture the imagination of black people"—and perhaps of non-black people as well.

In the introduction to Newton's autobiography, his widow Frederika Newton describes one of the Panthers' most famous images—Newton sitting in a high-backed wicker chair, holding a gun in one hand and a spear in the other. The photograph was staged by Eldridge Cleaver.

> Eldridge's intended message was a symbolic bridging of the spear and the gun, or, put another way, the transference of the cultural nationalism of the past to a revolutionary culture in the future. This volatile image resonated deeply in an era marked by scores of riots and rebellions in black communities across the country. Later, when the photograph appeared on the cover of *Revolutionary Suicide*, the image of Huey as the intrepid African American freedom fighter was further cemented in the public's consciousness. (intro.)

Also cemented in the public's consciousness were the broadcast images of armed Panthers standing in formation on the steps of the state capitol, a carefully calculated manipulation of martial imagery that first turned the Panthers into cultural icons. In the end, the camera was in some ways a more powerful tool than the gun, and the early Panthers were well aware of this. Print capitalism, to borrow a page from Benedict Anderson, produces the bonds that tie a widespread community together—providing some common ground, a cultural touchstone, even for a diasporic community with distended roots, and even for a multiracial national community whose members sometimes seem to barely recognize each other.

During the time that I have been writing this dissertation, the news media have been in their usual fury of activity, and national and local events have taken place that underscore the urgent need for new, vocal, and race-conscious critiques of both individual gun rights and the militarization of state power. This chapter mentions the February 2012 shooting death of Florida teenager Trayvon Martin, a case that was still unfolding when I originally drafted this chapter. The shooting brought attention to the spread of state-level "Stand Your Ground" laws that extend the Castle Doctrine beyond the home and into public spaces, as well as the interplay of race, gun rights, and narratives of self-defense. In later drafts and presentations, I attempted to "update" the research by replacing Martin's case with newer ones that raised similar issues—only to find that the successions were distressingly endless. First I shifted to analyzing the shooting death of Jordan Davis, also in Florida, in November 2012; then, the death of Renisha McBride, shot while seeking help after a car accident in Michigan in November 2013; then, the police killing of Michael Brown, gunned down in Ferguson, Missouri in August 2014; then, other forms of violence that developed on the streets of Ferguson in the wake of Brown's death. Davis, McBride, and Brown were not, of course, the only unarmed African Americans shot and killed in mistaken (or falsified) self-defense during this period—not even close—but they are among the handful that, for various reasons, received a large amount of media attention.

It is instructive to sit for a moment with the jarring untimeliness of reading about Trayvon Martin after so many other, similar cases have acutely, but temporarily, captured our attention in the few years since his death. (Re)encountering Martin's death as "yesterday's news" calls to mind the first edition of the Black Panther Party's newspaper,

published on April 25, 1967, a few weeks after the shooting death of unarmed, twenty-two-year-old Denzil Dowell by police in Richmond, California. The handwritten front-page headline reads, "WHY WAS DENZIL DOWELL KILLED," with a sub-headline, "'I BELIEVE THE POLICE MURDERED MY SON,' SAYS THE MOTHER OF DENZIL DOWELL," next to a grainy black-and-white Xeroxed photograph of the young man. The grass-roots newspaper was published mainly as a call to action, announcing the time and place of a planned community meeting on Dowell's death, and reached a few hundred people at most. It reminds us that for a growing, increasingly mainstream portion of today's mass-media audience, the sentimentalized, politically galvanizing figure of the young, unjustly killed, African-American "man-child" has become its own myth. This figure forms a tragic triangle with the older figures of the racist, white, male cop (or other gunman) and the threatening, black, male criminal, all locked in battle in some media-saturated corner of the American martial imaginary. This is a distinctly masculine battle, as most imaginary battles are, which helps explain why Renisha McBride, Rekia Boyd, Miriam Carey, and other black women did not garner the same level of media attention as did male victims of excessive police force or mistaken self-defense shootings.

In pointing out the mythologizing of such news stories, I do not wish to diminish the real and specific traumas and losses incurred with each death. I only wish to highlight the fact that our heavily conflicted social imaginary evolves with political conditions, sometimes expanding to encompass new narratives or contracting to preclude old ones—but some of its narrative habits stubbornly persist. In a supposedly "post-racial" era, new forms of antiracist protest have certainly become part of the story. But, even as the #JusticeforTrayvonMartin movement on social media and on the streets gave way to

#JusticeforJordanDavis, #JusticeforRenishaMcBride, #JusticeforEricGarner, #JusticeforFreddieGray, and so on, some commentators drew an even longer historical line between these controversial deaths and those of Emmett Till, Jonathan Jackson, and others. And for the growing number of non-African Americans concerned about racist police violence (including myself), a familiar sentimental mode is repeatedly switched on, hearkening back perhaps even further to Harriet Beecher Stowe's 1852 *Uncle Tom's Cabin*, a work credited with stirring white conscience about slavery by staging a limited, maudlin sort of cross-racial empathy with the enslaved. Today, new black mothers stand in the media spotlight where Denzil Dowell's and Emmett Till's mothers once stood, and new community meetings are called. And yet there is no evidence that the pace of deaths has slowed.

In the end, I return to Martin, whose particular death came out of a tragically perfect storm of the social, historical, and legal circumstances I have attempted to critique in this chapter. Rather than trying to keep the chapter "current," perhaps it is more fruitful to consider what repetition and difference in the martial imaginary might teach us. Martin's killer could have been a brazen Klan member—but he was not. He looked more like a bumbling, deadly caricature of earnest neoliberalism—a self-appointed Neighborhood Watchman armed with a gun, a big car, and a lot of initiative, taking better care of property than life.[74] His racism was thoroughly knitted into his capitalism and his Americanness, in a very twenty-first-century way. In George Zimmerman's view, he was a Good Samaritan, a protector of other reasonable, self-sufficient people; told by the 911 operator that police were on their way, he preferred to step up to the plate rather than wait

[74] With thanks to H. Timothy Lovelace for a helpful conversation about this.

for the government to swoop in. After creating the entire confrontation to begin with, he ended it by looking out for himself as any good man should when faced with an intruder in the neighborhood. For Zimmerman, Grunsky's invasion narrative was alive and well—only security had been outsourced. Good help, it seems, is hard to find.

The next chapter, too, is concerned with the seeming intransigence of certain types of news stories, as well as the sentimental storytelling mode through which a general public accesses certain minority experiences. Looking back to the Vietnam War from the standpoint of post-9/11 U.S. popular narratives, the final part of this dissertation examines how a national community collectively refigures traumatic past experiences of war in ways that end up clearing a path for present and future martial violence.

Chapter 3: New Literary Iconographies of the Vietnam War

At the beginning of lê thi diem thúy's novel *The Gangster We Are All Looking For* (2003), an elderly, white navy veteran living in San Diego sees television images of the Vietnamese boat people, "nameless, faceless bodies lying in small boats, floating on the open water" (lê 4). After days of soul searching, Mr. Russell, an observer "waiting, somewhere beyond the frame" of the highly mediated refugee crisis, decides to sponsor a refugee family (*id*.). In this collusion of sympathy and spectatorship, given form by the law (via the mechanism of refugee sponsorship), lê's protagonist is plucked from a refugee camp to begin her rocky resettlement in America. By placing Mr. Russell's decision to sponsor inside her own narrative frame, lê highlights the limited social, historical, and legal frameworks in which Vietnamese Americans have been imagined. These frameworks, to borrow Erving Goffman's terms, have for decades enabled Americans "to locate, perceive, identify, and label"—in other words, to give meaning to—the figure of the Vietnamese refugee (21).[75] Just as importantly, lê also calls attention to the key role visuality plays in both the shaping and the representation of refugee experiences. The media images that touch Mr. Russell's conscience form part of what this chapter will designate as an "iconography"—a sort of lexicon of famous, symbolism-laden images—that spurred American responses to the war and postwar refugee exodus.

Today, nearly forty years after the fall of Saigon, this well-rehearsed iconography remains central to American public memory of the war, and it looms large in recent

[75] For Erving Goffman, social frameworks organize human decision-making and action, as they "provide background understanding for events that incorporate the will, aim, and controlling effort of an intelligence, a live agency, the chief one being the human being" (Goffman 22).

narratives by and about Vietnamese refugees. In the post-9/11 period, such narratives have acquired new significance: as the United States has undertaken new foreign wars in the Middle East and western Asia, narratives about Vietnamese refugees have enabled Americans to make sense of—and frequently to justify or critique—the United States' continued use of military power abroad. For a national social imaginary that privileges racialized narratives of (nonwhite) threat and (white) self-defense, some of the remnants of war present within U.S. borders could be problematic to absorb and explain, such as the presence of nonwhite refugees from "war-torn" countries where U.S. military involvement contributed to instability or even disastrous losses. Such refugees are living, breathing evidence of the human cost of war, and they disrupt American nationalist mythologies of righteous military action. How their existence within U.S. borders is narrated shapes how Americans understand their government's past military actions, and therefore how well Americans tolerate present and future military actions. Refugee narratives are politically volatile, changing with the times as the need to justify new military actions emerges.

