

Tributes

SUMI CHO*

Becoming Asian American and the Magic of Historical Accident

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Marxist theorist and economist Nikolai Bukharin once asserted that as nothing is accidental or causeless, there is no such thing as accident in history: “Each historical event, however accidental it may appear, is absolutely and completely conditioned by certain causes; historical accidentalism also simply means the intersection of certain causal series of which only one series is known.”¹ Without reopening an old leftist debate, I would like to borrow Bukharin’s conceptualization of historical accident to reflect on the scholarly, political, and community-building contributions of Professor Keith Aoki, a deeply missed colleague whose sudden passing shocked and saddened the legal academe.

* Professor of Law, DePaul University College of Law. I am grateful for the Northeast People of Color (NEPOC) Legal Scholarship Conference 2011 attendees who warmly received an earlier version of this Tribute. I dedicate this Tribute to Keith Aoki’s daughters, Rachel and Sarah, whose father truly made a difference in the world.

¹ NIKOLAI BUKHARIN, HISTORICAL MATERIALISM: A SYSTEM OF SOCIOLOGY 44 (1969).

Many people have spoken publicly of Professor Aoki's endearing and enduring qualities. In addition to this *Oregon Law Review* Symposium, there was also a public NEPOC/CAPALF tribute in November 2011, the SALT Great Teacher Award in January 2012, as well as symposium issues to be published in the *UC Davis Law Review* and the *UCLA Asian Pacific Law Journal*. And I am sure there are and will be others. How many people in recent memory have inspired or warranted such a public reckoning? What was it about Keith² that inspires such a spontaneous outpouring of grief and sense of loss and gratitude? What was it about his work, his creativity, his love for life and how it circled back to him—through the depth of feeling people have been spontaneously giving voice to, in a public wailing of sorts—reflecting a deep mourning of loss of someone of substance, someone who mattered, someone who truly made a difference in the lives of others?

In this Tribute, I'd like to share how the gift of Keith Aoki to the world is very much a story of Asian America, albeit a less told one—a story of the beauty and tragedy often underlying what we perceive to be historical accidents. Part of the devastation I felt and continue to feel from Keith's passing is the result of a very particular loss of an incredible sansei intellectual coconspirator for justice. This palpable sense of loss is similar to, but also different from, the loss felt by the unexpected passing of two other sansei intellectual coconspirators recently, Chris Iijima³ and Ronald Takaki.⁴

Losing Keith Aoki after losing Chris Iijima and Ron Takaki is a crushing trifecta of loss. These three giants used arts and letters as well as heart, soul, and mind to reconnect their generation to themselves. They provided a bridge across which subsequent generations may explore the past and future. So the sense loss is similar in that it is profound, knowing that the community has lost someone of great substance and import.

But losing Keith provokes a different sense of loss and mourning. Losing Keith means losing someone with whom I shared a similar identity and career trajectory. Losing Keith means losing something

² I often will refer to Professor Aoki throughout this Tribute by his first name to relay the sense of warmth, openness, and accessibility that he conveyed to faculty colleagues, students, fellow musicians, and anyone at all.

³ For a moving tribute to the work and legacy of Chris Iijima, see Mari Matsuda, *Peace in the Valley: For Chris Iijima*, 29 U. HAW. L. REV. 1 (2006).

⁴ For tributes to the memory and work of Ron Takaki, see *Ron Takaki Tribute*, ASIANWEEK (June 2, 2009), <http://www.asianweek.com/2009/06/02/ron-takaki-tribute>.

very personal—an alter ego/older brother of sorts who similarly denied knowing oneself, one’s family, and one’s community until adulthood. My deep sense of loss is rooted in sharing three historical accidents of sorts with him: (1) starting our first academic jobs together at the University of Oregon in the early 1990s, (2) being born Asian American pre-1965 in the Midwest, and (3) entering legal academe as a person of color in the waning years of the twentieth century’s gesture toward inclusion. I engage in what may otherwise sound like a more personal angle on Professor Aoki’s legacy because I believe it provides insight into what shaped him as a scholar, artist, and activist and how he saw and came to see himself and his work. I also believe these three historical accidents provide an analog to the experiences of other outsiders whose lives intersected with a causal series of events, many of which are only partially known or understood at the time.

