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For many years, as I've taught Asian American Studies 2, I've wondered to delete the section on race-based violence. This section is exceptionally depressing, it doesn't reflect well upon Americans, and I *want* to believe that the problem itself might be receding. This section is harder to teach, too, perhaps because many of my students—so many of them are American citizens, so familiar with the United States—may have become so inured to the high levels of violence in their own country that they're not exactly sure that it's a "problem" any more so much as a fact of life here. It takes some work to persuade them of the obvious—the United States has always had high levels of violence, a lot of that violence has been race-based and rooted in white supremacy, and at its worst, white Americans had unleashed violence that was protected by the law, often condoned by public officials and by legislatures. Furthermore, the citizens of the United States have suffered higher levels of violence compared to people in other industrialized countries for so long that it seems many Americans have simply adapted, even though there is nothing "normal" about "active shooter drills" or real-life school shootings. The most disturbing aspect of this section is that there's a certain fatalism attached to it.

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Without question, white Americans had engaged in violent forms of white supremacy in disturbing, recurrent ways for the vast majority of American history. Before 1965, public officials often participated in the wanton killing and maiming of people of color, and much of that violence was legal in that period when slavery was lawful, or when Native American removal was federal policy. Slaveowners once murdered and tortured their slaves with impunity, and American soldiers attacked Native Americans who were non-combatants during many dozens of "punitive raids" from colonial times to the early 20<sup>th</sup> century. Before 1965, there was hardly a town or city west of the Mississippi River that hadn't had an anti-Chinese riot. White mobs, white public officials, and white citizens all engaged in racial violence, and in most instances, they were never held criminally accountable for these acts. In turn, people of color did kill and retaliate against white people and white communities, and yet when they responded in such violent ways, whites replied with more murder and violence, so as to crush all opposition to white rule. For nearly all of American history, Americans lived in mortal fear of one another.<sup>1</sup>

After 1965, after the American Civil Rights Movement, a clear majority of public officials did *not* advocate for mass killings or other forms of large-scale violence against people of color in the United States, at least not like during that deplorable period before. Inspired by anti-colonialist struggles in Asia, especially in India, the very leaders of the Movement insisted on non-violence for obvious reasons: because violence impeded moral understandings rather than furthering them; because they knew that patterns of violence were cyclical; and because the cycle tended to be most fatal for people of color. Using violence to quell dissent and to engage in mass protest—that has certainly receded in American public life in significant ways, and so it’s tempting to think that this problem is not as bad as it once was.<sup>2</sup>

We might experience this on a more intimate level: white mob violence against Asians was common in California in the late 19<sup>th</sup> century, but my children have never seen someone lynched in the local park or in the public square, the body left suspended there as spectacle and as a warning. I think it’s a small miracle that my children have not been on the receiving end of racial slurs, day after day, even though they’ve been in California public schools since kindergarten. Legally segregated schools—enforced through violence and the threat of violence—are things that they’ve seen only in history books. Based just on the things that they’ve *not* seen or experienced, I would like to think that things have gotten better.

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Of course, in the United States, we have too much evidence of the violence all around us to ignore the fact that it remains a fitful, vexing problem. My family has been lucky, relatively speaking. Many other people still see and experience pervasive violence in rather intimate settings—within private homes, across neighborhoods and communities, and in practices across a wide range of institutions. Some philosophers say that this is because Americans are like other people, and there might be something wrong with people in general: maybe we *are* violent, predatory beings, and it seems not in our nature to resolve our differences in non-violent ways. The social scientists say, though, that there might be something especially wrong with Americans, so paranoid and fearful they have been for so long—fear and violence and fear of violence might be woven into our culture. The social scientists have gathered overwhelming empirical evidence to suggest that the Americans are among the most violent—our murder rates and crime rates simply look more horrifying compared to the rest of the industrialized world. And some of the racial patterns within the violence remain unmistakable.

