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Publication Date

2018

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UNIVERSITY OF CALIFORNIA

Los Angeles

Open Casket:

Post-Mortem Asian American Resonances and
Performances of Mourning and Justice

A thesis submitted in partial satisfaction of the requirements for the degree of Masters of Arts in Asian American Studies

by

Mitchell Katsu Lee

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ABSTRACT OF THE THESIS

Open Casket:

Post-Mortem Asian American Resonances and
Performances of Mourning and Justice

by

Mitchell Katsu Lee

Master of Arts in Asian American Studies
University of California, Los Angeles 2018
Thu-Huong Nguyen-Vo, Chair

This thesis examines Asian American racialization through instances of premature death as well processes of mourning and advocacy for the dead. I juxtapose Celeste Ng's novel *Everything I Never Told You* with Season One of the podcast *Serial* in order to explore state procedures and the process of knowledge generation through the dead. I do so in order to consider the relationship between the state and the marginalized and address the gaps in the state's epistemological processes. I also examine the death and after life of Vincent Chin. Chin has become an integral part of Asian American Studies because of the racial elements involved in his murder and the panethnic Asian American organizing that arose in the wake of his death. Through these readings, I question the place of the state in producing justice and how to cultivate more ethical relationships with the dead.

The thesis of Mitchell Katsu Lee is approved.

Rachel C. Lee

Kyungwon Hong

Thu-Huong Nguyen-Vo, Committee Chair

University of California, Los Angles
2018

To Karel, Carole, Karlene and the rest of my many mothers.

&

For Ernie

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ACKNOWLDGEMENTS

This project grew out of an afternoon of existential exhaustion combined with an extensive commute back from Little Tokyo to Culver City. Thinking about death still exhausts me but more than ever it inspires me to live better. I don't know how long is too long for acknowledgements or how many is too many but I really do see my being here as the culmination of so many people's small contributions to my ideas and perspectives. In the words of Chance the Rapper, "I never practice, I only perform."

Thank you to all the people at UCLA who equipped me to finish a Master's Thesis in the first place. In my first quarter at UCLA I took Asian American Studies 20 with Professor Tritia Toyota which was the beginning of me realizing the power of Asian American communities. Thank you to Math 31A (RIP Mr. Sanchez) for preventing me from further trying to be an Economics Major; and Global Studies 10 where if I had made it off the waitlist I may never have made my way to Asian American Studies. Thank you to Professor Lane Hirabayashi who helped me think through what it means to be a mixed Japanese American and to never let our history go. Thank you to George and Sakaye Aratani who funded a significant part of my undergraduate and graduate education and the Asian American Studies Center and all their staff for facilitating these connections. Thank you to Fae Myenne Ng for giving me perspective and space to grow creatively and whose novel almost made it into this thesis and could very easily appear in my future academic work. I would not be here without Professor Jinqi Ling who provided an entry point for me to analyze Asian American culture and was willing to write a letter of recommendation when I applied to this program. I also owe so much to my other recommender Professor Valerie Matsumoto whose Asian American Foodways course made my last severely burned out undergraduate quarter much more bearable, who inspires me by recognizing the importance of people just like my Grandmother and without whom I would not have applied to

this program. Thank you to Professor Keith Camacho, Professor Kyeyoung Park, Professor Purnima Mankekar and Professor Lucy Burns for offering their expertise throughout the 200 series and pushing me to determine what the focus of my project truly is.

Thank you to my committee who have constantly guided me towards the light at the end of this graduate tunnel (and all the other depressing things that I write about). Thank you to Professor Grace Hong for helping me think about afterlives and their narratives and also guiding me to the Walter Benjamin quote I think through later. Thank you to Professor Rachel Lee whose book I was encouraged to read during my first quarter in this MA program and without whom I would not be able to so deftly tiptoe the boundary between life and death. I offer immense and eternal gratitude to my chair, Professor Thu-Huong Nguyen Vo. My writing process has been much smoother than I ever could have imagined because of her affirmation and belief in my abilities.

Props to my favorite Aquarius-Virgo couple, Anisa and Rene. Thank you for shared meals, side eyes when we need to be stealthy, conversations on what culture can and should be, Amjad giving me a summer job one time, and believing in me even when I was a piece of high school garbage. Recognition to Jasmine and Hira for housing me during one of my last intense writing sessions and whose continued friendship is a reason that it's still no new friends.

Appreciation for the friends I mainly communicate with through group chats, who are always supportive or send me funny pictures of animals when we check in: Tiffany T., Michelle, Stephanie, Brian, Tiffany L., Virginia, Franky, Ricky, Chris, Will, Anna, Oliver, Dakota, Tim, Shap, Gonzo, Josh and a reluctant shout out to Adam.

Thanks to Reverend Lori Tamura for slogging through a draft and offering me invaluable layperson insight on my theory and jargon heavy endeavors. Additional thanks to her, Kats, Tim,

Kevin Wong, my life group and everyone else at Westlight for guiding me spiritually and showing me that my faith should never accept the status quo.

Thank you to my parents for their unconditional love and especially their foresight in buying a house so close to UCLA. Thank you to Cameron for

Thank you to everyone who's part of the UCLA AsianAm family who has given me advice or helped this program feel like home: Kenny, Marcus, Christina, Tiffany L., Tracy, Uyen. Additional thanks to Frances and Derek who I had the pleasure of working with and with whom conversations about music and culture always keep me on my toes. Thank you to Kristine, TK and Wendy for creating an environment and department culture where I could forgo my worries about so many other things and just focus on my academics.

To my cohort, Demiliza, Ella, James, Jessica, Katelyn, Maliya, Paul and Tiffany, I would not be anything without yall. From time spent in San Diego, Portland, San Francisco, bars, clubs, at numerous tacos spots, just sitting around in Weyburn or driving around in my mom van, I have truly cherished every moment we've spent together. Me being the person and the scholar I am today would be impossible without the ways they've challenged me while loving and supporting me for who I am.

This section would be incomplete without recognizing my best friend since middle school, Tang. She has been there for me through so many formative periods of my life and seen more of me than I would ever show to most people. Infinite thanks to her for her eundruing friendship and additional thanks to her for reading a draft and offering feedback.

And finally, with apologies to Paul McCartney and Wings, Stanley Brakhage, Jeff Mangum, Leonard Chang and the late Gustav Åhr.

When You Were Young, And Your Heart Was an Open Book

Blows from a baseball bat, strangulation, drowning; a movement, a podcast, a family healing. Three separate deaths and their subsequent resonances offer the opportunity to interrogate the racialization and neoliberal positioning of the Asian American body. This paper examines the deaths of Vincent Chin, Hae Min Lee as detailed in the podcast Serial's first season, and the fictional Lydia Lee from Celeste Ng's novel Everything I Never Told You. These three individuals comprise an archive designed in order to detect how advocating for the dead and seeking justice produces conversation and interrogation that linger far beyond life itself. Consequently, premature death serves as a boundary for this study. In these three cases, the transgressive nature of death's foreclosure of possibility and capitalist productivity invites the state into the aftermath. Procedures such as police investigations or trials become central to the production of knowledge surrounding the dead. As an extension of the state, forensic processes as an epistemological framework are intrinsically invested in both determining and enshrining a colorblind objectivity. Yet the knowledge generated by the forensic and the attempt to label this knowledge as ethic and as truth, is not always congruent with the desires and aspirations of communities of color. When the cause of death or those responsible for a death are known, these processes and procedures cannot fight against the relevance of race in making certain populations more susceptible to violence. Thus the Asian American reaction to state violence and state failure to render race legible makes death a generative site both in event and in response. Vincent Chin, Hae Min Lee and the fictional Lydia Lee each assist in constituting these racialized deaths as the domain of the state and an Asian American perception of incorporation as functioning through state jurisprudence's process of making the Asian American corpse il/legibile.