In mainstream news media since 9/11, this has often meant the production of highly sentimental rescue narratives about refugees that emphasize the United States' benevolence toward a racial Other, followed by that Other's gratitude. Deflecting attention from the destructive effects of U.S. military action, sentimental rescue-and-gratitude tales are central to what Yen Le Espiritu incisively dubs the "we-win-even-when-we-lose syndrome": the array of cultural processes by which American public memory of the Vietnam War has gradually transformed from a story of failure and loss to one of humanitarian rescue and ideological triumph. Such tales refigure the war-torn

Vietnamese civilian or refugee, familiarly imagined as a victim of violence and deprivation, as a grateful, rescued subject, and the American military as a care apparatus. The stories help cultivate public support for new U.S. military interventions abroad that come in the guise of what Mimi Thi Nguyen calls "the gift of freedom": a questionable gift the United States continues to bestow under the auspices of nation-building, democratization, and global security. The figure of the rescued refugee plays a crucial role in bolstering U.S. military supremacy: her grateful testimony ratifies a central proposition of liberal empire, that the gift of freedom is still worth giving and receiving, even as civilian death tolls and collateral damage accumulate.

This chapter combines analysis of literature, popular narrative, visual culture, and the law to demonstrate how Vietnamese refugee experiences are being written, overwritten, and rewritten in the service of various twenty-first century social and political exigencies. These exigencies include the mainstream militarism expressed in popular discourses and governmental policies, as well as the efforts of some newer Vietnamese-American writers and artists to decenter or critique martial violence as a means to achieving political aims. I focus on two narrative works that, like lê's novel, reference and revise the war's dominant iconography, though to very different ends. A National Public Radio (NPR) special series, "The *USS Kirk*: Valor at the Vietnam War's End" (2010), recuperates the United States' role in Vietnam by redirecting public memory from military action to refugee rescue, largely by refiguring famous visual images from the war and introducing new, richly symbolic ones. Highlighting American benevolence against the backdrop of a heavily criticized war, NPR's series exemplifies the sentimental rescue-and-gratitude narrative. In contrast, Thanhha Lai's mostly

autobiographical children's book *Inside Out & Back Again* (2011) recounts refugee resettlement from a Vietnamese child's perspective. The two works may be historically linked—or so NPR claimed after Lai was awarded the National Book Award for juvenile fiction just months after the *Kirk* series aired. According to NPR, Lai was one of thousands of refugees saved by the naval ship *USS Kirk*. However, Lai's text stakes out an alternative to the narrative arc of rescue, gratitude, and assimilation that often structures mass-media refugee narratives like NPR's. To do this, it must navigate a hegemonic visual culture in which Vietnamese refugees are seen—perhaps too much—but seldom outside the context of the American rescue tale. In particular, Lai's text demonstrates how the United States' distinctive legal process of refugee sponsorship—popularized by wrenching photojournalistic images of the boat people—locates the process of resettlement in fraught relations of private hospitality, while deflecting attention from historical and political circumstances that produce refugees. Because narratives like NPR's and Lai's influence how American readers, listeners, and viewers understand new, U.S.-involved wars, which have produced their own refugee populations, the chapter closes by analyzing echoes of the sentimental rescue in news coverage of the recent Iraq War and its refugees.

Producing the Sentimental Rescue: NPR's *USS Kirk* Series

For many Americans a small selection of iconic photographs from Western reportage stands in for much of the Vietnam War, comprising a visual archive produced almost exclusively by American and European news services. Among the most famous photographs are Ron Haeberle's images of the My Lai massacre, including "And

Babies?", which shows dead civilians lying on a country road; Eddie Adams' "Rough Justice on a Saigon Street" showing the execution of a Viet Cong soldier; and, perhaps most of all, Huynh Cong "Nick" Ut's "Terror of War," an image of nine-year-old Kim Phúc running down a road, naked and burned by napalm (Chong 76; Griffin 145). The last photograph became the subject of books, films, talk shows, and articles, turning Kim Phúc into a reluctant celebrity in both Vietnam and the United States. Mimi Thi Nguyen writes that Ut's photograph "is itself the theater of war," an image of sovereign power enacted as military violence; following the logic of liberal empire, the photograph gave rise to alluring narratives of forgiveness and absolution that led Nguyen to ask (and insightfully answer) the question, "[W]hat grace can possibly be found in napalm?" (87).

The war's protracted end and aftermath are also emblematized in the United States by certain heavily circulated images, especially Hubert Van Es' photograph of a Saigon helicopter evacuation during the war's last hours in 1975, and Adams' and other journalists' images of the boat people. Van Es' picture, taken from a Saigon balcony, shows a Huey helicopter perched atop an apartment building while a long line of evacuees—clearly far more than the aircraft will hold—waits to board; it has been called "the defining image of the fall of Saigon" and "a metaphor for the desperate U.S. withdrawal and its policy failure in Vietnam" (Lamb; *Guardian* 15 May 2004). Sylvia Chong notes that Van Es' telephoto image of mostly South Vietnamese evacuees has been widely misread as Americans leaving Saigon, feeding a cultural narrative about the war that focalizes American loss and trauma while eliding Vietnamese experiences of the same (6). Some of these famous images of "Vietnam" (the often-conflated war and place)

won Pulitzer Prizes or were honored in other conspicuous ways, and all are today readily accessible by Americans through memory or a simple Google search.

These visual remnants of the Vietnam War—what Michael Griffin calls "the great war photographs"—take on symbolic meanings as they circulate in American culture through a variety of media and in changing contexts. Images, as W.J.T. Mitchell reminds us, can be mental and verbal as well as visual, encompassing ideas, dreams, metaphors, and descriptions, as well as optical or graphic phenomena (9–10). Often incorporated into other works as visual intertexts, photographs index not just specific historical vistas that happened to be recorded, but also the way a community has applied dominant ideologies to the history that lies beneath, and the popular consensus as to why and how that history matters. The photographs call to viewers' minds abstract principles like the horror of war, the urgency of individual suffering, or an insistence on shared humanity; historical details "become[] irrelevant and the photograph's institutional use locks it into particular national, cultural, and professional myths" (Griffin 140).

This is the culture-making representational process I wish to invoke when I refer to an "iconography" of the Vietnam War: exceeding simple equivalencies between pictures and things depicted, these iconic images from the war's vast visual archive call forth shared ideas, memories, beliefs, and values, often in the form of implied stories, myths, or allegories.[76] What I heuristically call a "literary iconography" emerges from the

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[76] I approach iconography in the vein of Erwin Panofsky's "*iconography in a deeper sense*," that is, as a concept that encompasses the accretion of symbolic meanings on top of the icon's literal signification (8; original emphasis). For Panofsky, "the correct analysis of *images*, *stories*, and *allegories* is the prerequisite of a correct *iconographical interpretation in a deeper sense*" (*id*.). This usage builds on, and departs from, C.S. Peirce's designation of the icon as a type of sign that bears a physical likeness to the thing it signifies.

representation of well-known visual images and the creation of new ones in textual forms such as fiction, poetry, and journalism. New literary iconographies, offered by recent works like the radio series and children's book discussed below, intervene in the visual culture that helps constitute the Vietnam War—along with its complex symbolic and rhetorical legacies—in the American martial imaginary.

Southeast-Asian war refugees, of whom Vietnamese are the largest subset, have been filmed, photographed, measured, psychoanalyzed, studied, and otherwise "seen" through lenses of journalism, Hollywood filmmaking, anthropology, policy, social work, and more, but generally have been limited to few roles or subject positions when represented.[77] Vietnamese refugees have appeared in American literature, historiography, and mass media most often as passive, traumatized objects of Western spectatorship, pity, and charity; as reminders (to Americans) of U.S. military failure; or, in more positive but no less problematic cases, as grateful, compliant additions to the American national community. Vietnamese Americans have frequently reinforced such narratives, particularly in mainstream news media and in some life writing by the first generation of refugees who arrived in the United States as adults. Resettled refugees may appear in "model minority" media stories, economically successful, declaring their patriotism and deep gratitude to America, and sometimes their forgiveness of past wrongs.[78]

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[77] For wide-ranging discussions of the limited ways Vietnamese refugees have been represented by non-Vietnamese scholars, writers, journalists, and editors, see Yen Le Espiritu, "Toward a Critical Refugee Study: The Vietnamese Refugee Subject in U.S. Scholarship" (2006) and Monique T.D. Truong, "The Emergence of Voices: Vietnamese American Literature, 1975–1990" (1993).