Moreover, in the last four decades, my colleagues in criminology have suggested that we ought to re-think the meaning of “state violence,” to expand that definition to include many other forms of social control that discipline, confine, or otherwise punish people in racially disparate ways. These scholars have argued that the problem of race-based violence in the United States has changed, but it hasn’t “improved,” at least not to the point where our legal and political institutions now treat people of different races as though they were morally equal or worthy of equal consideration. If, for example, the rate of incarceration for white folks was the same as

that of African American folks, if police officers shot and killed unarmed white folks as often as unarmed African Americans, if white folks died of gun violence at the same rate as African American folks, or if immigration authorities were taking white kids from their white parents to incarcerate them separately, solely on the suspicion that they were all migrating unlawfully, we might find such disparities unacceptable.<sup>3</sup>

We must pay attention to such patterns of race-based violence and social control because they may reveal on-going, underlying tensions about membership, citizenship, and belonging in the United States. They provide important clues about who “counts” and how the legal system might value the lives of some more than others. As we review the themes in this section, please consider that one important facet within this much broader topic—please consider the role of state actors and public officials in the aftermath of violence. In the story about Vincent Chin, for example, we can see how judges and other legal actors might have sympathized more with the (racist) perpetrators of violence rather than their victims. The same might be true in the Latasha Harlins case, where the judge seemed much more sympathetic to the Korean American woman who shot Miss Harlins than toward Miss Harlins herself. The case of the Vietnamese fishermen provides a counter-example: rather than sympathizing with white supremacists, the courts in Texas allowed the Vietnamese fishermen to sue their tormentors, to make them pay. In all of these stories, the behavior of state actors says a great deal about whether the American legal system can (or can’t) be somehow “fair” in a multi-racial, cacophonous democracy such as ours.

Later in this class, when we examine systems of immigration detention, I’ll ask my students to consider whether, like other forms of mass incarceration, these policies reflect subtle and not-so-subtle forms of racial bias. Immigration detention centers come in many shapes and sizes in the United States, from large-scale “detention facilities” to county and local jails subcontracted by the federal government. The vast majority of people in these immigration detention facilities are people of color. For a while, in the summer of 2018, when the Trump administration was separating children from their parents as part of a policy to prosecute all “unlawful” border crossings, the Department of Homeland Security opened “tender-age shelters” for very young children who were thus separated from their parents. Again, the vast majority of these children were from Mexico and Central American countries. Were these children being “housed,” or were they being “incarcerated”? Was the federal government behaving in racist ways, or were public officials perhaps inferring that there would be less of a moral outcry because these were not white children? Did the members of the Trump administration even think through these issues at all, were they suffering from an “unconscious bias,” or was it even a “racial” issue? Members of the administration said that they weren’t being racist. Should we believe them? These questions will occupy the social scientists for many years, but I’d ask you to consider these possibilities in your discussions.

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After 1965, large-scale multi-racial violence has gotten more complex, more “diverse” in terms of the range of participants and the range of victims, and it doesn’t seem obvious that anyone is in charge. African Americans and Latino and Mexican immigrants don’t always get along in the major cities; they often both dislike Korean immigrants, and those hostile feelings are mutual, as many immigrants seem to have imported their racial and ethnic prejudices when they immigrated to the United States. In some of the more chaotic eruptions of violence within American cities, a surprising number have featured many protagonists who weren’t white—Cubans and African Americans upset with one another in Miami, for example, or African Americans and Korean Americans shooting and burning one another. These large-scale acts of violence may have been triggered by smaller events—an act of police brutality, or a jury verdict about such a case—but then they explode well beyond any expectations.

In the decades after the Immigration Act of 1965, as the cities grew very diverse, very fast, some of the feelings of hatred and the threats of violence were visceral, and they made their way into American popular culture quite often. Here is the full excerpt from Ice Cube’s “Black Korea,” from his album, *Death Certificate*, released in October 1991. It went platinum in just two months.

Every time I wanna go get a fuckin’ brew  
I gotta go down to the store with the two  
Oriental one penny countin’ motherfuckers  
That make a nigga mad enough to cause a little ruckus  
Thinkin’ every brother in the world’s out to take  
So they watch every damn move that I make  
They hope I don’t pull out a gat and try to rob  
They funky little store, but, bitch, I got a job—  
“Look, you little Chinese motherfucker  
I ain’t tryin’ to steal none of yo’ shit, leave me alone!”  
“Mother fuck you!”  
Yo, yo, check it out—  
So don’t follow me up and down your market  
Or your little chop suey ass’ll be a target  
Of the nationwide boycott  
Juice with the people, that’s what the boy got  
So pay respect to the black fist  
Or we’ll burn your store right down to a crisp  
And then we’ll see ya—  
Cause you can’t turn the ghetto into black Korea  
“Mother fuck you!”