This thesis emerges from and attempts to insert itself into a tradition of interdisciplinary Asian American cultural critique. Beyond its foundation of demonstrating the legitimacy of works by people of color, ethnic studies also seeks to think about not only what culture means but what culture does and expresses about the context of the people it concerns itself with. As part of the archive for this paper, I read Everything I Never Told You's not only to think about motif or theme but also to consider what messages about race, gender and death it puts forward. Read against Serial, Everything I Never Told You provides an Asian American perspective on race and death and points of interest that extend further than just focusing on plot or symbolism. Similarly, in examining *Serial*, it is necessary to consider the unique properties that podcasts offer as a medium. Radio and audio storytelling are a clear part of Serial's DNA, as are crime dramas and more specifically true crime¹ programming. Placing Serial in the context of historical and modern Asian American racializations reveals the neoliberal process of moving towards affirming and commodifying multiculturalism. Sarah Koenig attempts to tell a colorblind story but is deeply inextricable from the racial contexts of those it involves. The illusion of race as no longer detrimental to people's lived experiences and therefore a difference that can be celebrated out of context is a product of neoliberalism's obfuscation of history and systems of opression. Vincent Chin's death and the archive and materials around it occupy a slightly different space and tone than the earlier two works. For the purpose of this study, the formation of the historical narrative around Chin is just as important as the facts themselves. Chin's embedding into an Asian American historical canon as well as Helen Zia and Who Killed Vincent Chin?'s reproductions offer different vantage points from which to understand the status of the racialized dead. Race is not only the provenance of the living but clearly persists after life. Understanding

¹ This refers to a subset of crime dramas that focus on stories that are not fictional in origin.

how Asian Americans take up, disrupt and reinforce race's obsession with classifications and the visual illuminate the meanings that race produces for Asian Americans.

For these premature Asian American deaths, the critique of the institution occurs not on the level of calling attention to excessive state violence or the state's role in enshrining racialized capitalism but calling for legibility and objectivity within a state system of jurisprudence. This legibility hinges mainly on the possibility for Asian American citizens to receive equitable treatment from the American nation state. With that in mind, it would be disingenuous to conduct an Asian American study of death and not include Vincent Chin. His murder at the hands of Ronald Ebens and Michael Nitz and the resolution of the legal proceedings with the two escaping jail time led to notable Asian American organizing across ethnic lines. Unlike Black Lives Matter's opposition to police violence, envisioning justice for Vincent Chin does not necessarily include a condemnation of racialized state violence, only of the judicial system and selective enforcements of the law. Perhaps because it is so straightforward to recognize the murder of Vincent Chin as unequivocally wrong, that the enduring critiques and framing of Chin's death do not always move beyond the power of Whiteness in American jurisprudence. I refer here both to the constitution as the legislative foundation of America as an explicitly White supremacist settler colonial state as well as the judicial discretion being applied to both less harshly punish White people and more harshly punish people of color. Chin's story has become a mainstay in Asian American Studies to emphasize the importance of building pan-ethnic solidarity among those racialized by others as Asian. The law and its procedures of attempting to generate knowledge and discover truth fall short of what is needed to meaningfully reduce racialized violence and often serve to insulate the power of the state. As seen through Vincent Chin, if the critique of the state and of the judiciary is only a matter of application and not of the

premise or basis of the law; it is much more feasible to achieve recognition of the complaint since it does not register as a threat to the legislative or judicial systems themselves.

Through an Asian Americanist intervention into the study of the deceased and how mourning is performed, the role of state violence and the futurities of Asian American identity and racial justice become clearer. I argue that the vocabulary and rhetoric around Vincent Chin's death unwittingly constrains the possibility of discussing issues of race beyond the specificities of his death and the later legal proceedings. Though the organizing that followed Vincent Chin's death is hailed as an acknowledgement of Asian American commonalities and the utility of such an identity as politically relevant, the level at which these organizers operate is worth noting (Zia 2000). The aforementioned decision to criticize the mechanics and the decisions of the legal system rather than the structural factors that produce the conditions in which Chin and others are susceptible to violence and death cannot be overlooked. The economic restructuring of the United States and its contribution to both a decline in domestic manufacturing and favoring more affluent and educated Asian immigrants (Lee 2015) are recognized as factors contributing to Chin's death but not necessarily as requiring rectification. In this particular neoliberal moment, it indeed becomes much more convoluted to implicate anyone beyond the individual. Neoliberalism here (and throughout this thesis) refers not only to a state approach to policy and economics but the conditions that those viewpoints produce. This includes a tendency towards economic deregulation and an emphasis on the responsibility of the individual to accumulate wealth even in light of structural factors. Thu-Huong Nguyen-Vo addresses the simultaneous expansion of the free market and state emphasis on carceral punishment. (Nguyen-Vo 2008) The centrality of protecting the rights of the individual within classical liberalism is then recast; and capitalists offer the unrestricted market as the freedom most worth protecting. One residual effect of centering the market in this way is that the cultivation of identity through personal consumption is seen as threatened by a command economy or other non-capitalist systems. In this light, the frustration Ebens and Nitz experienced with losing their jobs is not the moral or ethical issue, only that their loss encourages racially motivated violence. Yet the capitalist search for surplus that continues to abuse Asian bodies abroad and cultivate White frustration with people of color within the United States is not indicted. Similarly, that Asian American racial equality is championed through the issues of acceptance to elite universities and corporate ladder climbing reflects an aspiration to exist and function within the established system even if this occurs at the expense of others.

In conjunction with the futurities of incorporation put forward by Vincent Chin's death, Serial and Everything I Never Told You call attention to the continued failure of the state to generate useful knowledge about the body of color. At its core, Serial attempts a revisionism of the narrative surrounding the murder of high school student Hae Min Lee. Arguing that Lee's exboyfriend Adnan Syed was wrongly convicted and imprisoned for her murder, the podcast attempts to uncover evidence that supports this belief. Though this may initially appear radical or subversive, Serial's fails to produce any results or to ultimately do anything besides putting unsubstantiated alternatives forward. Serial fails to disrupt anything or produce any change in verdict for Adnan. Though Serial asserts that it brings novel information to light, if none of this information provides any utility either for Hae's family or for Adnan, does it matter? The racialized dead are made to occupy a space in between the implicit Whiteness of the American state and the colorblindness of White liberalism. The knowledge produced on either side is far from granting power and advancement of the needs of the Asian American community. As issues of deportation and impoverishment afflict Asians in America, the failure of the state to account

for the incorporation of these populations into citizenship or financial stability also reveal the limitations of confiding in the state and liberalism. Yet by attempting to obtain concessions from within the system, Asian Americans unwittingly perpetuate this position and the continued struggle to be incorporated as fully recognized Americans. Moreover, focusing energy on appealing to a flawed system unfortunately can divert time and efforts away from achieving justice beyond the system and across racial lines. If one of the intentions of rallying around Vincent Chin's is to reveal the salience of race for Asians in the United States, that should ideally pertain to issues beyond racialized applications of the law. Similarly, if Asian Americans are to acknowledge the pertinence of race in the everyday lives of people of color they must also address the specific conditions of Black and Latino people that some Asians are exempt from. Taking the main transgression of Chin's death simply as his individual death rather than identifying the ways that race constructs the Asian body and appealing to the state to address this can unfortunately not effect the larger change necessary to protect the racialized.

Addressing premature and sometimes violent death also raises the question of how to ethically portray death and violence. In the case of Vincent Chin, the perpetuation of his legacy is dependent upon the reproduction of this violence. Starting from the strip club where he and his friends first came into contact with Ebens and Nitz, Asian American organizers and historians make sure to note that Chin was subject to Asian slurs such as "chink" and "jap." In the same way, Ebens brutal beating of Chin with a baseball bat is central to the narrative of Asian American racial disenfranchisement. That Chin is (mis)identified as Japanese by Ebens and Nitz and becomes a person against whom violence is acceptable is offered as evidence of the marginalization of Asian Americans. This study's immediate point of interest is not solely that this incident is historicized and politicized but also the mechanics and rhetorics through which

this happens. Chin's continued salience is also worth examining as Asian American issues and perspectives move forward. Is it possible to do Asian American Studies without a singularity that marks the body political realities of race? Similarly, how are South Asians and multiracial Asian Americans who will not be mistaken as Japanese to relate to the solidarity of appearance proposed through Chin's death? For Hae Min Lee and Serial, the locus of injustice is not the severity of how she passed away. Yet in opening up this story to a wider public audience through the podcast's weekly investigative arc, violence and trauma are foundational in the construction of the narrative. The contrast between Adnan's friends directly appealing to producer and host Sarah Koenig to take up his story and the Lee family's absence from *Serial*'s storytelling constrains the ability of *Serial* to incorporate perspectives related to Hae. Thus to insist on the necessity of Serial's existence forces Hae's family to directly or indirectly relive the trauma of their loss. To take a direct role in shaping the narrative arc of Serial exposes them to becoming a resource whereas ignoring its existence opens their trauma up to the public against their will. Hae becomes legible predominantly in making Adnan's conviction the larger, more pertinent tragedy; the framing makes it impossible for it to be anything but Adnan's story. Through these examples, I am most interested in the centrality of the severity of violence and death to icon and martyr making for the political purposes of the state or individuals.