I

ACCIDENT BY FIRST JOB CHOICES: STARTING OUT AT THE “U OF O” IN THE ERA OF DIVERSITY

The first historical accident involves how Professor Aoki and I both found ourselves in Eugene, Oregon, at the same time and place in the early 1990s. On my end, history, or more accurately, an historian intervenes. I ended up at the University of Oregon in 1993 because my mentor, the late Ronald Takaki, had given a high-profile invited talk at the University of Oregon in the spring of 1992. At the end of his talk, Professor Takaki challenged the Oregon students to take action to ensure that the administration actually offered the Asian American courses the administration had listed in its course catalogue. Professor Takaki not only challenged the Oregon students, but also he said he would not leave until they actually took action! And they did. Students sat in at administrative offices until the president made a commitment to offer a new tenure-track line to the department that would hire an Asian American professor who would be able to teach the catalog courses (among others). I was recruited for this position and received the offer to join the political science department—a development I’m certain would not have happened but for Professor Takaki’s intervention despite the goodwill of individual faculty members in that department.

Professor Aoki came to Oregon at the same time due, at least in part, to the diversity wave. I attribute his hire to the diversity wave because we know from the late Derrick Bell’s act of resistance that

business as usual did not produce nondiscriminatory results in Dean Bell's days helming the U of O. Dean Bell famously resigned his post due to the law school's unwillingness to hire an Asian American female. Additionally, the 1990s were a time in legal academe when a small window of opportunity had been opened by student activists demanding that law faculties more accurately represent the race and gender balance of students and recent JDs that supported healthy law faculty salaries.⁵ The fact that Professor Aoki was impressively credentialed and brilliant and also happened to write and teach in intellectual property, one of the hottest fields of the time, certainly did not hurt.

Due to this local, historical accident in which I was serving as the only Asian American professor in the entire social sciences and Professor Aoki was the only Asian American law professor, we were able to find and support each other and to connect our shared personal circumstance to the larger communal project. Professor Aoki would trace his development as an Asian American intellectual to his early years at the U of O. In an essay in a symposium honoring legal scholar Neil Gotanda, Keith wrote that although he was born in 1955, he did not "become an 'Asian American' until sometime during the summer of 1994."⁶ He tells a funny, albeit embarrassing story of my role in this transformation when I convinced (read: manipulated) him to teach an Asian Americans and the Law course for Asian American studies in only his second year of law teaching.⁷ As luck would have

⁵ See Sumi Cho & Robert Westley, *Critical Race Coalitions: Key Movements that Performed the Theory*, 33 U.C. DAVIS L. REV. 1377 (2000).

⁶ Keith Aoki, *Critical Legal Studies, Asian Americans in U.S. Law & Culture, Neil Gotanda, and Me*, 4 ASIAN L.J. 19, 19–20 (1997) (footnote omitted).

⁷ Keith recalled it this way:

I began teaching law in Fall 1993 at the University of Oregon School of Law. As do most, if not all, new law professors, I spent an extraordinary amount of office time preparing for each of my classes that first year. By the time May 1994 rolled around and I finished grading exams, I was ready for a break. However, a break was exactly what I was not going to receive.

. . . [After describing Neil Gotanda and me in relation to his intellectual projects that summer, he continues:] Sumi came into my office in May 1994 and asked me how I would feel about teaching an Asian Americans and the Law class that coming fall. I made some noncommittal noises about how it might be a good class for me to teach in a couple of years. Gradually, however, I was persuaded by the depth of [her] contention that teaching this class would be both good for me and good for the Asian American students at the University of Oregon.

The next day Sumi showed up in my office with at least ten shopping bags full of books, journals and photocopied articles. She said, All you have to do is read this stuff and you'll be able to do the class—no problem!

it, Professor Neil Gotanda was preparing a similar class that summer, so together they had many conversations. Keith would describe beautifully how, in the process of creating his syllabus and course, he developed a new consciousness:

Somewhere during the summer of 1994, as I processed the material for this class, I became an Asian American.

I am not sure whether it was the effect of immersion in thousands of pages of different Asian American materials, legal and otherwise, amplified by the pressure of having to impose a structure, or if it was some kind of self-recognition on my part—seeing the circumstances of my life, both past and present, in the Asian American materials. As I had never taken an Ethnic Studies/Asian American studies class, I was unfamiliar with much of the historical materials. At the very least, the emphasis and tone of the materials were new to me, even though I was the son of a Nisei internee.

. . . .