It must be infuriating, being a young African American man, trying to buy a beer and then being followed around the store by a middle-aged Asian couple who's checking to see if you're stealing. If this happens regularly, all the more infuriating. Perhaps it's even more so if you're a successful recording artist, and the Asian folks at the local store don't recognize that you're famous. ("Can't you see that I'm Ice Cube, damn it?!")

On the other side of things, it's quite possible that the lady who's worried about how the young men might pull a gat (this is a gun) once had a gat pulled on her. She might know all about "five-finger discounts" (this is a euphemism for shoplifting) because, when she does the accounting at the end of the month, inventory and revenue just don't add up. And then, of course, there are those rarer moments where she caught someone red-handed. All of my Korean American aunts and uncles suffered hold-ups, plus burglaries, assaults, and many other unpleasant interactions with their customers, including many of those red-handed instances of "five-finger discounts." One of my uncles did own a grocery store—he could well have been the person in Ice Cube's song. Paranoia among Korean shop keepers was common, and yet not without some experience: in Oakland, a drug-addled person stuck a gun in my mother's face, and I don't think she ever got over that experience. Fellow Koreans ripped off my relatives, too, renegeing on loans and swindling and such, but very seldom with gats or shotguns.

Desperate white folks pulled guns and stole, but among the Korean folks who went to church with us in LA in the 1980s, the "Mexicans" and "blacks" were endless topics of conversations, and they seemed to inspire special forms of paranoia and fear. Many folks saw white people as individuals, as in, "That stupid John Smith robbed me," but if an African American person robbed them, it was "the blacks robbed me." Moreover, some of my own relatives could have hundreds and even thousands of transactions with people who were Mexican or Central American immigrants, all of them completely uneventful and many totally pleasant, and yet if just one Mexican teenager took a five-finger discount, then "all Mexicans *steal!*" It was both funny and sad, that before coming to the United States, many of my own relatives seemed to have developed a colored view of America, where white people were individuals, good and bad, but other folks were just members of faceless groups, most of them likely bad or dangerous. Prejudices need very little to confirm themselves. There was an irony in all of this: many Korean folks (still) don't like when they're mistaken for Chinese, and they especially don't like being mistaken for Japanese. Being lumped with those other people—as though they were all members of one giant Asian horde—could get my most docile aunts into a lather. I can just hear one of them thinking, "I'm one-penny countin' *Korean* who's following you around *my* funky store, Mr. Cube."

Many excellent scholars have written about these experiences, these seething tensions in American cities, and about the realities of entrepreneurship in the inner cities, and then the horrible, sometimes fatal, miscommunications and interactions among people of very different backgrounds. These scholars include: Claire Jean Kim, Jennifer Lee, Brenda Stevenson, Kyeyoung Park, Pyong Gap Min, Ronald Jacobs, Robert Gooding-Williams, Edna Bonacich and Ivan Light, Richard Appelbaum, and Min Song. In Los Angeles, there were two race riots, and

in between them, we could see how *biracial* tensions could evolve over forty years into a *multiracial* mess: in the Watts riots in August 1965, over 3,400 people were arrested and over thirty died; and then the Los Angeles civil unrest of April and May 1992, over 12,000 people were arrested and over sixty died. Koreans and Latinos were either peripheral or absent in the first one; they were key participants in the second. Immigration was the difference between the two.

In Ice Cube's song, he implied that the Koreans were moving into *his* neighborhood, "the ghetto," and unless they showed some respect, they would be in for trouble. Mr. Cube's sentiments are important to consider: it wasn't just white folks feeling as though the foreigners were taking over. And please, let's pause upon that feeling: did Mr. Cube have a legitimate right to consider that neighborhood as an exclusive domain, for him and for people like him? Do the residents of any city—poor or rich—have the right to claim a neighborhood in such ways? Do they have the right to defend their neighborhood, even with threats of violence? His song was like a premonition, and then it became a reality: at regular intervals, throughout American history, racial violence has flared in ugly, terrible ways, and racial profiling, racial forms of policing, and horrible, large-scale chaos has plagued this country. Korean Americans, African Americans, Mexican Americans, Central Americans, and then immigrants of every background experienced this first-hand in 1992—in a strange way, the riots wove them into a sad, on-going national narrative.