Central to historic racializations of Asian Americans is their status as a labor force whose access to American society is deemed unnecessary. In *The Exquisite Corpse of Asian America: Biopolitics, Biosociality, and Posthuman Ecologies*, Rachel Lee describes how body political difference permeates the history of Asian American racialization. The coolies whose labor was foundational to the development of the American West and national infrastructure were imagined by their White peers to be deviant and deficient. For Lee the extension of this deficiency and

difference into the realm of the biological, that Asian bodies are fundamentally different and thus should not be fully incorporated, is one of the most salient features of what makes Asian Americans distinct as a grouping. The discourse around the supposed idiosyncrasies of an Asian body as well as Foucault's concept of a state biopower to "make live and let die" are especially relevant to my examinations of these passings. Referring to an idea of the biological centered on humans (rather than on cells or organs), Foucault proposes that a state's governing has the potential to privilege the lives and experiences of certain populations over others. To reference the earlier historical context, if the Asian coolie is deemed unfit to participate in society through a biological justification, Asian life takes on a lower status when compared with the incorporated White worker. If the Asian body is given meaning through the insistence that phenotype and appearance convey eternal and irreconcilable differences, we must also be attuned to the meanings imposed onto the Asian American corpse. Iyko Day's Alien Capital: Asian Racialization and the Logic of Settler Colonial Capitalism further examines the labor history of Asian Americans. Capitalism's constant search for the production of surplus is central to Day's analysis. Day also conceptualizes the labor of White workers as having not just economic but also social value that facilitates their incorporation into social recognition and national values and narratives. By emphasizing the settler colonial consequences and agency of Asian migration, she maintains the intricacies of an Asian American racialization that is distinct from how other people of color are racialized. Grace Kyungwon Hong's Death Beyond Disavowal: The Impossible Politics of Difference theorizes neoliberalism as a system of disavowal and shirking of its own responsibility. By placing the emphasis and onuses of success and failure on an individual's efforts, systems of marginalization and oppression are able to obfuscate their efficacy in defining both the current moment and future trajectory of White American

heteropatriarchal capitalism. Hong further argues that on a national and individual level neoliberalism simultaneously positions certain bodies and populations as more susceptible to premature death while absolving itself of any culpability for these casualties. Neoliberalism and labor in the United States facilitate a deeper understanding of Asian American racialization by demarcating the boundaries that these bodies labor and exist within. As I will further explore, race's body political reality does not end upon death. While operating under a guise of equality in opportunity, (White) neoliberalism is constantly engaged in attempting to calcify differences in identity rather than recognizing it and other systems' taxonomic obsession with classification. Interestingly, the affirmation of identity and difference within neoliberal capitalism proposes the tautology that these categorizations are eternal and real. Understanding the rhetorics that Asian Americans exist within and historically have been forced and imagined in as well as how these rhetorics are reinforced and perpetuated assist in analyzing the relationship between the state and these premature deaths.

Used to refer to the varying legibility of marginalized bodies, social death proposes a distinction in quality of life based upon how systems of oppression or the law defer people to lower standards of living. Lisa Marie Cacho articulates social death as people who are "ineligible for personhood" (Cacho 6) For Cacho, racism functions as a technology of subject making and lifegiving by ensuring "certain people will live an "abstract existence" where "living [is] something to be *achieved* and not *experienced*."" (Cacho 7) That these classifications of being fully socially legible occur vis-a-vis a language of life and death is of great interest to me. If the social and physical life of abject and marginal bodies cannot be recognized, how then does the physical death of the already socially dead produce new meaning through the raced corpse? In the case of *Serial*, the meanings that Hae Min Lee's death is able to offer may only be that of a

victim or a plot point. Furthermore, redemption and reincorporation may be possible for the corpse and not the living body. Within a system of neoliberal multiculturalism, Vincent Chin's death can be recognized as unnecessary brutality and tragedy without having to make any concessions to the Asian Americans who have organized under the mantle of achieving justice for Chin. Unlike the rhetoric of White supremacy, the language that surrounds death within neoliberal multiculturalism does not allow for the dead to be denigrated as blatantly. Fault or culpability must be ascribed. As seen through Chin the violence of his death is not contested within a court of law, that much is agreed upon and allowed to become fact. Yet within that same system, what let Nitz and Ebens go free was a failure to commensurately respect the procedure of the law. In this way, Whiteness accepts that racialized violence can occur and is willing to register its fatal effects but takes no responsibility for the actions of those who commit this violence. Joshua Takano Chambers-Letson's A Race So Different theorizes the law as dependent on performance and Asian Americans' efforts to gain recognition as inevitably perpetuating the distance between White and Asian Americans. Performance Studies represents a diverse interdisciplinary field that attempts to study a wide array of actions that fall under the umbrella of "performance". I do not use the term her to suggest duplications or ulterior motives but instead wish to consider the ways that race in America necessitates certain behaviors and forms of articulation from the racialized to become legible. Just as legal proceedings figure strongly into my archive, so too does the reactions to these practices and legal theater. Yet those who are deferred and ineligible for recognition by the law still maintain an idea of how justice both inside and outside of jurisprudence should function. This is not to say that any appeal to the authority and system of laws that preside over the United States is futile or inane. Rather, thinking about

the context of these motions towards justice for Asian Americans offers the opportunity to explore the extent of their positionality and deferral.

Central to my project of studying the dead is considering the ripples and voids that are created by their absence. Considering mourning and performance together allows the potential to explore what sort of actions and practices the dead compel as well as gaining a larger sense of the sociality and relationality that is imagined with the dead. In *The Melancholy of Race*: Psychoanalysis, Assimilation, and Hidden Grief Anne Anlin Cheng utilizes Freud's contrast of mourning and melancholia to consider methods of coping with grief. Within this framework, mourning is healthy and realizes that "the lost object can be relinquished and eventually replaced." (Cheng 7) Conversely, melancholia is pathological and cannot (or will not) come to terms with the loss it has experienced; "melancholia thus denotes a condition of endless selfimpoverishment." (Cheng 8) Cheng's text uses these definitions to delve into the melancholia that permeates the Asian American negotiation of race and belonging in America. Furthermore, melancholia's description as self-impoverishment parallels the individualized logics of neoliberal capitalism. If the worker and body of color hold themselves responsible for their disenfranchisement and marginalization, how can the further melancholic internalization of neoliberal values exacerbate this impoverishment? Demarcating the differences between a healthy mourning and an unhealthy melancholia produces a larger vocabulary and thought process for analyzing how loss is negotiated. And thinking of this process as entering the realm of performance acknowledges both what is displayed outwardly and how this positions the mourner as well as how they perceive their responsibility to those they have lost. In *Embodied* Avatars: Genealogies of Black Feminist Art and Performance Uri McMillan examines the performance tactics of Black Women in confronting race and their tendency towards finding

agency in making one's self more object like. Though McMillan approaches this process on a personal level through the archive involved in his book, I wish to think of the relationship between performance and object making more broadly. How can the subjectivity or objecthood of a funeral or a large number of mourners be understood? Is it possible to understand their disparate and variously motivated relationships to the dead as part of one unified performance? I thus attempt to theorize Serial's listeners as moving towards objecthood through the coalescence of many individuals into the singular entity of the audience which shifts the focus away from their voyeuristic motivations to their attempts to advocate for Hae or Adnan. Yet when it occurs in relation to the deceased, this agent/object relation functions to reduce the subjectivity of the dead. The amateur sleuthing of Serial's audience or the Asian American activism in the wake of Vincent Chin occur without the approval of the deceased. While we can certainly recognize general actions on behalf of the dead that are proper and inoffensive, these mourners' lack of precision is exactly what I am concerned with. Part of the broader appeal of Serial was the communal discussion of the facts and attempting to construct a more coherent narrative. Since theories emerged to account for the vast spectrum between Adnan's innocence and guilt, I question how this participation perceives of Hae given her absence and silence. McMillan also asserts that these performances offer the opportunity to move oneself closer to a sense of subjectivity. For the raced and gendered body, awareness of one's own positionality offers the capability to generate meaning through the active negotiation and remaking of the meaning that systems of oppression impose. The Asian American activism that argued for Ebens and Nitz to be tried for violating Chin's civil rights was motivated by an identification with Vincent Chin. Asserting the racial struggle of Asians in the United States and starting to construct an Asian American identity unites these activists in a performance of solidarity and mourning with Chin.