There was no one particular epiphanic moment where a lightbulb clicked on over my head, or a beatific sunbeam shone down on me as the dark clouds parted, when I “became” an Asian American. Simply put, over the course of the summer of 1994, I became connected with a rich and complex past about which I wanted to learn more. . . . I desired to understand more about and participate in constructing and re-constructing Asian Americans.⁸

Of course, Keith was tongue-in-cheek that he “became an Asian American” in the summer of 1994. While it is true that when I first met him, I was both perplexed and fascinated how someone who traveled in critical legal studies circles and had graduated from Harvard Law School in 1990 at the height of the faculty diversity movements could have no apparent race-consciousness. As he described himself before the summer of 1994, he saw himself as a “compatriot/student/fellow traveler of the largely white, predominantly male, strongly groucho-marxist-anarcho-yippie tendency within Critical Legal Studies.”⁹

“Ironically,” he reflected, “this aporetic (and ultimately unsatisfactory, for me at least) self-identification on my part created a situation wherein I as a person of color inserted/asserted myself in legal discourse from a paradoxical colorless (read white and male) left legal subject position.”¹⁰ Despite his “colorless” subject position, his buried sense of racial identity is not at all unusual for Asian

Id. at 28.

⁸ *Id.* at 30–31 (footnote omitted).

⁹ *Id.* at 27.

¹⁰ *Id.*

Americans who grew up at a certain time and place as I elaborate below. Indeed, as I discovered as a teaching assistant to Ron Takaki and later as an instructor of Asian American history myself, one very common variation of “being Asian American” for many Asian American college students is overcoming racial denial and embracing the discovery of a racial self.

Looking back, I can see how outrageous it was to thrust a second-year law professor into the Asian Americans and the Law course, an act requiring great risk and sacrifice on his part and considerable moxie on mine. On my end, that moxie was borne of a resource-driven desperation that derived from a barely funded ethnic studies department that had to beg, borrow, or steal every course and professor it had. If we could not knit together each year, our core courses, Asian American studies would cease to exist at the university. Understanding this, Keith “stepped up to the plate” and characteristically threw himself into teaching an outstanding class, and in the process, opened up a new understanding of his own identity.

Our shared lives at the University of Oregon seemed to be the result of happy accident rather than the larger forces of diversification bringing us together to Eugene. And the not-unusual starving of ethnic studies departments at even those universities partially embracing a diversity ethic brought Keith and me into even closer collaboration. The serendipity of all this was the development of Professor Aoki’s interest in Asian American legal scholarship that would constitute a major strand of his scholarly work and to which he would make a lasting mark.

II

ACCIDENT BY BIRTH: GROWING UP ASIAN AMERICAN IN THE POST-WAR MIDWEST

As touched on previously, the condition of not knowing, of being isolated, of being assimilated, is not at all atypical of the Asian American experience. Not knowing one’s history forces a person to view oneself through the eyes of others, of the majority, often through a highly distorting lens. For those born in the United States prior to the watershed 1965 Hart-Celler Act¹¹ that removed the formal racial bar to Asian immigration to the United States, this “not knowing” was

¹¹ Pub. L. No. 89-236, 79 Stat. 911 (1965) (codified as amended in scattered sections of 8 U.S.C.).

a fundament of one's Asian American condition, especially for those with the bad taste of being born "East of California" or "West of New York."

Indeed, even on the evolved West Coast, it was in 1968 that Sansei Concerned organized the "Are You Yellow?" conference at UCLA.¹² It took a movement to retrieve our histories, identities, and our communities. Chris Iijima was part of this cultural movement of reclaiming with his iconic Grain of Sand band and his highly thoughtful, beautiful, hopeful, and justice-seeking lyrics a pride in an Asian American oppositional identity.¹³ Ron Takaki was part of this educational movement for ethnic studies, to document those who arrived at Angel Island, not Ellis Island, and whose experiences mirrored those of other groups of color more than they reflected the immigrant analogy.¹⁴

While this self-discovery and community formation was more active on the coasts (especially urban metropolises on the coasts), for those caught in between, it was a completely different story. If you came of age when the United States enjoyed its brief twenty-five years as an uncontested hegemon (as Immanuel Wallerstein describes the post-World War II years through the mid-1970s¹⁵), it was no easy feat. It was, as we know thanks to Matthew Weiner, the age of the Don Draper. Difference was definitely not celebrated and was acknowledged primarily only in pejorative ways in the many whitopias¹⁶ constructed in the mid-twentieth century.