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Finally, as part of this section, we should say a few words about the "cultural defense," arising as it does from individual acts of violence coming from *within* immigrant communities. For my class and for my book, I chose cases from the 1980s and 1990s, and I've focused on those instances where Asian immigrants were accused of crime, and then gave explanations for their behavior based on their cultural backgrounds. In law and in the social sciences, many leading scholars have dealt with the "cultural defense," and I've relied on their work for this section, but I have felt that much of this work has missed some of the more interesting historical parallels that we can find in American immigration history. I edited out that history in the final manuscript, but they're worth revisiting here.

First of all, many of our newest immigrants are rather similar to the waves of immigrants that came generations ago, in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries. During that period, several European countries experienced chaotic civil warfare, as well as several devastating wars between them. Forced expulsions often came in the wake of war, conquest, and settlement: in the first half of the 19<sup>th</sup> century, for example, the Russian tsarist government acquired territories on its western frontier, most notably in Poland. By the late 19<sup>th</sup> century, as more Russians settled in those lands, large-scale, coordinated acts of violence drove Jewish survivors away from those regions, even though many Jewish communities had been in Poland and in western Russian territories for centuries. If you've seen *Fiddler on the Roof* (1964) or *An American Tale* (1986),

you'd see that Tevye and Fievel were rather forced to go to America—they're refugees from the horrible pogroms in eastern Europe, not so much voluntary migrants to the United States. In the 19<sup>th</sup> century, Italy and Germany were not "countries" so much as a collection of warring principalities, and in the early 20<sup>th</sup> century, the Austro-Hungarian Empire fell apart. In Ireland, for most of the 19<sup>th</sup> century, the people suffered horrifying famines, political violence against British rule, and economic "reforms" that wrested land away from the poorest Irish farmers. Thousands of refugees left their homelands in the midst of these civil wars and political implosions.<sup>4</sup>

Yet despite the fact that many Europeans during this period experienced great trauma and dislocation before they arrived in the United States, the Americans were often less than welcoming or sympathetic. They complained about many things, a lot of them now woven into familiar stereotypes: the Irish were poor, drunk, and violent; Jewish people were too Jewish (and not Christian); Germans spoke German (not English); the Italians were criminals; and Polish immigrants, whatever their religious backgrounds, were unintelligent, hopelessly unintelligent. Many Americans said that these immigrants abused their women and children, they were incapable of holding down jobs in an industrializing economy, with its times-tables and production schedules, and they were also lazy, promiscuous, and unmanageable. Their food was weird: the Germans made sausage out of the oddest cuts of meat, in the strangest combinations, and the Italians used garlic on everything. These immigrants were smelly, clannish, violent, drunken, "different"—the newcomers from Europe were all of these things to the Anglo-Americans who did not care for them.

These Europeans were "suspect whites": they were Europeans, and so they were "sort-of" white, but many Americans expected them to lose their European identities if they wanted to be fully white, to be fully *American*. Mainstream American politicians insisted that some European immigrants and their children could never assimilate—Catholics would always bear and raise other Catholics, Jewish people were similarly devoted to Jewishness, "criminality" among the Southern Europeans might be a genetic curse, passed from one generation to another, and foreign languages and cultures weren't going to dissolve within ethnic communities large enough to sustain them.<sup>5</sup> President Chester Arthur had signed the Chinese Exclusion Act in 1882, but his successors, including Theodore Roosevelt and William Howard Taft, had also approved of other immigration rules against Asians and Southern and Eastern Europeans, under the theory that some people were just not assimilable, that some immigrants were too perpetually strange.

Under such pressures, many thousands of Europeans did assimilate, even if that involved giving up their native languages, their names, and other aspects of their core identities. They attempted to "pass" as fully assimilated Americans: in our best fiction, you'll meet people like Jay Gatsby, who began his life as James Gatz, the son of German immigrants. Gatsby transforms himself, and he has coveted and he will sacrifice his own life for the unattainable, wealthy Anglo American woman, Daisy Fay Buchanan, a fixation that appears both tragic and comic in its singular devotion.