Though performances of death inevitably call attention to the performer's life and failure to capture death's true severity, the process of stripping subjectivity from the dead and deferring them to be objects must also be challenged.

This paper also proposes the Asian American corpse as an abject figure; both because of their racialization and the transgressive nature of the corpse itself. In *National Abjection: The* Asian American Body Onstage Karen Shimakawa proposes that through the process of abjection Asian Americanness "occupies a role both necessary to and mutually constitutive of national subject formation." (Shimakawa 3) The Asian American thus is neither full subject or object but a liminal population whose mutable meanings assist in the ontological formation of those who are allowed to be full subjects in the United States. And through a theorization of Asian American as abject, Shimakawa does the difficult work of addressing the disparate realities and difficulties of using the grouping Asian American. That this abjection functions beyond the various ethnic and socioeconomic statuses represented by the term Asian American, speaks to the imperative to confronting race through the visual and the body. The potential for abjection to be actively enforced rather than passively occurring should not be forgotten. Vincent Chin's death can also be read as an attempt by Ebens and Nitz to recuperate their subjectivity. If the Asian body represents an ongoing threat to White workers, the stifling of that threat even on an individual level asserts a refusal to relinquish racial and economic stability. As discourse about the plight of the White working class continues to circulate and inevitably ascribes blame to people of color, the possibility of violence and death looms ever larger. In *The Racial Mundane*: Asian American Performance and the Embodied Everyday, Ju Yon Kim extends Shimakawa's concept of "national abjection" in order to consider the ways that quotidian and mundane behaviors are constitutive of Asian American racialization. Kim also considers how these actions enter the realm of performance and their outward observation works to convince or call attention to the inconsistencies of race for onlookers. The mundane emerges in both Serial and Everything I Never Told You because of the abnormality of both Hae and Lydia's deaths. In both works, the day to day lives of each woman is painstakingly examined to attempt to determine whether their actions placed them closer to their untimely passing. And in this reconstruction of life before death, pieces of race begin to emerge and express themselves. Just as the biological can be used to justify a sense of racial difference, Kim argues that habits and otherwise ordinary ways of existing can also demarcate these boundaries. If Hae and Lydia's diaries and study habits are necessary to compose a semblance of normality and thus elicit sympathy from the audience, what racial information about Asian Americans is also being expressed? In looking for the ways that death sustains race, the sentiment and possibilities allowed for the Asian American body and corpse can also be sought after. Shimakawa quotes from Julia Kristeva's original theorizing of abjection which notes "the corpse, the most sickening of wastes, is a border that has encroached upon everything." (Shimakawa 8) For Kristeva and Shimakawa, the corpse is a site through which the living are able to demarcate and formulate the essentials of their identity as living. I utilize Shimakawa's framework to specifically think about the process through which meaning is imposed on the Asian American body and a jumping off point to think about what sort of meaning has the potential to be generated by the Asian American corpse. If even the corpse of someone who is not marginalized is able to be deferred as abject, how much more can the corpses of the racialized and gendered be denigrated? Similarly, just as the living recognize the corpse as that which they can never become (inasmuch as the two are truly discrete categories), White life is able to recognize the raced corpse as that which it will never become. With this in mind, avenging Vincent Chin may be impossible. Even if Asian Americans were to accost Nitz

and Ebens and re-create their attack, Nitz and Ebens can never be victims of racialized violence. They will never know the dimension of alienation that they imposed upon Chin and others by murdering him for his Asianness. In the case of *Serial*, the pursuit of truth is established as the highest ethic. For Hae Min Lee's family, any resurfacing of trauma or knowledge that their pain has become public for is justifiable if Adnan is exonerated and the true culprit is found. For these listeners, to actively participate in this pursuit of justice and truth is the most honorable form of mourning. Though Hae is unquestionably accepted as a tragic victim, her death and absence render her unable to contest the framing of Adnan as victim. Though I suppose it is possible that a *Serial* listener may experience extensive media coverage of the death of a loved one, *Serial* also functions through a distancing between consumer and product. Hae becomes abstract because the project of the podcast was never to make her concrete. The doubling of abjection through race and death thus facilitates scopophilic intrusions into the extraordinary and mundane existence of people of color. This abjection allows Whiteness to question not only how people of color who have lost live but also the intricacies of what exactly it looks like when they die.

In my first chapter, I explore the body and corpse as the site of production of knowledge in order to think about how *Serial* and *Everything I Never Told You* disseminate information about race. Readings of *Serial* allow for the opportunity to pinpoint the status of the Asian American body and corpse within White liberal discourse. By then reading that location against *Everything I Never Told You*, I attempt to gain a better understanding of how to live among and avoid the reproduction of melancholic relationships to the dead. The varying utility of the knowledge that the state produces through its own investigations in these works repositions the role of the mourner if they must actively seek their own answers. And by recognizing the state's role in actively moving certain populations towards premature death, we see the futility of

relying on the state to offer protection. *Serial's* audience seeks to find its own answers, unwittingly at the expense of Hae herself. And in *Everything I Never Told You*, Lydia's family must determine how to live on when they come to the conclusion that many of their questions will go unanswered. The conflicting criteria and stakes of what constitutes truth disrupt notions of objectivity. If what we know of Hae and Lydia is only a matter of framing, it becomes necessary to admit the bias inherent in the frame we wish to use. By placing these two women and their corpses within a theory of abjection, the limits of what the living can do to intervene on behalf of the dead begin to emerge. These instances of race also serve to fortify the intricacies of a unique Asian American racial status; one that does not need to lean upon Blackness to be comprehensible.

My second chapter utilizes Vincent Chin to consider the reproduction of images of the dead and how the living recirculate the dead in order to serve their own purposes. Placing Chin within frameworks of neoliberalism and racial capitalism assists in understanding what was at stake for Ebens and Nitz. Additionally, I use social death and ideas of rightlessness to analyze the implications of Chin being misidentified as Japanese and being accused of taking jobs from White workers. By extending the parameters of the case study to include the activism that began to advocate for more severe punishment, I question the limitations of appealing to the state through the avenues it has constructed to insulate its own power. If Chin's death reveals the limitations that race imposes, which of these limitations are implicitly accepted through the justice imagined for Chin? I wish to seek alternatives to the violence perpetuated by capitalism and neoliberalism as well as ontologies outside of the continued denigration of the racialized dead. The susceptibility of the dead to being reproduced against their will alerts us to the

necessity of ensuring these reproductions are ethical, lest we too are subjected to these treatments after we are gone.

The central conceit embedded within all these proposals and framings is the pursuit of a greater understanding of what it means to be Asian in America. Aligning with a storied labor history, the body and physical features already mark certain bodies as workers who will not reap the benefits of their contributions to America's wealth. Yet Asian Americans also accept the ways that neoliberal capitalism insists on the potential for everyone to achieve monetary success despite the varied opportunities and obstacles for people of color in America. As neoliberalism makes the individual the arbiter, it simultaneously produces conditions that make marginalized populations more susceptible to violence and death. Death's transgressive reality forces us to confront our own relationship to the life we lead and the realities of the world that we accept. And if the dead are not safe from race's power to privilege and denigrate, then the necessity of addressing structural and societal inequity is even more pressing. Many of my close readings reveal death not as an equalizer but an expression of the circumstances that produce regular yet avoidable violence. Asian American belief in the achievement of a neoliberal American dream obfuscates the ways that the state can still preside over the everyday and after life experiences of people of color. And so, to rest easier and to mourn better this thesis attempts to reveal the racial positioning and possibilities of Asian Americans in order to move towards a safer and more robust life and death.