[78] For examples, see Viet Nguyen's analyses of Le Ly Hayslip's memoirs (4); and Mimi Thi Nguyen's analysis of Madelenna Lai's Rose Bowl Parade float bearing the message "Thank You America and the World" and her chapter on Ut's "Terror of War" (1–2; 83–132). In addition, Monique T.D. Truong has written of the ways sociological accounts

In many contemporary narratives, refugees reduced to nameless, stateless desperation are rescued by kindhearted Americans who, like lê's archetypal Mr. Russell, have retired their machinery of war and assumed the mantle of humanitarian aid. The retired veteran with a heart of gold, whose role in war-making seems to be mainly rescuing refugees, is a common trope: Rory Kennedy's documentary film *Last Days in Vietnam*, which first screened at the 2014 Sundance Film Festival, tells the story of the evacuation of U.S. government personnel and some South Vietnamese just before the fall of Saigon mostly through interviews with American men who served in the military, CIA, or State Department, and a few South Vietnamese men, now resettled in the United States, who had served in the South Vietnamese armed forces.[79] The film remixes an extensive archive of video news footage from the war's last days into numerous montages. The montage/voiceover technique renders the civilian population of South Vietnam as visual objects, nameless and voiceless. They are, for the most part, an undifferentiated, fleeing mass of distressed people, "a wave of humanity, rolling, rolling South toward Saigon" and, later, a crowd in "out of control panic" or "in tears" trying to

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and oral histories published in the late 1970s and early 1980s molded stories about newly arrived Vietnamese to fit existing cultural narratives about Asian Americans, holding them up as a "model minority" in implicit contrast to other minority groups (31). Truong reads an array of oral-history-based texts about Vietnamese Americans for the ways they reinforce existing cultural narratives about either the Vietnam War and America's involvement in it, or Asian Americans more generally. For example, she observes, Al Santori's collection of oral histories, *To Bear Any Burden: The Vietnam War and Its Aftermath in the Words of Americans and Southeast Asians* (1985), takes a point of view that posits "us"—"Americans"—as a coherent category oppositional to "Southeast Asians," who include North and South Vietnamese as well as Cambodians, despite obvious historical gulfs between these groups (32–33). This text, writes Truong, "aligns the U.S. military involvement in Vietnam with the defense of democracy and the Southeast Asian 'collective' (as constructed by Santoli) experience with the victimization of innocents by communism" (32).

[79] The film also includes interview footage of Miki Nguyen, who was six years old at the time that his army pilot father flew their family out to sea, landing on the *USS Kirk*.

escape Saigon, as two of Kennedy's American interviewees put it.[80] Occasionally, they are calmer, "very controlled . . . very patient," much to the relief of the Americans guarding them. As one of several subplots, Kennedy's documentary retells the story of a dramatic rescue mission conducted by the U.S. naval ship *USS Kirk*; the story was first reported publicly by NPR in 2010.

On August 31, 2010, the NPR news show *All Things Considered* began airing "The *USS Kirk*: Valor at the Vietnam War's End," a three-part "special series" totaling thirty-four airtime minutes about "one of the most extraordinary humanitarian missions in the history of the U.S. Navy," conducted in the South China Sea as Saigon fell.[81] NPR's series and its accompanying online exhibit comprise one recent entry in the ongoing drama of national redemption that has swirled around the doubled figures of the veteran and the refugee (Espiritu 330), both of which entered the American social imaginary as tragically unmoored human remnants of a disastrous war. As recounted in the first installment, on April 29, 1975 the *Kirk* crew guided the landing of South Vietnamese helicopters on deck, saving 200 refugees. Then, as narrated in the third installment, the *Kirk* entered enemy waters to "rescue . . . the remnants of the South Vietnamese navy," a ragtag fleet packed with thousands more refugees whom the *Kirk* safely escorted to the Philippines.[82] NPR calls the story a "forgotten" tale of heroism that was "lost in time and bitterness over the Vietnam War" until its recovery by NPR's "investigative unit."

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[80] Quotes from former CIA analyst Frank Snepp and former Army captain Stuart Herrington.

[81] The entire series, follow-up articles, and multimedia materials (including an interactive timeline, photographs, articles, and videos) are still available on NPR's website as of July 2015.

[82] The series' second installment, not discussed here, describes a reunion that took place in summer 2010 between *Kirk* crewmembers and some of the Vietnamese officers they rescued.

Recovering the *Kirk* was no small feat, as NPR correspondents "studied hundreds of documents, photographs and other records," interviewed "more than twenty" eyewitnesses, and listened to audiocassettes—never before heard publicly—that the ship's chief engineer recorded while on the *Kirk*. NPR's "investigative" storytelling is thus explicitly a project of historical revision, the assembly and mining of a new archive capable of producing new historical truths. As Anjali Arondekar has pointed out, such revision is itself historically and politically situated, carried out "within a shifting (and often reactionary) language of political exigency" (4).[83]

The NPR series' currency—in the dual senses of temporal immediacy and perceived cultural value—as reportage depends on listeners' ability to relate the Vietnam War to new American wars. In 2010, the "specter of Vietnam" was a familiar figure in American discourses on war, particularly as the U.S. war in Afghanistan was escalating (Etheridge; Fernholz). Despite President George H.W. Bush's declaration in 1991 that the United States had "kicked the Vietnam Syndrome" (Espiritu 331; Herring 104), new and contemplated American military actions since 9/11 have routinely drawn charges that they will devolve into "another Vietnam"—shorthand for another costly, high-casualty, possibly pointless, and ultimately losing conflict for America.[84] The Vietnam War also

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[83] In her work on the colonial archive in India, Anjali Arondekar offers the useful critical model of "productively juxtaposing the archive's fiction effects (the archive as a system of representation) alongside its truth effects (the archive as material with 'real' consequences)" (Arondekar 4). The NPR series' fiction effects arise from the narrative practices that make it culturally legible, including "choices of language, detail, and order" necessary for a historical account to seem "true, real, meaningful, and/or explanatory," to borrow Natalie Zemon Davis' formulation (Davis 3). As a journalistic endeavor the series also has truth effects, consequences for civic discourse about current events, and, at least in theory, influences current events themselves.

[84] Chong examines rhetorical meanings of "Vietnam syndrome," "specter of Vietnam," and "another Vietnam" during the first Persian Gulf War in 1991. Use of these

produced an important milestone for American journalism: *The New York Times'* 1971 publication of a leaked Department of Defense report known as the Pentagon Papers "established the modern independence of the American press—its willingness to challenge official truth" (Lewis). This willingness has been prominently demonstrated in post-9/11 war reporting by both conventional and new media. On July 25, 2010, a little over a month before the NPR series began, the organization Wikileaks obtained and released 92,000 classified documents grimly detailing day-to-day operations in the Afghanistan war, suggesting government duplicity of the sort revealed by the Pentagon Papers (Chivers). Following the non-discovery of WMDs in Iraq in 2003 and the revelation of the Abu Ghraib prisoner abuse photographs in 2004, *The New York Times* could well take for granted that the Wikileaks "archive" (as the newspaper called it, after once again receiving advance access to the leaked documents) would be a site of suspense, capable of producing truths that upend public knowledge (*id*.).

Achille Mbembe reminds from a postcolonial-studies standpoint that "[t]he final destination of the archive is . . . always situated outside its own materiality, in the story that it makes possible" (21). NPR's "investigation" of the *Kirk*, like Kennedy's more recent *Last Days in Vietnam*, dramatizes and redeploys this journalistic paradigm of mining the archive to contest dominant narratives. But in contrast to war critics' catastrophic "other Vietnams," NPR offers listeners a *better* Vietnam: a pathos-filled human interest story with striking imagery and happier outcomes, designed to change

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expressions, Chong writes, "not only imagines the U.S. nation-state as wounded like the soldiers it sent to war, but also calls upon the discourses of forgiveness and redemption to heal the nation of its psychological malaise" (2). Comparisons to Vietnam have been a mainstay of criticism of the second Iraq War, as well, with one observer even positing a new "Iraq syndrome" as a "mutated" form of the Vietnam syndrome (Herring; Schneider).

perceptions of the war that has haunted all later American wars. NPR sweeps the human and cultural remnants of the Vietnam War into a new, nationalizing narrative that reaffirms a view of America as benevolent hegemon and American empire as orderly rescue from Third-World chaos and dysfunction. NPR's sentimental story helps construct the *nomos*, or normative universe (Cover), in which another Vietnam in the Middle East or western Asia might not be an irredeemable outcome.

NPR begins the first installment by referencing the visual archive in whose shadow it operates: "When the Vietnam War ended . . . Americans got their enduring impression of the event from television," principally news footage of helicopters evacuating Americans and their South Vietnamese dependents and colleagues from Saigon rooftops in the spectacular airlift dubbed Operation Frequent Wind. In the war's final twenty-four hours, U.S. Air Force and Marine helicopters flew 662 sorties between Saigon and aircraft carriers in the South China Sea, transporting over 7,000 Americans, South Vietnamese, and third-country nationals (Tobin 122–23). The operation included the clearing of the U.S. Embassy in Saigon, where approximately 2,000 American and South Vietnamese people were flown out but thousands more South Vietnamese seeking refuge were stopped at the embassy gates by armed U.S. Marines (Isaacs 59; Moore). Like Van Es' famous rooftop photograph, footage of these scenes came to represent U.S. failure in Vietnam and, in the minds of some observers, an abandonment of allies. In three vivid scenes that refigure or newly render visual images of the war, NPR's *Kirk* series shifts the crux of the Vietnam War narrative from losing combat to valiant rescue. Through such imagery, the series elicits sentimental responses, or feelings mediated

through another's point of view,[85] that ultimately help reframe U.S. military action as benevolence and the military itself as a care apparatus.