Keith wrote of his memories growing up in such a whitopia—Trenton, Michigan, a downriver middle-class suburb that was ninety-

¹² See YEN LE ESPIRITU, ASIAN AMERICAN PANETHNICITY: BRIDGING INSTITUTIONS AND IDENTITIES 32 (1992) (recounting the "Are You Yellow?" conference organized by Sansei Concerned at UCLA).

¹³ Professor Matsuda shares some of these Grain of Sand lyrics in Matsuda, *supra* note 3, at 1.

¹⁴ See RONALD TAKAKI, PAU HANA: PLANTATION LIFE AND LABOR IN HAWAII 1835–1920 (1983); RONALD TAKAKI, STRANGERS FROM A DIFFERENT SHORE: A HISTORY OF ASIAN AMERICANS (1989).

¹⁵ Suh Jae-jeong, *Interviews with Renowned Sociologist Immanuel Wallerstein*, HANKYOREH (Jan. 8, 2009), http://english.hani.co.kr/arti/english_edition/e_national/332037.html.

¹⁶ See RICH BENJAMIN, SEARCHING FOR WHITOPIA: AN IMPROBABLE JOURNEY TO THE HEART OF WHITE AMERICA 5 (2009) (defining whitopia as an area that "is whiter than the nation, its respective region, and its state"; that "has posted at least [six] percent population growth since 2000"; and whose growth is largely attributable to white migrants); see also John Shuford, "The Tale of the Tribe and the Conpny Town": *What We Can Learn About the Workings of Whiteness in the Pacific Northwest*, 90 OR. L. REV. 1273 (2012).

nine percent white in the post-war years when his father settled his family there, and as of the 2000 Census was still ninety-seven percent white.¹⁷ He wrote of being excluded from the Thanksgiving pageant in second grade because there were no Chinese people at Plymouth Rock.¹⁸ He acknowledged the irony and illogic of the teacher being Polish who failed to apply the same reasoning to Polish or other historically incorrect second-graders.¹⁹ He recalled a high school math teacher and Vietnam Vet who was fond of referring to him as “Rice Paddy Daddy.”²⁰ He further remembered growing up playing war games, pretending to kill “Japs” until his mother reminded him that he was a “Jap.”²¹ Although he was bilingual as a young child, as his mother was kibeï—born in the United States but raised in Japan—he lost the language through disuse.²²

Keith was self-aware enough to have analyzed the attraction of left politics as sort of negation of his racial identity, a rejection of one’s overdetermined self:

In a complex way for me, deracination/assimilation in the late 1960s and early 1970s meant identifying with New Left countercultural movements and politics. By identifying with the largely middle-class, largely white student counterculture, I was making a claim of “non-Asian-ness” in the following way: If “Asian (or Japanese American)” meant “assimilationist” or “traditional” or some combination thereof in an authority-respecting iteration[], then my identifying with the left 1960s counterculture was a statement that I was not “Asian (or Japanese) American” in those senses. Similarly, my attraction to Critical Legal Studies in the late 1980s had an element of claiming to be “non-conservative” and hence, “non-Asian.”²³

But as was his habit, Keith was too hard on himself if he thought that in this moment of self-rejection, of attempting to claim an individual identity and overcome oppressive group-based stereotypes,

¹⁷ See U.S. DEP’T OF COMMERCE, BUREAU OF THE CENSUS, 1950 UNITED STATES CENSUS OF POPULATION, DETROIT, MICH. 29 tbl.1. Trenton, Michigan is tract 815 in the census data. *Id.* Out of 6222 of Trenton’s residents in 1950, only eight were classified as “non-white”—six “Negro” and two “other races.” *Id.* Fifty years later, the 2000 Census recorded that Trenton was still ninety-seven percent white. See *Trenton City, Mich. Statistics and Demographics (U.S. Census 2000)*, AREACONNECT, <http://trentonmi.areaconnect.com/statistics.htm> (last visited May 18, 2012).

¹⁸ Aoki, *supra* note 6, at 23.

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.*

²² *Id.* at 22–23.

²³ *Id.* at 24.

that he was not Asian American. Indeed, the deracination and coerced assimilation to which Asian Americans were subjected growing up in the mid-twentieth century outside the coastal metropolises is thoroughly Asian American. A particularly poignant feature of Asian American subordination is this distortion, this deracination, this off-balance sensibility of not belonging, of feeling like a fraud and imposter in Asian and non-Asian settings, of being a “Secret Asian Man” as Professor Aoki used to sing to be sure.