The Act of Seeing with One's Own Slanted Eyes

At its core, one of the main objectives of this thesis is to examine the resonances and ripples that occur in the wake of premature Asian American death. For this first chapter, my analysis is based on Celeste Ng's novel Everything I Never Told You (EINTY) and the first season of the podcast Serial. Thus rather than fixate on the severity of violence that occurs, my frame is more concerned with the actions that occur in the wake of death and loss. One subset of actions that is especially salient are those of the state; since both of these deaths are premature and of initially indeterminate nature, they are deemed aberrant and worthy of state involvement and interrogation. The state's stake in determining the severity of this aberrance and the necessary punishment can be explained by assessing for what purpose the state exists. By calling attention to the involvement of the state in the wake of death, I also question the role of the knowledge that the state produces. In *Everything I Never Told You*, the Lee family questions what knowledge they had of Lydia is actually true in the wake of her passing. The police themselves are presented as ineffectual and not invested in the interests of the family. In Serial police and trial records comprise a vast archive from which Sarah Koenig attempts to reconstruct the events of Hae Min Lee's death and Adnan Syed's conviction. Koenig supplements this with a plethora of interviews, both from experts on investigations and trial procedures as well as from those close to Hae and Adnan during the time of her murder. By putting these two products opposite each other, I work to question the way both cultural products construct a narrative that is founded upon death and loss. Death as a starting point also allows for an exploration of how surviving and progressing should and are conducted. Yet despite Serial's intention to rectify what may be a wrongful conviction, its lack of exculpatory evidence and reasonable alternatives veer dangerously close to irresponsibility. Living among and in the wake of the dead requires

sensitivity and reverence that are not often offered to those that are marginalized by the systems that capitalism and race place people within.

Considering how the relationship between the dead and the state can combat neoliberalism's constant obfuscations their role in actively producing death. Grace Kyungwon Hong explains that neoliberalism constructs normative examples of family and labor "to disavow its exacerbated production of premature death" (Hong 7). In this current moment the United States' enshrinement of capitalism and White supremacy intertwine with and are hidden by neoliberalism. Neoliberalism also makes describing the racial hierarchy of the United States difficult. While "white supremacy" for many calls to mind images of the KKK and chattel slavery, within the remnants of that legacy and given a racial system that protects White people from certain types of existences and violence; "white supremacy" still remains the most useful descriptor. Neoliberalism is also able to co-opt the language of the Civil Rights Movement and assertion of the capability of the marginalized to ahistorically insist that there is a parity of opportunity and potential for social and economic mobility. Since my project directly addresses racialized circumstances that surround death, I think it is necessary to reinforce that race and a racial hierarchy are the exact opposite of parity. Koenig's practice of isolating Hae and Adnan's circumstances from the structures that effect their relationship to policing, criminality and jurisprudence is consistent with the overarching rhetorics of neoliberalism. Since neoliberalism is so pervasive within the lives of so many, it is unsurprising that it permeates even into the realm of the dead. Moving beyond neoliberalism and imagining a future without it would ideally allow for more ethical and healthy ways of existing among the dead. Whether this means discovering a new vocabulary, worrying less about having to redeem our loved ones and how we accept their

faults or even continuing to acknowledge how we carry them with us; the dead deserve and can point towards better ways of living.

In order to explore how the body and race are used to determine subjectivity for both the living and dead, I utilize both fictional and non-fictional cultural products to examine how the dead are centered and advocated for. Since both Serial and Everything I Never Told You address police investigations and autopsies, readings allow for a confrontation of the nature and production of knowledge with respect to racialized bodies and what constitutes truth. As a piece of Asian American fiction, EINTY insists on a gap between state produced forensic knowledge and what mourners of the racialized dead require to move on. Despite its good intentions, Serial compounds this gap by demonstrating a failure of liberal media production to intervene on behalf of people of color. Comparing the two facilitates an exploration of how racial difference² is understood and fortified. One of the larger conflicts of Everything I Never Told You is father James Lee's failure to articulate how his experiences with race actively influence his marriage and parenting. In the case of *Serial*, the podcast fails to address the ways that race can determine treatment by police and within the judicial and prison system. This chapter examines the sequential approaches used by Serial and Everything I Never Told You starting from the investigative and being forced to reach a conclusion by the lack of novel information. Additionally, the way that Koenig and Lydia's family must each rationalize the behavior of Hae and Lydia near the end of their lives makes explicit the mutability attached to the deceased. Thus the extent to which this mutability is tested facilitates an examination of each of their motivations. Though Koenig attempts to present all evidence and information as equally valid,

² I do not say "racial difference" not to solidify a belief that race is intrinsic and immutable across human existence and history and that race can reliably distinguish people and their tendencies and behavior. I am more concerned with how perception of "racial difference" as real contributes to the treatment of those considered others.

she too has a stake in the outcome of her investigation as well as its entertainment value.

Conversely, Lydia's family constantly expresses their desire to recuperate Lydia and construct her as a good victim. Close readings of the methods these works use to construct and reconsider the deceased facilitate a larger understanding of the Asian American victim and the Asian American mourner. And when the desires of the two cannot be reconciled, I argue that the need to reimagine the ways that the dead are allowed to remain among us must become a more pressing consideration.

By framing Serial as an attempt to rectify a possible miscarriage of justice, the podcast unwittingly subsumes Hae Min Lee's subjectivities and the opportunity to seek justice for her. Released in 2014, Season One of Serial reexplores the events of Lee's murder and her exboyfriend Adnan Syed's subsequent conviction. To be clear, Hae and Adnan had broken up before her disappearance and in that time, she had begun dating someone else. Adnan did not cease being Hae's boyfriend upon her passing; he was already her ex-boyfriend. An offshoot of long running NPR audio journalism program *This American Life*, producer Sarah Koenig serves as investigator and the primary narratorial voice behind Serial. Unlike This American Life episodes which are predominantly self-contained and focused on exploring a particular theme; Serial is in their own words: "One story, week by week." (Serial Episode 2 1:20) Though this decision is central to the tone of discovery that Serial aims to position itself within; throughout the podcast Koenig's pragmatism and the frightening novelty of much of the information she introduces is abundantly clear. In the first episode, Koenig admits that part of her motivation to explore this particular case came at the behest of Rabia Chaudry, a friend of Syed's family. Syed and many of those associated with him have maintained his innocence since his conviction in 2000. In the subsequent episodes, Koenig is often eager to share new developments she and her

team have been able to make. Occasionally, a new informant arrives because of the scope and popularity of the podcast; someone Koenig had no idea existed announces their position on Adnan's culpability and experiences with either Hae or Adnan. Yet at the conclusion, Koenig has no new evidence to exonerate Adnan, the most she can say is that the Adnan's conviction was heavily dependent on circumstantial evidence and that the facts of the case still remain unclear. Central to my readings of *Serial* are a question of how it produces knowledge and who this knowledge exists for. Certainly not for Hae or any members of the Lee family; Hae already knows who her murderer is. Such a revelation certainly holds the capacity to both socially and legally condemn or free Adnan, but his release from prison does little for the surviving Lee family members. I don't want to suggest that carceral system and its punitive measures are morally correct or even necessary. However, I do worry that the pursuit of truth is used as an excuse to sloppily reproduce the Lee family's trauma. As it is, there is and cannot be anything redemptive about Serial for Hae Min Lee's family. If Adnan is found to be innocent, then the Lee family loses faith in the justice system and must live with the reality that they have no idea who killed Hae. But if Adnan is confirmed to have killed Hae, the Lee family's story and pain have been commodified and laid bare for no change in the status quo.