The first of these scenes, the helicopter landings, is deeply preoccupied with relative size, as if to downplay the exercise of U.S. economic and military dominance abroad—or perhaps more immediately to unsettle public memory of too-small helicopters that could not evacuate enough people from Saigon. As North Vietnamese forces neared Saigon, the *Kirk*, a "small" destroyer escort, was in the South China Sea providing cover for Operation Frequent Wind when the crew spotted sixteen South Vietnamese army helicopters filled with people, low on fuel and seeking a place to land. At first, "the helicopters flew past the *Kirk* . . . looking for a larger carrier deck," but the crew signaled the pilots and coached them to land one by one on a deck that must have "look[ed] very, very small" to army pilots unaccustomed to landing on a moving ship. After each unloading, dozens of men would push the aircraft into the sea to make room for the next—because, a crewmember says, "humans were much more important than the hardware."[86]

Finally, a helicopter arrived that was too large to land. Hugh Doyle, the *Kirk*'s chief engineer, documented the incident on an audiocassette for his wife:

> Mr. DOYLE [from 1975 recording]: This huge helicopter called a Chinook . . . came out and tried to land on the ship. Oh, we almost—the thing almost crashed on board our ship. So we finally got them to realize it was too big. . . . Picture

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[85] James Chandler usefully defines sentiment as "distributed feeling . . . emotion that results from social circulation, passion that has been mediated by a sympathetic passage through a virtual point of view. It involves a structure of vicariousness" (11–12).

[86] South Vietnamese helicopters were pushed overboard on other ships as well, including the *USS Blue Ridge* and *USS Midway*, where in similar fashion aircraft landed, unloaded passengers, and then were discarded to make room for more landings (Tobin 118).

> this: we're steaming along at about five knots and this huge airplane comes in and hovers over the fantail, opened up its rear door and started dropping people out of it. . . . There's American sailors back on the fantail catching babies like basketballs.
>
> Mr. CHIPMAN [crewmember]: . . . I mean, just the noise is tremendous. It's the biggest Chinook they make with the four sets of wheels. The wind off this thing, it's like being in a hurricane.
>
> SHAPIRO [announcer]: One mother dropped her baby and her two young children toward the outstretched arms of the sailors below.
>
> Mr. CHIPMAN: I remember the baby coming out. You know, there was no way we were going to let them hit the deck or drop them. We caught them. I was pretty small myself back then—weighed 130 pounds. Even as small as I am, you know, they come flying out and we caught them.

The drama of the Chinook scene lies partly in the embedded underdog myth in which small, unassuming heroes triumph over a stronger foe. The monstrously large Chinook, representing war's inhuman "hardware" as well as America's weighty burden in Vietnam (saving a besieged postcolonial nation from communism), invades the neutral international waters inhabited by the *Kirk*, a discrete morsel of sovereign U.S. territory that functions as a synecdoche for America at large. "Picture this," Doyle says, as he describes the aircraft "hover[ing]" threateningly over small American sailors like the

130-pound Chipman. Although the helicopter is American-made, its capacity for violence is displaced onto the Native American name Chinook (in contrast to the smaller, agile "Hueys" that were ubiquitous during the war[87]) and the sailors distance themselves from it, calling "this thing" the biggest "they" make. The confrontation between sailors and Chinook is, to borrow Espiritu's phrase, "fundamentally about race, space, and time" (335). NPR revises the conventional "lost innocence" narrative in which American boys sent to Vietnam enter a primitive realm "on the other side of universality—where violence is indigenous" (*id.*). Here, service members remain on the civilized ground of the *Kirk*, catching refugee women and children with "outstretched arms" notably not armed with weapons, and the refugee "baby coming out" of the space-time of war is reborn as a protected American subject.

The *Kirk*'s "heroics," as NPR puts it, "would continue": after the rescued are moved to another ship, the *Kirk* is ordered back to hostile waters alone. The new mission, the captain says, is "to rescue the [South] Vietnamese Navy. We forgot 'em, and if we don't get them or any part of them, they're all probably going to be killed." Traversing space as a metaphor for time, the American ship turns back to retrieve the forgotten fleet, about thirty naval ships plus dozens of fishing and cargo boats carrying between 20,000 and 30,000 South Vietnamese. Over the next week, the *Kirk* leads a mournful exodus toward the Philippines, during which the second and third significant scenes emerge: the death of a refugee baby and the transfer of sovereignty of the South Vietnamese ships.

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[87] "Huey" comes from the model number HU-1 initially assigned to the helicopter by its manufacturer, Bell Helicopter. Although the model was officially named the Iroquois, the nickname Huey persisted in common usage. The names fall within a long tradition of naming military hardware and missions after Native Americans, probably to invoke the powerful yet righteous Indian warrior stereotype.

The baby's death unfolds through "a series of images meant to trigger emotion," an "anti-rhetoric" that relies on feeling and sensory experience, to borrow language Henrik Lassen uses to describe child-deathbed scenes that are common in sentimental, Victorian-era literature (310). Steven Burwinkel, the *Kirk*'s medic, recalls giving a sick one-year-old boy a "massive dose of penicillin, thinking, well, it's either going to be right or wrong—and the child was going to die anyway." The child recovers, but unexpectedly dies two days later:

> SHAPIRO [announcer]: The baby had choked on formula. It was a freakish accident.
>
> Mr. BURWINKEL: And because of his compromised condition, it was just too much for his system, and he died of cardiac arrest. And I remember we had a [beginning to cry]—excuse me just a minute. We had a funeral for him, a burial at sea. It's very emotional. Still brings back emotions that I'd rather not have.
>
> SHAPIRO: The crew gathered the child's father and three siblings for a funeral on the *Kirk*. The captain said a prayer; a bugler played "Taps." The child's body was wrapped in a yellow and red South Vietnamese flag, and dropped into the ocean.

The baby's death stands out for its resistance to human (specifically, American) understanding and influence. Surviving despite the medic's prediction and then dying of

"a freakish accident," the baby is a cipher for the will of God: a life taken not by the United States or even by armed conflict, but by a mysterious power. Identified only as a South Vietnamese refugee, the baby exemplifies the innocent civilian Other who, it turns out, was "going to die anyway."

The colorful image of the tiny corpse "wrapped in a yellow and red South Vietnamese flag, and dropped into the ocean," contrasts sharply with familiar images of children from the Vietnam War. Through Ut's "Terror of War" and Haeberle's "And Babies?", children's overexposed bodies, suffering or dead from U.S. military actions, circulate relentlessly in American culture, made only more somber by newsprint's grainy grayscale. But while those photographs intrude uncomfortably on private terror and loss, wrenching vulnerable bodies into public display, in NPR's story the lost, and respectfully shrouded, child is meant to be shared. His death, mediated by the tearful testimony of an American veteran, draws all witnesses into a universalizing sadness that enacts what Lauren Berlant calls "the ideology of true feeling" (Berlant 41). By experiencing this sadness, NPR's listener can reassure herself that despite the divisive, dehumanizing war, she retains the capacity to feel for the racial or national Other who, after all, is "grievable," too (Butler 32). To drive the point home, the baby's death is counterbalanced by a makeshift maternity ward on the *Kirk*: while death happens regardless of U.S. actions, new life arises under U.S. care and protection.

When the fleet reaches Subic Bay, the Philippine government, wary of offending the new Vietnamese government, will not admit the South Vietnamese ships, which one *Kirk* officer calls "the last sovereign territory of the Republic of Vietnam." A South Vietnamese captain suggests the quasi-legal solution: a *Kirk* officer takes command of

each ship, and the South Vietnamese flag is lowered and an American one raised in its place, ostensibly transforming the ships into U.S. territory. Refugees who were part of the *Kirk* escort recall the transition:

> Capt. KIEM DO: Thousand of people on the boat start to sing the national anthem when they lower the flag. And they cry, cry, cry.
>
> Ms. THUY HUGO: And we knew that we are—no longer belong to that. And we all cry, singing our national anthem. [Sings a few lines from the South Vietnamese national anthem.] And also stand still to salute and raise up the American flag, which is—that's the flag that save our life.
>
> SHAPIRO: The Vietnamese military officers took off their hats, ripped the stripes off their uniforms, and threw them into the sea.

Although the flag ceremony is arguably only symbolic, the belated representation of sovereignty's decomposition[88] makes visible and narrates the otherwise invisible change that has occurred. NPR restages the war's chaotic end—the Saigon evacuation, whose spectral images loom over the series—as an orderly annexation that takes place not only with consent, but actually at the request of the South Vietnamese. While a diplomatic game proceeds around the seen fiction of transferred sovereignty, the scene's heavy

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[88] With thanks to Robin Wagner-Pacifici's *The Art of Surrender: Decomposing Sovereignty at Conflict's End*, which examines rituals and imagery associated with surrender.

sentiment invites the American audience to "cry, cry, cry" with the refugees for their lost nation, and to renew their own patriotic feelings as the refugees gratefully shift allegiance toward "the flag that save our life."[89]

Significantly, the story is rendered through interviews with both American sailors and Vietnamese refugees: while the refugees testify to their loss and gratitude, the sailors model sympathetic witness. The baby's death draws tears from one stoic old veteran; another declares, "Their country was gone. Our job was to treat it with dignity." NPR gives listeners a chance to extend the same sympathy when Thuy Hugo suddenly sings the South Vietnamese national anthem on air in a high, delicate voice—a strikingly feminine sound in a story delivered mostly in masculine voices. While the two flags pass each other in the listener's mind, one falling, the other rising, Hugo's song conjures the feminized ghost of South Vietnamese nationhood, returns the refugee to the scene of her loss, and places listeners alongside *Kirk* sailors who heard the same anthem sung by Hugo and others in 1975. Still a foil to American sympathy in 2010, Hugo becomes the medium through which an idealized form of American community is recapitulated. Public radio's progressive listeners, many of whom contribute financially to their "listener-supported member stations," are encouraged to reach toward the stateless Other with a promise of care and inclusion backed by economic largesse—extending an honorary membership, one might say, to refugees who "no longer belong to" South Vietnam. Rapt, a 21st century "national public" audience can envision its sonic encounter

[89] James Chandler usefully defines sentiment as "distributed feeling . . . emotion that results from social circulation, passion that has been mediated by a sympathetic passage through a virtual point of view. It involves a structure of vicariousness" (11–12).

with the refugees as the beginning of a friendship founded on benefaction or redemption, rather than as the culmination of questionable military actions carried out in its name.