Yet not every European immigrant wanted to assimilate to the point of disappearing: even as they were being excluded, some of the Europeans played with stereotypes and vested them with different meanings. For example, you'll note that the people at the University of Notre Dame described themselves as the "Fighting Irish," a phrase that began as a slur against the Irish, but then transformed into a symbol of resistance and pride. "Notre Dame" meant "Our Lady," a reference to Mother Mary, the most Catholic of Catholic symbols. These Catholics in Indiana were signaling that they weren't ever going to be Protestant. They were like the Boston Celtics, another sports mascot with a colorful, ethnic European pedigree.

Perhaps shocked and dismayed by these forms of resistance, President Calvin Coolidge signed the Immigration Act of 1924, one of the most restrictive immigration laws in American history, and when he asked Congress for such a rule, he said, famously, "America must remain American." As Vice President, and then as a candidate for the nation's highest office, President Coolidge let everyone know that he did not care for Catholics, Jewish folks, Asians, or people from southern and eastern Europe. When the President of Harvard considered quotas to limit the numbers of Jewish and African American students on that campus, Coolidge and his predecessor, Woodrow Wilson, were sympathetic.<sup>6</sup> We imagine how they might both turn over in their graves, if they could see now all the dweeby Asian kids at Harvard or at Princeton.

In time, though, what seems strange and out of place can become familiar, even normal, and even when it doesn't much change at all. German sausages were once considered very strange, but Bratwurst is available in large quantities at Costco, not far from the German-inspired lagers and other wheat beers. Pizza might be the American national dish—Americans eat, literally, tons of pizza every year, and although it has changed compared to the versions that the Italian immigrants once made in New York, when they were immigrants, the idea of pizza has remained remarkably constant, just like pasta, spaghetti, and macaroni. If we could transport, from the late 19<sup>th</sup> century, German and Italian immigrants and show them how mainstream their cuisines have become in America, they would be thrilled and surprised. It's an on-going process: when I was a young boy, only Koreans ate at Korean restaurants, the cuisine (we thought) was too funky for mainstream tastes. And they were, until spicy tofu stews, kimchee, and LA Korean ribs became staples in greater Los Angeles and Orange County. A good Korean barbecue place is an excellent place to study racial and ethnic integration. What was once exotic, tribal, and marginal was becoming mainstream once again.

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Transitions are jarring. Thirty years after the Immigration Act of 1965, the United States was undergoing another massive demographic shift, and many Americans noticed that the immigrants weren't remotely "white" at all, and that they were changing the ethnic and racial composition of entire regions. Americans saw the new immigrants in many neighborhoods of major cities, on college campuses, everywhere. This chapter, like the next one, tries to explain why so many Americans began supporting politicians and policies that could address these

changes, perhaps to stop or to reverse the patterns that they were seeing. Popular media accounts of the “strange,” unassimilated and unassimilable immigrants circulated widely during this period, and the state and federal courts did handle cases where a significant number of perpetrators and victims were recent immigrants. As you read about these cases, please consider how they were new and not so new, and please reflect upon the tendency—one that is common throughout American history—to see the newest immigrants as hopelessly strange, foreign, and threatening.<sup>7</sup>

Around the world, we can see that it’s not just the Americans who struggle with these problems: we live during a moment when racial and ethnic tensions are common around the world. Nationalist parties in Europe and in Asia are increasingly popular, using symbols and forms of political organization that resemble the worst totalitarian systems of the century before; civil wars in many countries have distinct ethnic and racial characteristics; and in many places, politicians instigate or do nothing when faced with mass-scale racial violence and “ethnic cleansing,” either through deportations or massacres. It’s all horrifying, and it’s becoming a more pervasive problem, not one that’s going away.<sup>8</sup> As in the United States, much of the racial and ethnic tensions are tied to migration—Eastern Europeans and Indians arriving in Great Britain after 1980, for example, or northern Africans and Syrians seeking refuge in France, Germany, or in Italy in recent years. To some extent, *every* state has become multiracial after 1945. If we Americans could somehow find ways to live together without killing each other, without terrorizing one another, and in relative peace and harmony, as though our diversity was truly a source of strength and virtue, what a gift we’d be to the rest of this troubled world.