That this deracination is historically rooted is also why not knowing oneself is part of being Asian American. In Dorothy Swaine Thomas’s 1952 study of internee resettlement entitled, *The Salvage* (a title betraying its exceptionalist approach to resettlement and internees), the War Relocation Authority (WRA) program in charge of resettlement promoted successful transition back into American society as “the denial of and separation from the ethnic community in favor of increased association and identification with white middle-class Americans.”²⁴ The post-war resettlement program was fundamentally designed to reform the nisei²⁵ as model, albeit racialized citizen-subjects by erasing in them what was perceived as the consolidation of an extreme and untoward racial and cultural difference, not unlike the “Kill the Indian, Save the Child” approach of Indian boarding schools.²⁶ As a result, the internment, thus conceptualized, presented an “opportunity” to “get beyond” and transcend segregated J-towns and bonds of “tribe-like” identity.²⁷

Indeed, as Caroline Chung Simpson has noted in her study of Japanese War Brides in the 1950s, one measure of determining whether resettlement was successful was based on University of

²⁴ See Caroline Chung Simpson, “Out of an Obscure Place”: *Japanese War Brides and Cultural Pluralism in the 1950s*, 10 *DIFFERENCES* 47, 59 (1998) (describing the racial logic of the WRA’s resettlement policy and Thomas’s work on internment); see also DOROTHY SWAINE THOMAS, *THE SALVAGE* (1952).

²⁵ Nisei refers to second-generation Japanese Americans who were born in the United States.

²⁶ “Kill the Indian, Save the Man” was an astoundingly frank slogan of “Indian reformers” such as Captain Richard Pratt, who advocated harsh boarding schools that would strip Indian identity from the children taken from their parents for their own “salvation.” See WARD CHURCHILL, *KILL THE INDIAN, SAVE THE MAN: THE GENOCIDAL IMPACT OF AMERICAN INDIAN RESIDENTIAL SCHOOLS* (2004).

²⁷ In this sense, Dorothy Swaine Thomas’s arguments in *The Salvage* represent the antecedent to the arguments by California Senator S.I. Hayakawa who maintained that internment was good because it provided Japanese Americans from humble occupations with “[three] years of leisure on their hands.” *Japanese American Evacuation Redress: Hearing on S. 1520 Before the Subcomm. on Admin. Practice and Procedures of the S. Comm. of the Judiciary*, 98th Cong. 421 (1983) (statement of Sen. S.I. Hayakawa).

California Evacuation and Resettlement Study interviews with resettled nisei that tracked “the incidence and frequency of interracial contacts with ‘Caucasians,’” inquiring whether respondents’ employers and fellow workers were Japanese or Caucasian, “whether friends or romantic interests included Caucasians, and ‘what were [the individual’s] relations with and attitudes toward Caucasians.’”²⁸ The questionnaire explicitly asked nisei interviewees to keep count of the frequency of “opportunities to break away from minority group; opportunities to break away from family.”²⁹ “Parental or group pressures against resettling, and how they were overcome” appear as central to the study’s means of evaluating success, with the effect of heightening respondents’ awareness of the need to break the perceived chokehold of Japanese difference on Japanese American futures.³⁰

The study’s overwhelming attention to ‘not only what the resettler does, but *with whom* he does it, with special reference to interracial contacts or limitation to intraracial contacts’ evidences the primary importance given to the resettling Niseis’ capacity for securing increased white contacts and the implied future success that such contact conveyed.³¹

With this historical context, it is not surprising that Keith’s nisei father ends up in Trenton, Michigan, by way of Gila River Relocation Center No. 1 in Arizona.³² Specifically told he would have to select an “inland” school to leave the camps, Keith’s father chose a midwestern college in June 1944 and became a research chemist.³³ Trenton, Michigan’s racial demographics were ideal from the perspective of leading anthropologists of the day studying resettlement. Again, what seems like “historical accident” that would place a young Keith in the curious environs of Trenton, Michigan, circa 1970 is more readily understandable in light of the WRA’s post-internment diasporic resettlement policies.

That Keith would ultimately rebel and push back against the silence, confinement, and self-distortion imposed by a totalizing set of rules that prefigured his birth is unsurprising. That he would not want to be Japanese American in the way desired and overdetermined by

²⁸ See Simpson, *supra* note 24, at 59.

²⁹ *Id.* at 60.

³⁰ *Id.*

³¹ *Id.*

³² Keith wrote about his father’s internment at Gila River. Aoki, *supra* note 6, at 21.