In this way the figure of the grateful refugee, exemplified by Thuy Hugo, is reinaugurated as the linchpin of the sentimental rescue narrative. In NPR's story, Hugo credits not just the individual sailors whose lives were on the line and whose actions eased deep suffering, but also the flag representing the American state and its entire body politic. The grateful refugee is the only figure who can fully ratify the "gift of freedom," as she appears to do in this case. With her thankful "salute" she affirms that she desired but could not obtain freedom without the giver's aid, and absolves the giver of any ill effects freedom may have wrought.[90] As failed war is displaced by successful rescue in a hopeful (and forgetful) American social imaginary, the nation's ethical slate is wiped. The rescue precipitates resettlement, a process with entirely new teleological ends, and new narratives come to the fore.

Reframing Rescue and Gratitude: Thanhha Lai's *Inside Out & Back Again*

Resettlement consists of complex individual and relational transformations that in America are often, and reductively, narrated through idioms of friendship, hospitality, and charity. While these idioms are consonant with the sentimental rescue, they tend to decontextualize the refugee's "new beginning," as it is often called. Official depictions of the United States' "Indochinese" refugee program emphasize the nation's magnanimity

[90] Gratitude is an affect, but its expression is also a performative speech act that reifies unequal power relationships: when we thank someone, we agree that the one thanked "is able to do for us something that we cannot do for ourselves" (Emmons 8). As affect, gratitude is a kind of "negative self-feeling" whose "cornerstone . . . is the notion of *undeserved merit*," the idea that "[t]he grateful person . . . did nothing to deserve the gift or benefit" (*id*. 5, citing William McDougall; original emphasis).

toward the refugees, who seem to come from nowhere, inexplicably war-torn and penniless, without drawing a connection between the refugee crisis and American policies toward Vietnam before, during, and after the war (Tollefson 273).[91] The dominant resettlement narrative for Southeast-Asian refugees begins with Third-World violence, proceeds through heroic rescue by Western humanitarians, and eventually reaches one of two outcomes: successful assimilation into American society, which entails economic success and expressions of gratitude to "America," or, less often, descent into social disorder (gangs, multi-generational poverty, etc.) understood as a consequence of trauma and cultural displacement. In particular, mass-media stories about resettled Vietnamese Americans continue to foreground American humanitarianism and the refugees' gratitude, even when the story could easily be told in other ways.

To give one example, a story that has gained near-mythic status concerns the multi-billion-dollar nail salon industry largely created, and today dominated, by Vietnamese refugees and immigrants. As told by NPR in 2012—and previously by the *Los Angeles Times*, CNN, and other media outlets—the entire industry owes its start to Tippi Hedren, "an elegant blond[e] who starred in several of Alfred Hitchcock's movies" (Bates). Hedren was volunteering in a refugee camp when several Vietnamese women "admired her long, glossy nails," leading her to arrange for their training and licensure in manicure (*id.*). CNN's version, which aired in 2011, opens with a clip from *The Birds* featuring Hedren's immaculate nails, followed by the voice of a Vietnamese nail salon owner: "She gave me so much." Later, CNN cuts to a shot of a roomful of young

[91] James Tollefson, critiquing U.S. State Department documents describing the Vietnam War, writes that "[t]he official version of history—that communists create refugees while Americans save them—disguises the U.S. role in creating and sustaining the ongoing refugee crisis" (263).

Vietnamese-American women hunched over manicure stations, students at a local beauty school that trains nail technicians. The Vietnamese-American man who runs the school explains, "Everything [Hedren] did back in 1975 paved the way for what I do."

The link is attenuated, to say the least, between Tippi Hedren's encounter with a few Vietnamese women in the 1970s and the industry's dramatic growth in the decades since. Yet this story remains primarily one of benefaction about a beautiful, white "Hollywood star" who trained a dutiful "legion of Vietnamese" to work in the beauty industry (CNN), enabling their economic success, rather than about how a refugee community with few resources grew a tiny niche market into a seven-billion-dollar-a-year industry, or about the growing ethnic and gender stratification of service sector jobs, to name some other narrative possibilities that might arise from Vietnamese Americans' cornering of the manicure market. Like NPR's *Kirk* series, the Tippi Hedren stories demonstrate an editorial preference for refugee narratives that reify dominant beliefs in American generosity and opportunity, not to mention racial and gender hierarchies that place immigrant and refugee women (and feminized men) of color perpetually in subservient roles for which they are very grateful.

The sentimental rescue narrative is reinforced by the unusual administrative structure of refugee resettlement in the United States, in which the federal government delegates the work of resettlement to private actors—a diffuse network of individuals and local nonprofit organizations coordinated by ten designated voluntary agencies, or VOLAGs. Beginning in 1975,[92] in response to the unprecedented scale of the Indochinese

[92] Prior to 1975, refugee resettlement was handled on an *ad hoc* basis, with Congressional acts responding to specific refugee situations, such as the arrival of European Jewish immigrants during and after World War II or Cubans in the early 1960s.

refugee crisis, Congress began allocating funds to the VOLAGs at a rate of $500 per Indochinese refugee; a VOLAG then took responsibility for providing necessary services to each refugee, such as help finding housing, language and job training, and help navigating social services (Congressional Research Service 21). Among nations that accept large numbers of refugees, the United States is the only one that relies exclusively on private sponsorship rather than using government agencies to provide the necessary services (*id*. 22). Sponsorship, in which individuals, churches, and other small, local organizations assumed responsibility for a particular refugee or refugee family, under the auspices of a VOLAG, became a popular way that Americans helped to alleviate the heavily-reported refugee crisis. Because sponsors were acting privately and voluntarily, albeit within a framework established by the government, the relationships between refugees and sponsors were often understood through idioms of private hospitality, charity, and friendship, divorced from the prevalent and highly contested discourses surrounding U.S. foreign policy and military actions.

In recent years, some younger Vietnamese refugee writers have eschewed, or at least navigated around, the sentimental rescue that subtends so many refugee stories; they have staked out narrative possibilities outside the teleology of the grateful refugee, often crossing or mixing genres and media to do so. Minnesota-raised spoken-word artist and poet Bao Phi, for instance, combs Vietnamese-American life for scenes recognizable to many in the so-called "one-and-a-half generation" (those who arrived in the United States as children). In his print poetry collection *Sông I Sing* (2011), Phi weaves project housing, Aquanet hairspray, and footage of Rodney King's beating into poems that exhort "my people" to coalesce around shared experiences, including racism; meanwhile,

his poetic persona declares to unnamed others, "I am the one who survived to love you / Even if you save me, I won't thank you" (12). In a different vein, lê thi diem thúy, the poet-turned-novelist with whom this chapter opened, peppers *The Gangster We Are All Looking For* with allusions to photography and sight (e.g., Mr. Russell "waiting, beyond the frame"), a reminder that Vietnamese refugee subjectivity is still very much mired in a hegemonic visual culture. Responding more directly to that visual culture, G.B. Tran's graphic novel *Vietnamerica* (2010), a sweeping, multigenerational autobiography in the tradition of Art Spiegelman's *Maus*, represents a family's final flight from Saigon as a lacuna—nine black pages, blank except for an occasional, small, floating leaf. Approaching the heavily documented Saigon evacuation through personal memory, Tran refuses representation through either realism (the mode in which photojournalism ostensibly operates) or sentimentality (the mode in which many Vietnam War images are actually received by American viewers).

Thanhha Lai's children's book *Inside Out & Back Again* (2011) appeared a few months after the *Kirk* series aired. Again mixing genres, the largely autobiographical novel is comprised of short prose poems written in the persona of ten-year-old Hà, who escapes Vietnam by navy ship with her mother and brothers just before the fall of Saigon. A brief middle section details the voyage, while most of the book recounts the before and after in Vietnam and Alabama. After Lai's book won National Book Award for juvenile fiction in 2011, Joseph Shapiro, the investigative reporter who narrated NPR's *USS Kirk* series, posted an online article subsuming the work under the series' aegis. Headlined "Book Award Winner's Tale Echoes Those Told By Other Vietnamese Refugees," Shapiro's article suggests Lai's own sea voyage was part of the *Kirk* escort, a conclusion

he bases largely on a scene that describes the lowering of the South Vietnamese flag on Hà's ship. While Lai has no specific memory of being part of the *Kirk* escort, Jan Herman, a military historian who is writing a book about the *USS Kirk*, explains to NPR that if the flag was lowered on Lai's ship, "that only happened on that mission with the *Kirk*. . . . That's the give-away." In Lai's memory, the disabled ship on which she traveled was towed to Guam by a U.S. Navy ship, rather than escorted to the Philippines; NPR casts doubt on this account, with Herman calling it "unlikely." My objective here is not to determine whether or not Lai's remembered voyage was part of the *Kirk* escort, but rather to illustrate the contest for narrative authority that can surround refugee narratives: NPR overwrites a refugee's rendering of her own experience to reinforce and promote its own highly constructed rescue narrative. It privileges the voices of white, male professionals while rendering an Asian, female writer's perspective as incomplete—indeed, as needing completion by said professionals—and unindividuated, her tale an "echo" of other tales.