Central to the narrative structure of *Everything I Never Told You* (EINTY) is the established reality of Lydia Lee's death and disappearance, allowing for a focus on the effects of her death and the trauma of her family. Yet to simply defer Lydia to a plot device or object is too simple a reading. Ng's non-chronological storytelling suspends the totality of death, allowing for reading to motion towards preserving the subjectivities of those who have been lost. The novel begins, "Lydia is dead. But they don't know this yet." (Ng 1) There is no possibility of recuperating Lydia's life, yet her physical absence as time progresses does not preclude the

reader from learning about who Lydia is. One of the central conceits of the narrative is the distance between what the characters know and the perspective granted to the readers by the omniscient narrator. Ng demonstrates that the titular sentiment and information that remain unarticulated have effects beyond what any of the characters could reasonable predict. Yet like calling out "No!" to a character in a horror movie, the audience's knowledge is ineffectual in changing the character's fate. The issue then becomes at what stage knowledge of race or precarity or abjection is sufficient to bring about meaningful change or truly move people towards life and away from death.³

Though the factual and structural differences between EINTY and *Serial* inevitably define the type of stories they are able to tell, rather than ascribe this difference to medium more critical attention must be paid to how each is able to confront the inevitable racialization of the deceased. Race is central to the plot of EINTY and the characterization of each of the members of the Lee family. A mixed Asian American family living in Ohio in the 1970s, Ng emphasizes how father James Lee's intergenerational experiences with his Asianness unknowingly permeate his self and his parenting. Both Lydia and her older brother Nath identify James' emphasis on building social connections and seeking friendship as a symptom of his own struggle to find social belonging. Conversely as part of its investigative ethos *Serial* resists accepting race as an easy explanation for anything. In the 10th episode Koenig speaks to Shamim Rahman, Adnan's mother. Rahman admits to Koenig that she believes that their Muslim faith was an integral factor in Adnan's arrest and conviction. Koenig immediately questions Rahman saying "And do you believe that?" (*Serial* Episode 10 5:19) Even though Adnan's arrest and conviction occur before

³ I am not unaware of the naiveté required to believe that an MA Thesis (or any level of academic writing) is enough to bring about the change or construct the world that I wish to live in. Ideally theory is an intermediary tempered by actions and practices that lead us towards more ideal ways of being.

the September 11th World Trade Center Attacks, Rahman still articulates a feeling of racial difference and a belief in the prevalence of Islamophobia. Also, worth noting is that Rahman asserts that this perception of the state being biased against Muslims extends beyond their individual family and into their community. Much of the episode after this conversation between Koenig and Rahman is devoted to testing the legitimacy of these claims. Koenig's results are inconclusive, which is unsurprising given how difficult quantifying and distilling racism is, especially as neoliberalism emerges and becomes part of the dominant racial logic of the United States. While Koenig maintains that neither racism nor Islamophobia played a large role in Adnan's arrest or trial, her reflex is to question the efficacy and reality of race in America. Accepting the reality of race's potential to remake and influence behavior is necessary when analyzing those who have always existed inside of it.

Thinking of how *Serial* treats Hae and her corpse through a lens of abjection facilitates a deeper understanding of the possibilities that are allowed for the racialized corpse. Here I use corpse to stand for all incarnations of Hae that can be constructed and imagined after her passing. The language and rhetoric that surrounds the dead often hinders a nuanced expression of how to preserve their identity and self posthumously. To refer to Hae in the present tense would seem to refer to either some sort of lingering spirit or the body rather than the person themselves.

Additionally, many of the impressions of Hae from *Serial* filter through Sarah Koenig herself. Expressing awareness of the hole in perspective that Hae's death, Koenig interviews many of Hae and Adnan's schoolmates to try and build a more intimate understanding of each. Koenig also supplements this with Hae's personal diary, which was entered into evidence during the trial. At one point, Koenig says "I'm not exactly sure what I expected her diary to be like but it's such a teenage girl's diary." (*Serial* Episode 2 4:07) Yet as Ju Yon Kim and Karen Shimakawa

demonstrate, this process of demarcating what constitutes the mundane for different populations is central to the reinforcement of who is White and Asian American. For Kim, the racial mundane is "habitual, quotidian behaviors that come to exemplify the possibility and the limits of crossing racial boundaries" (Kim 177). When reproduced via her diary, the disembodied autobiographical Hae constructed in the pages is granted a degree of permeability into being superlatively teenage and superlatively girly. Yet as Shimakawa articulates, the imagining and reinforcement of the Asian American across US history has served time and time again to bolster the boundary between White and Asian. Hae begins to become a worthy victim through the process of recognizing the practices that allow her to become a "normal" teenage girl. It's also worth noting that this process of incorporation into mundanity occurs after Hae has already passed and perhaps against her will. Unfortunately, if we are to believe Hae is being honest in her diary, we must also wrestle with the ethics of how to treat the dead and their privacy. In this moment the abjected and racialized corpse is someone or something whose privacy is secondary to the state's judicial and punitive systems as soon as the diary is utilized as evidence. The mutability of Asian American racial positioning becomes a technology and mechanic of the carceral state. In this moment the Asian American corpse is used by the state not to make any concessions to the racialized and marginalized but to punish and defer a South Asian American Muslim to abjection through criminality. Whiteness thus insulates itself and its subjectivities by knowing that those offered its protections will never become Adnan and if they are careful they will also not become Hae. In her later reading and invocation, Koenig fails to be critical of all the factors that mark Hae as anything but normal. This process of reincorporation and redemption cannot begin if Hae is not murdered. Normality and mundanity become a gesture of concession

for the racialized dead, only when there is no threat can these bodies become recognized and incorporated.

The issue of privacy and death also appears in EINTY but instead confronts the difficulty of knowing the dead through the lack of insight found. While sifting through what is immediately accessible to her after Lydia's death, Marilyn decides to look through the diaries that she has annually gifted her daughter. Unfortunately, Lydia never made a habit of recording her thoughts and Marilyn finds that all of the volumes are blank. By breaching Lydia's privacy, Marilyn is able to learn that there is a worrying void in what she knows about Lydia. And this is often the reality that there is no easy answer or tidy way of making sense of the assemblages and fragments that death and loss are. In this way, EINTY resists the impulse to try and neatly package the dead. Lydia continues to be sought after and invoked because she eludes offering the impression that her family as learned all they can about her. The way that Hae's diary is taken as exhaustive moves towards marking her passing as final. And if there is no potential or anything generative about Hae, it becomes acceptable to begin to reconstruct and defer the dead to abject positions away from the living. The force of abjection in marking certain bodies and populations overpowers the possibility of empathy and identification. What might be possible if rather than the corpse being that which the living cannot become, it is recognized as that which was once of us and among us? Even without believing in a religious or spiritual way of actively and directly communicating with the dead, there is still space to continue to incorporate those we have lost into how we continue to live without them.

Attention to Lydia's corpse and racialization reveal a struggle to make legible when the Asian American corpse does not provide immediate utility. When the details of Lydia's death are still unclear, her brother Nath takes issue with what he sees as laziness on the part of the police.

Internally he says "Or if Lydia herself had been different [...] a normal teenage girl, a girl they understood. [...] They might have listened to Nath's complaints [...] and come to similar conclusions." (Ng 112) Nath remains suspicious of his high school peer Jack Wolff and pinpoints race as a reason why the police appear unconcerned about the truth of Lydia's death. Indeed later, when they have concluded their investigation Lydia's failure to become a more socially active person is part of their rationale. The police say "Circumstances suggest suicide is by far the most likely scenario. No evidence of foul play. A history of loneliness. Her grades were slipping." (Ng 201) The same social exclusion that Nath feels hinders the police's ability to conduct a proper investigation later becomes a justification for their findings. Nath's concern with race also speaks to the varying legibility of tragedy and trauma. To extend his line of thinking, a "normal" White girl dying is much more likely to elicit more effort from the police. Yet Nath's recognition of racialized treatment does not acknowledge that the police's use of Lydia's social life as a justification for their findings subtly accepts some degree of racial difference. In this moment, the deficiency attached to the mixed Asian American body render it not worth the time to investigate further or satisfy the wishes of the Lee family.

Through the characterization of the Lee parents, James and Marilyn, Ng emphasizes the failure of the couple to account for their children's experiences as multiracial. Nath and Lydia's mixedness does not provide any fluidity or opportunity to pass as White.⁴ A local news article detailing Lydia's passing calls attention to the unmistakable difference in appearance between the Lee siblings and other students: "As one of only two Orientals at Middlewood High—the other being her brother, Nathan—Lee stood out in the halls." (Ng 109) This contrasts James'

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⁴ In January 2018, Celeste Ng announced that *Everything I Never Told You* is in the process of being adapted into a film. While casting choices will certainly elicit conversations about what kind of mixed Asian American body looks either too Asian or not Asian enough, the novel itself constantly emphasizes the appearance of the Lee children as Chinese to their White peers and neighbors.

deep-seated hope that his children will transcend the realities of race that appeared throughout his life. From his experience as the only Asian during his compulsory education to Marilyn's mother ceasing to contact her daughter after she marries an Asian man, James becomes acutely aware of the social spheres he is not offered entry into. Driving home from work, he replays the microaggressions that permeate his day and envisions how Lydia will not be read as Asian:

"how Stan Hewitt had asked him the difference between a spring roll and an egg roll; how Mrs. Allen smirked when he drove past. Only when he reached home and saw Lydia did the bitter smog dissipate. For her, he thought, everything would be different. She would have friends to say, *Don't be an idiot, Stan, how the hell would she know?* She would be poised and confident; she would say, *Afternoon, Vivian,* and look right at her neighbors with those wide blue eyes. Every day, the thought grew more precious." (Ng 158-159)

James' idyllic image of Lydia's social acceptance by White others as normal (or at least not Chinese) functions through two optics: knowledge and body. His daughter's imaginary friends will defend her from anyone who insists that she should know the difference between a spring roll and an egg roll; a multiracial Asian body for whom holding knowledge of Asian food would be ludicrous. Lydia's blue eyes then act to disrupt any challenges to her Whiteness and qualification to be socially accepted; the multiracial Asian body constantly asserting it is not like those other Asians. Yet none of these hopes come to fruition, and Ng often emphasizes that James' fixation on his children's social lives only serves to frustrate them. If neither Lee parent can assist their children in navigating life as a racialized body, it is unsurprising that race and social isolation become so pernicious for Nath and Lydia. Though the experiences and issues of

multiracial and mixed Asian Americans do not always overlap with monoethnic Asians, Lee family's failure to articulate their experiences with race exacerbates its salience and persistence.