³³ *Id.*

The Salvage's author is unremarkable. But what is inspiring is not only his search for authentic creative expression and self-definition beyond the existing structure of expectations, but also his return to reclaim his roots and to devote precious time and energy into thankless (but rewarding) community building.

III

ACCIDENT BY PROFESSION: CROSSING THE TWENTIETH-CENTURY COLOR LINE IN LAW TEACHING

The final historical accident that punctuates my sense of loss comes from losing someone who entered the legal academe at the same time in the early- to mid-1990s. Those of us who constitute the "second wave" of law professors of color to diversify the academe likely would not have gotten through the door in the previous generation. So we were, by virtue of our existence, an historical accident of a different sort.

I believe those of us who gained entry at this time are closely bonded, as participants and subjects of a controversial and contested social experiment. In this sense, we were not supposed to be here teaching law. That sense of not really belonging gave us a contradictory sense of tentativeness and boldness. We were full of the good fight and "Young Turk" ambitions, and since we were not full members of the club, we had nothing to hold us back. We expected to remake institutions in our image and to create institutions in which existing ones could not be remade. Keith was an indispensable connector of people in this set of social experiments and political projects. His punk-anarchist sensibility served us well in this phase.

While he gained so much from his critical legal studies mentors and allies, I don't think the Keith that we all know and love fully came into being until he reconciled his racial identity. I recall introducing him to the people of color regional conferences for law professors. He attended his first Western Law Teachers of Color conference in 1993. Being there seemed to open a whole new set of possibilities for Keith of how he could exist and interact in the foreign land of law professors in which we both felt like frauds and interlopers. The generosity of spirit that accepted all comers in that and other similar settings such as this, brought an emotional warmth and personal connectedness that provided an outlet for his natural talent and tendency to encourage and mentor particularly junior

faculty. I think he was wary before attending, of being “called out” as a neophyte, or opportunist, a racial fraud of sorts. But when he saw how open people were to an anarcho-yippie, colorless/default white male, we had him at “hello.” And we may have had him at hello because this was the journey that many of us had taken and therefore understood: that one feature of contemporary oppression—of being cut off from your own self and community and having to reinvent a racial self in our adult lives—was well understood. Accordingly, we were accepting without judgment and encouraged self-exploration.

Keith’s solidarity with the people of color community was evident in the projects that he selected in the first decade-and-a-half of his career. He joined many symposia dedicated to exploring critical race theory as it related to various communities—APA, LatCrit, and feminists. He contributed an important article on alien land laws in an issue I edited on Japanese internment in the *Boston College Law Review* and the *Boston College Third World Law Journal*.³⁴ He later organized an *Oregon Law Review* symposium on “Citizenship and Its Discontents”³⁵ as well as a University of Iowa symposium on Asian American legal scholarship and backlash politics.³⁶ His robust critical race scholarship reflected his comfort and sense of welcome and belonging within an intellectual community of scholars of color. His work in this area flourished because he flourished within that circle of colleagues and friends who delighted in his quick wit, good humor, and generosity of spirit.

On this last historical accident of professional entry into a formerly closed “faculty club,” Keith once again defied the standard script of liberal inclusion that might demand an uncritical, grateful demeanor as the price of entry. Instead, he allied himself with the subaltern and those outside the circles of power. His writing never lost sight of the ongoing struggle for dignity and empowerment to those who had the least. And he deployed a long view on adversaries who might stand in his way. “Revenge is a dish best served cold,” he was fond of saying.

In closing, having the privilege and pleasure of knowing Keith Aoki may have been accidental yet thoroughly set in motion by

³⁴ Keith Aoki, *No Right to Own: The Early Twentieth Century “Alien Land Laws” as a Prelude to Internment*, 40 B.C. L. REV. 37 (1998).

³⁵ Ibrahim J. Gassama, Robert S. Chang & Keith Aoki, *Foreword: Citizenship and Its Discontents*, 76 OR. L. REV. 207 (1997).

³⁶ Keith Aoki, *The Scholarship of Reconstruction and the Politics of Backlash*, 81 IOWA L. REV. 1467 (1996).

preexisting structures. What makes the story of Keith Aoki so poignant is that it is surprising that someone like him existed in legal academe. The magic of historical accident converged to create a Keith Aoki, thereby producing an extraordinary gift to the legal academe and this world. But let us not forget that the scholar of color community was also a gift to him. And therefore, the community of justice that we build, sustain, and grow in various sites going forward is the best way to keep Keith's spirit with us and to continue his legacy.