Marketed for eight-to-twelve-year-old readers, *Inside Out & Back Again* contains simple, spare language, most lines two to five words long. Lai suggests her concise poetic language operates through a kind of iconographic process, that is, by "express[ing] emotions through pictures, not words," which suits a child narrator who "feels just as much as any adult but can't express the emotions yet" (Wolff). In an interview included in the book's paperback edition, she describes her poems as filled with "phrases choked with visuals."[93] The text reveals filtered glimpses of the protagonist's emotional life,

[93] From "Back Again: An Interview with Thanhha Lai" (5), included in the book's "Extras" section.

rendered through movement, image, and sound. The flag-lowering scene, for example, unfolds in crisp, startling gestures observed by Hà:

> One woman tries to throw
> herself overboard,
> screaming that without a country
> she cannot live.
> As they wrestle her down,
> a man stabs his heart
> with a toothbrush.
>
> I don't know them,
> so their pain seems unreal
> next to Brother Khôi's,
> whose eyes are as wild
> as those of his broken chick. (85)

Lai's text seems to prefer the circulation of emotion within an intimate network over sentimental images of suffering offered for public display and consumption. As Hà watches the adults' performances of grief, she notices that she feels different levels of sympathy for the Vietnamese who are known to her and those who are not. The toothbrush stabbing remains an "unreal" gesture empty of affect as well as effect. Sharing of grief is reserved for her brother Khôi, who is distraught over a different loss: a chick

he sneaked onboard has died, but Khôi conceals it in his pocket until the stench exposes his secret.

In a scene reminiscent of the baby's funeral on the *Kirk* (and reflective of the high incidence of burials at sea in boat-people narratives), Hà takes Khôi to the back of the ship, where they enact their own, child-scale mourning. She wraps her "mouse-bitten doll," with its arms folded around the chick's "limp fuzzy body," in a white handkerchief, and the children drop their play companions overboard. Hà confesses, "I smile / but I regret / not having my doll / as soon as the white bundle / sinks into the sea" (86). While the scene makes use of sentimental tropes—what could be more sympathy-inducing than children staging a funeral?—it subverts the conventional child deathbed, and distinguishes between two, very different manifestations of grief. On one hand, the adults' public outpourings border on absurd when seen through Hà's eyes; on the other, Hà's sacrifice of her doll models for the reader not the tearful sympathy of an outsider, but a quiet, immediate empathy based on tangible losses shared in real time. Lai's "pictures, not words" draw emotions from the reader, but not without bracketing and implicitly critiquing the showy sentimentalism that sympathy can engender.

Lai's emotional yet anti-sentimental pictures challenge the "Vietnam" Americans know from Western photojournalism. Photography, the reader learns early on, is a volatile medium, as its promised reality effect bears treasured memories and danger, threatening exposure to voyeurs and state surveillance. While preparing to leave Vietnam, the family sort through photographs, keeping some and burning the rest; because Hà's father is missing in action, they "cannot leave / evidence of Father's life / that might hurt him" (59). They keep "baby pictures, / where you can't tell whose bottom

/ is exposed for all the world to see"—introducing a modicum of privacy into a medium characterized by exposure of various kinds, including global press circulation (58). Unlike the "nameless, faceless" boat people seen (and pitied) half a world away by lê's Mr. Russell, these anonymous pictures are selected to safeguard individual, private subjectivity from the eyes of "all the world."

Later, in a poem titled "War and Peace," the text explicitly calls out images from the Vietnam War's dominant iconography. These exposures of Vietnamese suffering mean less to Hà than to her teacher in Alabama, who shows the class photographs:

> of a burned, naked girl
> running, crying
> down a dirt road
>
> of people climbing, screaming,
> desperate to get on
> the last helicopter
> out of Saigon
>
> of skeletal refugees,
> crammed aboard a
> sinking fishing boat,
> reaching up to the heavens
> for help [. . .]

She's telling the class

where I'm from. (194)

Hà's anaphoric "of" mimics the limited social framework through which these iconic photographs were composed, selected, and circulated in the 1970s and through which they are passed down to new generations of American viewers. The photographs reproduce a narrative of decontextualized trauma and desperation into which Americans are taught (literally, in a classroom) to place the figure of the Vietnamese refugee. Hà suggests an alternative frame for visualizing Vietnam when she observes that instead of those photographs her teacher "should have shown / something about / papayas and Tết [the Vietnamese lunar new year holiday]," referring readers to earlier scenes in the book (195). By indexing her previously rendered memories of Vietnam to the keywords "papayas" and "Tết," Hà activates an alternate iconography of "where I'm from" that can introduce a Vietnamese child to her classmates—and to Lai's child readers, likely around Hà's age.

Among the new images are generative papayas Hà literally and figuratively planted in an earlier poem, "[t]wo green thumbs / that will grow into / orange-yellow delights / smelling of summer" (21). Papayas also reappear when a kind neighbor shows Hà photographs that her son, an American soldier who was killed in action, sent home from Vietnam: "I suck in my breath: / a photograph of / a papaya tree / swaying broad / fan-like leaves" (201). This unexpected proffer of friendship from Mrs. Washington, the only neighbor who does not shun Hà's family, shores up Hà's personal visual archive

against "the great war photographs," helping her claim a counterhegemonic visuality along the lines of what Nicholas Mirzoeff calls "the right to look"—the right to interpret one's visual field, a right that is inseparable from claims to autonomy, authority, and political agency (23–25). This friendship between a refugee and the mother of a dead GI emphasizes the productive empathy that can flow between those most affected by war. From the allegorically named Mrs. Washington Hà also learns a linguistic trick she later uses against a pink-faced bully who has made fun of her "pancake" face: she calls him "*Đu-đũ* face" ("papaya face") and says, "It's not my fault / if his friends hear / *Doo-doo Face* / and are laughing / right at him" (220). For better or worse, Hà uses the iconized papaya, now her symbol of resistance to xenophobia, to momentarily redirect her classmates' objectifying gaze from herself to the bully. After school, she learns martial arts to defend herself against classmates, whose taunting causes her to hide in the bathroom during lunch; crouching in position, she says, "I'm practicing / to be seen"—that is, seen anew, self-possessed and physically secure (161).

In the adult world, too, the Vietnamese and Americans in Lai's text struggle to see and understand one another outside prevalent cultural frames, beginning with the first encounter between Lai's family and the man who will become their sponsor. The United States' resettlement process is unusual in that it does not operate directly through a government agency, but rather, requires a refugee to be sponsored by a private organization or individual who will provide various kinds of assistance with the transition. Thus, Hà's family waits in a refugee camp in Florida, a place of absurd spectatorship "where alligators are shown / as entertainment," to be placed with a sponsor (107). Hà's mother learns sponsors are more likely to choose refugees who self-identify

as Christian, and "[j]ust like that / Mother amends our faith" to better fit the profile of the ideal refugee (108). When a man arrives and selects Hà's oldest brother to train as a mechanic, indicating he can take only one, Hà's mother calls forth the available rescue narrative:

> Mother doesn't care
> what the man
> came looking for.
>
> By the time
> she is done
> staring, blinking,
> wiping away tears,
> all without speaking English,
> our entire family
> has a sponsor
> to Alabama. (110)

Hà's mother performs the pitiable refugee who is bereft of language to elicit sympathy from a potential sponsor, knowing the relationship between sponsor and refugee is mediated by a visual culture in which the refugee's helplessness is more legible than her autonomy or self-expression. Like Mr. Russell in *The Gangster We Are All Looking For*, who is moved by news images of the boat people, the sponsor in Lai's novel is

susceptible to the silent sight of a refugee mother "staring, blinking, / wiping away tears, / all without speaking English." In a revealing study of American sponsors of Vietnamese refugees, Helen Fein found that non-Vietnamese-speaking sponsors did not believe refugees' lack of English was a significant problem, but bilingual Vietnamese refugees, who often served as translators, believed it was (Fein 89). When one sponsor was asked how she communicated with her sponsorees, she replied, "I don't know. . . . It was lots of fun. . . . It's not hard to communicate as long as you have eyes." For this sponsor, seeing a refugee was tantamount to understanding her (*id*.).

But sponsors, too, had a predetermined, visual role to play. Hà, a fan of American film westerns, is thrilled with the man she calls "our cowboy": he "looks just like / an American should"—tall, blond, with cowboy hat and boots—and she says, "I love him / immediately / and imagine him / to be good-hearted and loud / and the owner of a horse" (111). (Months later, Hà is disappointed to learn their sponsor, a suburbanite, does not own a horse.) Misunderstandings between the refugee family and their sponsor are recounted in a straightforward, often humorous way, though as with the photographs shown in class, they bear some relation to less pleasant encounters. These include when the sponsor's wife resentfully insists that Hà's family "keep out of / her neighbors' eyes," and when a brick and racist note are thrown through the family's window, literally shattering their view of their American neighbors (116, 162).