Police sensitivity and callousness towards issues of race undermine their ability to serve everyone equally and instill confidence in their actions and conclusions. In making the police part of its archive, Serial confronts the distance between truth and the narratives that the police are able to construct to fit their own purposes. Serial constantly calls attention to the inconsistency of the narrative upon which Adnan was found guilty. Though he cannot provide sufficient evidence to support his claim of innocence, Koenig's willingness to work with Adnan thus implicitly challenges the state's version of the events no matter how much circumstantial evidence they rely upon. In the 8th episode, Koenig calls upon a former homicide detective, turned professional interrogation expert to discuss her investigative process. This expert in turn introduces Koenig to the concept of "bad evidence"; content or information that will ultimately detract from the case the police and state are trying to construct. Koenig interjects in a flustered manner saying "what my father used to always say, "all facts are friendly." Shouldn't that be more true for a cop than for anyone else? You can't pick and choose." (Serial Episode 8 16:52) Koenig's idyllic vision of the police as vanguards of ethic and truth is concerning given her consistent issues with police proceedings in this case. Koenig's concept of race and its salience in the story of Hae and Adnan then comes as little surprise given this overwhelmingly naive impression of the police. Her expert responds to her disbelief by saying "Rather than trying to get to the truth, what you're trying to do is build your case, and make it the strongest case possible." (Serial Episode 8 17:01) From the mouth of an ex-cop comes the confirmation the willingness of the police to bend truth and create their own narratives; something already known by people of color and other populations disproportionate subject to police scrutiny. And if we

cannot rely upon the version of the truth that the police (as proxies of the state) generate, their process of generating knowledge and whom it serves for must also be questioned. Lisa Marie Cacho explains that the actions of the socially dead are reframed in terms of illegality or criminality. (Cacho 2012) For the populations these labels are imposed upon, typically respectable behaviors and aspirations such as working to provide for one's family or to secure a place to live are perceived as a threat to the nation itself. Often, the police act as enforcers of these national threats and perpetuate both the process of label making and threat building.

Since the United States' project of nation making is founded upon the marginalization and abjection of certain populations, conflating the judiciary with justice ignores that the state's desires do not always align with ethic or truth. Throughout *Serial*, Sarah Koenig takes issue with the circumstances of Adnan's conviction. She is quick to point out inconsistencies and falsities Jay's version of the events, a friend of Adnan whose testimony was instrumental in Adnan's conviction. To extend Koenig's thought process, because Jay cannot correctly account for and produce a properly verifiable timeline and evidence Adnan should not have been convicted. Koenig refrains from making any larger statements about jurisprudence and is careful to localize her complaints by explaining them as idiosyncrasies of this particular case. At one point Adnan explains his experience with sentencing and guilt saying:

"I think it's so difficult to understand these things not ever having been in that situation. I would always think before I ever came to jail that a person would only plead guilty to something because they did it. [...] I can think in all the years I've been in prison I can probably think of a handful of people who ever beat a first-degree murder case, simply because the odds are just so stacked against you."

Despite this, Koenig still remains reluctant to name any of the myriad issues with the judicial and carceral system in America. Adnan has just informed her that the judicial system is not set up to always reward truth or interested in preserving the humanity of those who pass through it. Though Serial is ostensibly focused on the pursuit of justice, it is unconcerned with the injustices that permeate the judicial system, the police or the experiences of the racialized in America. In its own words *Serial* is about storytelling and pursuing and developing a narrative, yet the focus on Adnan's conviction as well as Sarah Koenig's tendency to reveal fault without proposing alternative skew towards a belief that the conviction should not have happened. Without being able to address structural factors or offer a useful historical analysis of the parties involved, Koenig's work is at best case study with no backbone. The podcast seems to believe that Adnan's case is extraordinary mainly in its failure to accurately present and consider all the information that was available rather than any other factors or design of the judicial system. This also unwittingly accepts the multitude of racialized problems with policing and the judiciary as standard and acceptable. Koenig does not move towards considering that the gray area of Adnan's case is a feature of the system rather than a flaw or an anomaly. Thus what justice for Adnan means to *Serial* functions entirely within the purview of the system that is responsible for him spending the last 15 years in prison. And without overwhelmingly contrary evidence (which certainly would have helped Adnan avoid his existing conviction), the leverage and inertia required to both conduct a new trial and find Adnan not guilty border on Sisyphean. Moreover, because Koenig's pursuits are in the name of truth and objectivity they lack the conviction necessary to produce change for Adnan. If the podcast were to admit a belief in Adnan's innocence rather than only a skepticism towards his conviction, constructing a coherent exonerating narrative is much simpler. Instead, each piece of information is allowed to contain a

fragment of legitimacy. This suspension of interpretation means that *Serial* must be overwhelmingly convinced of the veracity of any version of the story that they put forward. But as Koenig finds at the end, this is an impossible standard to meet given what they are able to uncover.

Everything I Never Told You presents a similar dilemma for Lydia's family; since the state is uninterested in reversing the marginalization it produces (especially after death) the information the state offers is not sufficient to make sense of this loss. James' discomfort at reading Lydia's autopsy conveys that a gap between state sanctioned forensic knowledge and knowledge which is useful for those who are mourning. When Lydia's father reads the autopsy given to him by the police, he is struck by the lack of conclusive evidence: "suicide, homicide, or accident could not yet be determined." (Ng 69) He is also unnerved by the way the language used about his child's corpse reduces the body to a site of experiment to attempt to generate understanding about the cause of death. Because of their failure to offer a deeper understanding of Lydia's death phrases like "her alveoli held a thin layer of silt as fine as sugar" and "her lungs had marbled dark red and yellow-gray as they starved for air" (Ng 69) border on scopophilic. Though all these observations are certainly true and achieve what they can via what is feasible through this specific corpse, it is meaningless to Lydia's family members. And in light of other contexts, the emphasis on the biological elides the social realities that this mixed Asian American woman's body existed within. As Ng reveals, Lydia's experiences with her raced and gendered identity, especially as enforced by her parents' insecurities about their own identities, motion her towards precarity. Lydia's death by drowning serves as a metaphor for her parents' failure to equip her to properly stay afloat socially. James' instinctual downplay of Marilyn's gendered experiences with the world and education as well as Marilyn's failure to recognize the

realities of race for James and her children each permeate the way these parents relate to their children. The forensic exists as a procedure of enshrining both its own processes as well as the larger system of policing and jurisprudence it exists within. And for the police and the state, producing and conferring this knowledge is seen as sufficient. This report has the effect of furthering the abjection of Lydia's corpse and moving towards a disidentification with the body. This is also seen at Lydia's funeral where James' decides against having a traditional open casket ceremony because of the injuries that Lydia's body has sustained. The tension between accepting the corpse as remnant and realizing it as completely abject resounds throughout this decision. The youngest Lee sibling Hannah also attempts to process the difference between body and corpse and the loss of Lydia. Looking at the coffin she remarks internally "Lydia is not inside, [...] only her body—but then where is Lydia herself?" (Ng 60) On some level, the answer to this question may be nowhere at all. But if the corpse's abjection is not fundamental but rather a feature of the current epistemologies and ontologies that we exist within, it can also be challenged and moved beyond. Death and loss do not have to constitute finality; Hannah struggles to answer her own question because she wishes for Lydia to still be somewhere. And even if the only place the dead are is where we carry them inside of us, that is also worth preserving and protecting against the forces and structures that constrain life in the first place.