To get there, perhaps with our own immigrants and with our fellow citizens, we should start by simply admitting that diversity is hard. It’s hard to meet and to exist with people who are so different from us. Instead of beginning with the idea that diversity is great, diversity is wonderful, we should all embrace diversity, perhaps we would be better off admitting that diversity was always dangerous, violent, and horrible, maybe everywhere around the world, but most definitely here in the United States. To co-exist, the immigrants and the Americans may have to acknowledge that they’ll each have to adapt and to give up certain things and expectations, like female circumcision or all-white neighborhoods. Being from an immigrant family, I would have appreciated an orientation to America where someone could have told us, quite bluntly, that the United States was always plagued with racial violence, that public officials still struggled to protect everyone equally, fairly, and that many Americans would consider immigrants like me as unassimilable, strange, and threatening. Instead of beginning with how diversity is great, and you should just enjoy it, and let’s hold hands and make a circle, maybe we should begin with how it’s going to be hard and how it’s always been hard.

It can also be surprising and wonderful, too, as when you first eat a Kogi taco. The mixing of people can produce some amazing things that were once hard to imagine when we were unto ourselves.

## Endnotes

<sup>1</sup> Many scholars have contributed recently to the growing scholarship on race-based violence. The best recent examples might be: Patrick Phillips, *Blood at the Root* (2017); Benjamin Madley, *An American Genocide*; and Beth Lew-Williams, *The Chinese Must Go* (2018). In these books, the authors make an important, recurring point: rather than being “mindless” or “chaotic,” white folks participated in racist violence to enlarge economic opportunities for themselves, and to further conceptions of “white citizenship,” this popular idea that white folks should be the primary beneficiaries of economic opportunities and other primary goods, especially land, in the United States. In other words, white folks engaged in racist violence to pursue their own self-interests, not so much because they were ignorant.

<sup>2</sup> For a single volume on non-violence, as a political strategy and as a philosophy, I’d recommend Mark Kurlansky, *Nonviolence* (2008), even though he’s not a political scientist or a philosopher. He’s an excellent writer, though, and he’s synthesized a number of key insights about these themes.

<sup>3</sup> Michelle Alexander, Bryan Stevenson, Jack Glaser, Tanya Golash-Boza, Marjorie Zatz, Justin Levinson, Jonathan Simon, and Michael Tonry have all written excellent scholarly accounts of racial profiling, immigration detention, and mass incarceration, among other themes that are central in criminal law and in the immigration law. Alexandra Schwartz, a journalist for the *New Yorker*, has reported extensively on the Trump administration’s immigration detention policies in the summer of 2018.

<sup>4</sup> Europe produced millions of refugees in the 19<sup>th</sup> and early 20<sup>th</sup> centuries, and many of them came to the United States. For accounts of the chaotic events in Europe over that period, I’ve relied on works by Robert Gildea, Eric Hobsbawm, and Anthony Pagden. At the end of *Fiddler on the Roof*, we learn that one of Tevye’s daughters will move to Cracow, in Poland, to escape the pogroms, but in light of what will happen in Cracow during World War II, after the Soviet and Nazi invasions, we see her journey there as the beginning of another enormous tragedy that will befall Jewish people in Eastern Europe.

<sup>5</sup> Among many modern social scientists, “criminality” seemed an ingrained, hereditary condition, such that assimilation just wasn’t possible or likely for those who had this trait. See, for example, Mary Gibson, *Born to Crime* (2002).

<sup>6</sup> For a readable single volume about President Coolidge, see Amity Shlaes, *Coolidge* (2013).

<sup>7</sup> Many authors writing about immigration after 1965 were deeply critical and fearful of the demographic impacts of the new rule. See, for example, Peter Brimelow, *Alien Nation* (1995); Patrick Buchanan, *The Death of the West* (2002); and Samuel Huntington, *Who Are We?* (2005). All of these authors perceived immigrants after 1965 as threats to the United States.

<sup>8</sup> Timothy Hatton, Stephen Castles, and Paul Collier are among the senior scholars who’ve written about mass migrations from a comparative perspective.