Inside Out & Back Again hints at how political and economic considerations pervade the personal relationships and affective states of resettling refugees. Hà's family oscillates anxiously between bewilderment, wariness, and gratitude in their interactions with the cowboy, whose surprise food gifts are alternately delightful (beef jerky) and gag-

inducing (fried chicken). Meanwhile, his wife's hostility leads Hà to "wonder if he's so friendly / because his wife is so mean" (119). When the family moves out of the sponsor's house into an apartment, for which the cowboy pays three months' rent, Hà's mother marvels at "his generosity" until her eldest son Quang explains that "the American government / gives sponsors money"; when Hà's mother "is even more amazed / by the generosity / of the American government," Quang responds that "it's to ease the guilt / of losing the war" (125). At that point, she tells him "to clamp shut his mouth. / / *People living on / others' goodwill / cannot afford / political opinions*" (125; original emphasis). The exchange between the single mother and her son, who is now employed by the cowboy as a mechanic, highlights the corporate overtones of the cowboy's "sponsorship," reminding the reader that the relationship is laced with material interests on both sides as well as political inequalities. A tricky concept, "goodwill" can mean good intentions, "benevolence," or "kindly regard"; or it can refer to the "ready-formed 'connection' of customers, considered as an element in the saleable value of a business"—an asset that is both crucial and difficult to appraise because it is based in affective relationships (*OED*). Goodwill belies a crossover between private emotions (e.g., Hà's "love" for the cowboy) and a market economy in which the vulnerable trade political agency for food.

Because Hà is a child, she skirts to some extent the social expectations that compel adult refugees to profess gratitude and suppress critical opinions; her youth gives her—and therefore the text—room to maneuver around the normative figure of the grateful refugee who must protect "goodwill" in order to "afford" the necessities of life. A "pouty girl," she sets out to "inspect" their new, government-funded home, and is

pleased with some of their donated belongings but unhappy with others: “Mother says be grateful. // I’m trying” (107, 125–26). Lai’s text does not advocate solutions to, or even overtly criticize, the structural dilemmas its characters face. But it does enable the reader to observe, with Hà’s critical gaze, the intersecting social, political, and economic pressures that contour refugee experiences. In doing so, the text gently disrupts the dominant narratives of rescue, gratitude, and private hospitality that frequently structure popular narratives about Vietnamese refugees that are told from non-Vietnamese perspectives.

Conclusion: Old Narratives, New Refugees

As America’s first televised (and a heavily photographed) war, the Vietnam War produced an archive of visual and multisensory images that are still recognizable in how Americans see, imagine, and understand all their later wars. Under the shadow of the war’s dominant iconography, the war’s human remnants in the United States — Southeast-Asian refugees and American veterans—have been (re)incorporated into the post-war imagined community partly via hegemonic and resistive practices of visual representation and spectatorship. These practices continue in the post-9/11 period, recapitulating and challenging familiar, sentimental rescue narratives. Meanwhile, new refugees created by new, U.S.-involved wars reach America’s borders.

In 2007, as the Iraq War peaked with a U.S. “troop surge,” CNN broadcast a story about a young Iraqi boy who was set on fire by masked insurgents, causing horrific burns over much of his face and body. Once again, graphic images of a burned child came to represent the “terror of war”—but in a story about American medical, not military,

intervention, because an American team quickly brought "Youssif" to the United States for cutting-edge treatment. The heartrending story drew monetary donations from viewers so fast that the next day, a follow-up segment announced the parents' gratitude: "I was so happy I didn't know what to do with myself," says Youssif's mother, while his father states, "We just want to thank everyone who came forward. We knew there was kindness out there" (Damon). Over the next several years, Youssif's image acquired mythic dimensions, while the historical details of his story faded: in 2011, when public attention to Iraq had waned, CNN ran an update under the blunt headline "Burned Iraqi Boy's Road to Recovery," in accordance with his function as a mostly nameless icon of Western humanitarian rescue. Moreover, as Youssif's shocking scars were gradually ameliorated by time and numerous surgeries (a progression tracked by CNN's film and still images), his story, too, was being resculpted for an amnesiac audience. By 2013, another "Burned Iraqi Boy" update opens, "Unimaginable cruelty marked the beginning of Youssif's story" (Dellorto). With the U.S. war in Iraq supposedly finished, CNN made Youssif's Iraqi assailants the unequivocal starting point of "Youssif's story." In doing so, it left on the cutting room floor the United States' earlier, unilateral deposing of a stable regime that, for all its egregious faults, had largely prevented lawless attacks like the one Youssif suffered. Youssif's story *memorialized itself* as one about American care that saved a boy from indigenous Iraqi "cruelty."

For Youssif, now an asylee, resettlement's "new beginning" rebooted history: it diverted public attention from a morally ambiguous or unresolved war narrative to a pleasurably sentimental rescue-and-gratitude tale that vaunted rather than challenged nationalist assumptions about American foreign policy. Such diversions are never

entirely successful, however, necessitating that rescue narratives be repeated over and over—almost, but not quite, keeping pace with the global production of new refugees whose experiences might challenge them. Today, the United States accepts over half of refugees who resettle under the United Nations' auspices (UNHCR). Like *Kirk* sailors waving at desperate helicopter pilots, urging them to land on a tiny deck, many Americans yearn to be of use to others in a world whose continual violence confounds them, but they are haunted by a suspicion that the violence is not entirely indigenous to the refugee other. New literature by Vietnamese Americans meets America's hegemonic, but uncertain, gaze, in a variety of forms—poetic, narrative, visual, sonic, and performative—and offers a revealing look back at the heart and mind of American empire.

Coda: Imagining Ground Zero(s)

In a 2009 *PMLA* essay titled "Hiroshima, Ground Zero," the critic John Whittier Treat wrote, "The names we give our violence are usually rhetorical and therefore suspect."[94] He would know: in 1995, Treat wrote a book called *Writing Ground Zero*—a book about Japanese literature named for the earlier ground zeros in Hiroshima and Nagasaki—but a decade and a half later, he noted ruefully that "[a]fter 9/11, that would have to be the title of a book about the United States and not Japan" (1884). Previously, "ground zero" referred to the sites of two atomic bombings by the United States in 1945 that killed over 200,000 Japanese civilians. The bombings hastened the end of World War II and demonstrated the United States' nuclear capability, both key to the nation's emergence as a global superpower in the postwar period. When Treat heard "Ground Zero" used on September 11, 2001 to signify the destruction of the World Trade Center by Islamic terrorists, an act that killed 3,000 people on U.S. soil, he knew the term's repurposing would have consequences. By adopting the name Ground Zero, Americans borrowed the emotional valence of the original ground zeros—the ghostly memory of that other, extreme Japanese suffering—to construct a new narrative of American grief and victimhood in the years after 9/11. Within a day after the attack, America's Ground Zero was capitalized into a proper noun by news media, singularizing it as *the* Ground Zero. Meanwhile, the older ground zeros, produced by U.S. military actions that even today stand as an unprosecuted war crime, were no longer "our violence." Disavowed and rendered nameless, their story became all the more difficult to tell.

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[94] *PMLA* 124.5, p. 1884.

The erasure of Japanese suffering on 9/11 forms part of a tradition of displacing narratives about the destructiveness of U.S. military action with narratives of U.S. victimhood, self-defense, Third-World liberation, humanitarianism, and ideological triumph. This process of displacement, which is also referred to in Espiritu's idea of the "we-win-even-when-we-lose syndrome," has been a common thread in my chapters. Christine Hong observes that postwar, American mass-media depictions of the atomic bombings from an ostensibly *Japanese* perspective, such as a 1952 *Life* photo-spread titled "First Pictures—Atomic Blasts Through the Eyes of Victims," tended to feed national discourses about the urgency of protecting *Americans* from a similar fate, rather than raise the possibility that the United States should not have dropped the bombs, or should be held accountable for its disregard of Japanese life (C. Hong, "Flashforward" 130). Indeed, in Hong's reading, John Hersey's lengthy 1946 article "Hiroshima," published in *The New Yorker*, was "revelatory" insofar as it encouraged Americans to identify with Japanese victims of the bombing, but it ultimately failed to move the populace politically: "at once titillated and sedated by [their] imagined kinship . . . Americans, on an imaginative register, became victims of the bomb" rather than imagining themselves as perpetrators (*id*. 132).

But "Americans" have many, differing relationships to the various ground zeros. This is perhaps fitting, given that ground zero originated as a spatial-temporal scheme that insists on both relativity and absoluteness. A technical term coined by American nuclear scientists, ground zero refers to an absolute point, the spot on the ground directly below the bomb's aerial detonation; and all other points in space and time are measured in relation to ground zero, both in physical distance and time passage after the blast.

Ground zero is useful because of the peculiar forms of proximity-linked harm caused by nuclear blast and radiation—from the fire that immediately burns everything and everyone at the blast site to the lingering radiation effects that can harm or kill people who were miles away, even months or years later. Beginning in 1946, disaster maps of Hiroshima and Nagasaki were widely published in the United States, featuring concentric circles superimposed on a city plan, which allowed the viewer to easily gauge any point's distance from the detonation. In an American martial imaginary geared towards rationalizing the bombings, such postwar visual representations of ground zero brought order and logic to a traumatic episode that might otherwise defy understanding, measurement, or justification.

Minority social imaginaries offer very different interpretations of the concept of ground zero. For the Issei, for instance, the horrendous losses that occurred in Hiroshima and Nagasaki shot along the transpacific pathways the immigrants had carved with their crossings, defying the proximity-based scheme offered by bulls-eye maps. Ours is a heavily fragmented martial imaginary, and the proliferation of alternate perspectives and meanings is important: in it lies the space for self-reflection, critique, and perhaps, if we make space for alterity, social change. The galvanizing multiplicity of ground zero(s) is a troubling, but ultimately hopeful, idea with which I would like to conclude this dissertation.

To begin with, neither Japanese bombing site was the first atomic ground zero. That distinction belongs to a site on U.S. soil—in New Mexico, where the Trinity bomb test was conducted just weeks before the Japanese bombings, using a bomb identical to the one dropped on Nagasaki. While the desert site—which later became the White Sands

Missile Range—was chosen for its remoteness with respect to most of the U.S. population, it was quite close to some Native-American towns. The Laguna Pueblo novelist Leslie Marmon Silko recalls a woman from her community who was blind with cataracts, but saw the flash of light from Trinity. A fictionalized version of that woman makes a brief appearance in Silko's 1978 novel *Ceremony*, in which a young, half-Laguna, half-white veteran returns home after fighting in the Pacific theater of World War II. Traumatized and constantly vomiting, Tayo wanders the environmentally devastated reservation, where a dangerous, federally funded uranium mining boom is underway. Whether ground zero followed Tayo home from war, or ground zero was always his home to begin with, a minority martial imaginary is at work. The novel defies the bounded space-time of conventional war, and suggests that the United States was already fighting an "everywhere war" back in 1945.

Meanwhile, at the same time that Native-American veterans like Tayo were readjusting to life on (re)militarized reservations, some "repatriated" Japanese Americans like Violet de Cristoforo were returning to their ancestral homes in Hiroshima and Nagasaki. There they discovered *their* ground zeros, as when de Cristoforo found her severely burned mother in the woods behind the ruins of their family house. This was the cruelest possible ending to her internment experience. Interestingly, many of the repatriates had spent the war years imprisoned close to Native lands—including de Cristoforo herself at Tule Lake, her husband in a DOJ prison in Santa Fe, and Neiji Ozawa in an Indian-reservation sanatorium (apparently because ill internees could not be treated at normal facilities). For some Japanese Americans and Native Americans, the atomic ground zeros were closer to home than for the general American population—

indeed, for some, were literally home. Moreover, the poetry produced by internees reflects affinities they discovered with Native Americans past and present—an interracial bond that could not possibly have happened in any other country than America.

So when American journalists adopted the name Ground Zero on September 11, 2001, they unwittingly tapped into a deeply divided national history, and their discursive move carried forward into the post-9/11 period a plethora of American ground zeros. Consider the following two post-9/11 moments that display the continued heterogeneity of Americans' ground-zero imaginaries—a series of protests that erupted in 2010 around a planned land use near Ground Zero, and a 2006 documentary film about a Japanese-American artist who was living near Ground Zero at the time of the terrorist attacks.

In 2009, an organization called Cordoba House made plans to develop a large Islamic community center in lower Manhattan, approximately two blocks from the former site of the World Trade Center. Modeled after the 92nd Street Y, the planned center would include a prayer space, a fitness center, a performance venue, and more. Although approved unanimously by the local zoning board in 2009, the project did not gain national attention until August 2010, when it became a flashpoint in post-9/11 fear politics.[95] With the ninth anniversary of the September 11 attacks approaching, some national media outlets and politicians latched onto the narrative of a "mosque" being constructed brazenly, perilously close to the "sacred" space of Ground Zero. Soon, protesters turned out bearing signs such as: "No Victory Mosque at Ground Zero"; "SHARIA" with red paint dripping like blood from the letters; "Should we all jump for

[95] I am indebted to my colleague Kimberly Love, a classmate with whom I completed a project about the "Ground Zero Mosque" controversy in K. Ian Grandison and Marlon Ross' *Race, Space, and Culture* seminar in 2010. My thinking about this episode is heavily shaped by our conversations.

Islam?" next to the famous, wrenching photograph of a man falling from one of the towers, having decided jumping was preferable to burning; "Sensitivity Goes Both Ways—If You Really Care Built It Elsewhere!"; and, on a sign carried by a smiling man, "We Came Unarmed (This Time)."[96]

Through such rhetorical and narrative moves, the issue of Park51 went from being merely politicized to being "securitized"—that is, brought discursively into the realm of national security despite being the work of relatively minor actors who otherwise had nothing to do with security policy or decisions (*id*.). As Robert M. Bosco and Lori Hartmann-Mahmud elaborate, "Such discourse posits a cherished referent object (such as Western society, the U.S. way of life and culture) that can only be protected and made secure by taking extreme, out of the ordinary measures" (532).[97] I would add that the "securitization" of Park51 took a particular form that revealed much about the post-9/11 martial imaginary: it manifested in the staging of a virtual ground battle by Islamophobic Americans who were terrified at the prospect of borderless warfare and nostalgic for a simpler time, when war took place on battlefields with clear sides. Because the Global War on Terror deprived them of such a battlefield, they created one, performing with

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[96] Some of the most impassioned protests against Park51 were lodged by a Florida pastor, Reverend Terry Jones of the Dove World Outreach Center in Gainesville, Florida, who declared that September 11, 2010 would be "International Burn a Koran Day," but offered to cancel the mass Koran burning if the Park51 developers would cancel their plans to build the center. Jones announced that his group would burn one thousand Korans that day, and framed the gesture not primarily as a religious dispute, but rather as a matter of national security (Bosco and Hartmann-Mahmud 532). Jones warned, "Sharia law poses a threat to America, to Western society. . . . [I]t is time to speak up now before it's too late. Why should we wait and present it as a real possibility?" (*id*.).

[97] Bosco and Harmann-Mahmud point out that securitization does not remain in the realm of discourse; it has real effects on the world. While the Koran burning day was eventually canceled, three days of protest in Afghanistan culminated with Afghan security forces firing into a crowd, killing three and wounding others (534).

their signs a fantasy of conventional, territorial war between (presumptively Christian) Americans and (presumptively foreign) Muslims. Tellingly, opposition to Park51 was stronger among non-New-Yorkers than New Yorkers—a signal that the land-use battle had more to do with an imagined Ground Zero than a real one.

While Ground Zero was a virtual militarized zone for some—needing defense against religious and ideological "enemies" who would build a "victory mosque"—for some others it had very different meanings. *The Cats of Mirikitani*, which aired on PBS in 2006, documents an unusual friendship as well as a painful reconciliation with the past that unfold in the wake of 9/11, blocks from Ground Zero. Shortly before 9/11, Linda Hattendorf, a young, white filmmaker, began filming a documentary about a homeless, elderly, Japanese-American artist who occupied a corner near her apartment in lower Manhattan. Jimmy Mirikitani created colorful drawings and paintings, mostly of cats, for passersby, in exchange for small gifts like coffee; he also requested of recipients that they take a photograph of the picture, preferably of themselves standing with the picture, and give it to him as a keepsake. During Hattendorf's filming, the attacks on the World Trade Center occurred and were captured by her camera—and the film took a new, completely unexpected course.

In the weeks after 9/11, Hattendorf discovered Mirikitani was still living on the dust-filled streets, huddled and coughing in his usual spot blocks from Ground Zero. Struck by his vulnerability, she invited him to move into her tiny apartment. The film records the relationship between the filmmaker and her subject as she attempts to access social services for Mirikitani, while he stubbornly resists government help for reasons that gradually become clear. Mirikitani, it turns out, is a Kibei survivor of Japanese-

American internment, born in Sacramento, California and raised in Hiroshima, and was among the thousands who lost their U.S. citizenship during the fateful loyalty screening program. A young artist at the time of the Pearl Harbor attack, Mirikitani was eventually sent to Tule Lake. After the war, he never settled down, but moved so often that when his citizenship was finally restored in 1959, the government's notification letter never reached him. In the film, when Hattendorf begins uncovering documentation of his past, Mirikitani finally learns that he is a U.S. citizen, and has been for the past four decades.

As Mirikitani's life story unfolds, so does the post-9/11 anti-Islam hysteria, which contains echoes of the anti-Japanese-American sentiment that led to internment. The film captures a distressed Mirikitani watching television news as commentators debate a proposal to require American Muslims to carry identity cards. His anger at the U.S. government is palpable; though occasionally charming and affectionate, he also rants, scowls, and broods. He is a messy, demanding, sometimes noisy roommate, and most of the time seems neither grateful for Hattendorf's assistance nor eager to find an alternate living arrangement. But the film also captures a dramatic transformation in Mirikitani's demeanor and moods, brought about by a long-delayed confrontation with his traumatic past, and by his gradual reconnection to a human network from which he had long been estranged. This network includes the artist Roger Shimomura, who is also an internment survivor, and the writer Janice Mirikitani, a distant relative of Jimmy, both of whom respond with great concern to letters written by Hattendorf. In the end, *The Cats of Mirikitani* is a thoughtful and rather sentimental film about the dual importance of human connection and creative expression in the midst of personal and collective trauma and political turmoil. I close with this film because, while not entirely without problems, it

offers a more productive reimagining of the space of Ground Zero than has emerged from other corners of the post-9/11 American social imaginary. For Hattendorf and Mirikitani, Ground Zero is not primarily a battlefield, but rather is a space marked by shared experience and unlikely friendship, where healing, restoration, empathy, and art are possible—in spite of war, in spite of trauma.

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