Though I mentioned before that I am not interested in quantifying the severity of violence, considering how violence is reproduced in both *Serial* and EINTY allows us to question why this reproduction is often found to be necessary. If as Shimakawa (working from Kristeva's definition) says that abjection is "the place where I am not and which permits me to be" (Shimakawa 8), both the deviance of violence and the bodies against who it is levied then work to bolster a fully incorporated subject's sense of self. Going back to Lydia's

aforementioned autopsy report, the production of this information through the use of her body has a negative effect on James. He also seeks to keep these documents away from the rest of the family because he is aware of the potential for retraumatization. Initially, conducting this autopsy seems like a necessary and useful way to uncover the exact circumstances of Lydia's death. Yet knowing that these circumstances have not and cannot be determined, the autopsy then serves to protect the police and the state from reproach. As if to say that they tried their best, the state and police then abscond from anything else that may be requested of them. In the case of Serial, the pursuit of truth is established as the highest ethic. For Hae Min Lee's family, any resurfacing of trauma or knowledge that their pain has become public for is justifiable if Adnan is exonerated and the true culprit is found. Though Hae is unquestionably accepted as a tragic victim, her death and absence render her unable to contest the framing of Adnan as victim. Since Hae's death is the origin point for Serial and it cannot exist without her, the entirety of Serial is built upon the reproduction of or at least referral to violence. Koenig makes no effort for the locus of injustice to be the senselessness of how Hae passed away and to truly determine who her killer is. The contrast between Adnan's friends directly appealing to Sarah Koenig to take up his story and the Lee family's absence from Serial's storytelling constrains the ability of Serial to meaningfully incorporate perspectives related to Hae. Thus to insist on the necessity of Serial's existence forces Hae's family to directly or indirectly relive the trauma of their loss. To take a direct role in shaping the narrative arc of Serial exposes them to becoming a resource whereas ignoring its existence opens their trauma up to the public against their will. Hae becomes legible predominantly in making Adnan's conviction the larger, more pertinent tragedy; the framing makes it impossible for it to be anything but Adnan's story. Put another way, who truly stands to benefit from Serial's existence? Sarah Koenig and the team of researchers and journalists that

support her all monetarily benefit. Beyond that the possibility of a new trial and an alternate verdict for Adnan set him up as someone with everything to gain. Much like the coolie whose labor is exploited and whose surplus is necessary to the proliferation of the American nation state, Hae Min Lee is being wrung dry. She generates novel possibilities for those involved, and who in return offer nothing of significance to her.

Serial's search for objectivity and presentation of truth as the highest ethic unfortunately align with the ways that neoliberal Whiteness is allowed to approach and generate knowledge without context. Thinking about Hae and Adnan and the knowledge that they possess, both are aware of the circumstances of Hae's killing. Koenig occasionally takes issue with the blind spots in Adnan's memory and in the interest of appearing unbiased is willing to admit that Adnan may be lying. Though Adnan is so central to everything and also willing to talk at length since he cannot be completely trusted, it's necessary to pursue other avenues and subjects to try and verify his version of reality. However, after twelve episodes of attempting to piece together everything Koenig and Serial do not arrive or lead listeners to a substantially different place from where they began. In the anti-climactic finale to the first season, Koenig reluctantly admits that she still struggles to comprehend the details of what actually happened. She is also unwilling to announce the possibility that the truth she has so earnestly been seeking will never reveal itself to her. I don't want to be misconstrued as nihilistically saying that pursuing truth or justice or trying to help someone that may be innocent is a waste of time. However, who this pursuit effects negatively and who has nothing to lose from it must be considered in order to ensure an ethical relationship and to avoid reinforcing the marginalization of others. If Serial's intention is just to tell a story, it goes far beyond that by seeking out people that are tangentially involved and attempting a revisionism of the account that is currently available. But if the intention is to

try and free Adnan, Serial also falls short of that. The liminality of what Serial is and what it attempts to do constantly brush against the trauma that is embedded in the reality of Hae Min Lee's death. Though the entertainment value is agreed upon and seen in the millions of downloads and listens, any true substance and novelty from Serial rings hollow. Repackaging the trauma of the racialized and marginalized for any reason must be more critically considered to protect those who already exist outside of certain securities. In between the state sanctioned framing of the Asian body as a labor force and Serial's liberal attempts to redeem both Hae and Adnan lies the possibility of refusing the knowledge each offers as sufficient. EINTY concludes with the fictional Lee family accepting the process of producing knowledge about Lydia as a lifelong endeavor: "Years from now, they will still be arranging the pieces they know, puzzling over her features, redrawing her outlines in their minds. Sure that they've got her right this time, positive in this moment that they understand her completely, at last." (Ng 291) To borrow from Walter Benjamin if even the dead will not be safe, we must consider how to protect them. (Benjamin 1969) Seeking more ethical ways of producing knowledge and perhaps accepting that truly knowing the dead may be impossible is certainly not a complete defense but a small step towards ensuring we too can rest in peace one day.

When I Die Bury Me Without the Lights On

In continuing this study of the instrumentalization of premature Asian American death and mourning, it would be disingenuous to not include the eternal Asian American martyr Vincent Chin. His 1982 murder and subsequent legal proceedings went on to gain national attention and are hailed as a key moment through which a more coherent panethnic Asian American identity continued to develop. In this chapter, I examine the critiques made by the Asian American organizers involved in seeking a retrial for Chin's murderers in order to consider what sort of racial futurities are extended through Chin's death. I also consider how seeking incorporation into the logics of the nation state requires deferral. Borrowing from Shimakawa's idea of a national abjection, the modern nation state often relies on an Us vs Them rhetoric to rationalize its actions. So if Asian Americans are willing to make sacrifices to become part of the Us, who must they force outside this identity to become accepted? Additionally, I consider the relationship between the racialization of Vincent Chin and the emergence and implementation of neoliberalism within the United States. This neoliberalism is seen both in the economic transition towards American corporations moving manufacturing abroad as well as in constructing a racial rhetoric of colorblindness and multiculturalism. Additionally, neoliberalism complicates the ways that racial and ethnic identification and solidarity building function through its coopting (or arguably establishment) of identity politics. If both the corpse and the racialized other become abject, these layers must be fully explicated in order to understand the mechanics and limits of any identification with Vincent Chin. The continued relevance of Vincent Chin in an Asian American Studies context presents a pressing reason to consider how to ethically relate to his death.

Two main works comprise the archive and images of Vincent Chin used for the analyses in this chapter: Helen Zia's chapter book chapter "Detroit Blues: "Because of You Motherfuckers'" and Christine Choy and Renee Tajima-Peña's documentary Who Killed Vincent Chin?. In light of Chin's absence, each work is forced to reproduce Chin through materials such as his personal history, photographs or accounts from those close to him. Since Vincent Chin's murder is a seminal issue in Asian American Studies, these reproductions have lasting repercussions in the way that they determine what we know of Chin and how we are to relate to and advocate for him. I consider the circumstances of Chin's death and Ebens' and Nitz's insistence on Chin being Japanese, the three trials and their differing verdicts and his enduring legacy to examine the stakes of Chin's continued mobilization by Asian Americans. Though close readings, I argue that this reliance on Chin has produced a melancholic relationship where he cannot truly rest in peace. By inserting him into this framework of melancholia, I hope that the production of more ethical relationships to the dead even from within the Asian American community will be seen as worth pursuing. If we ourselves cannot accept becoming a cautionary tale or part of history books, how can we impose this after life upon someone else? Even though much of this work is done in the name of justice for Chin, it is still necessary to be critical of what that justice means and who it aligns its advocates with. Though Chin may not have sought an end to race or the nation state, the severity of his murder reveals the danger of those two structures becoming intertwined.

Neoliberalism's focus on the unrestricted flow of capital combined with capitalism's production of wealth through the generation of surplus are central to the killing of Vincent Chin. In *Asian American Dreams*, Helen Zia details how American auto companies transition towards forgoing domestic manufacturing left many people in Detroit without jobs. This was possible

because globalization and deregulation began to tap into less developed countries (many located in the global south) to become workers for these American firms. Even when factoring in the additional costs of moving these goods around the world and developing the local infrastructure to support manufacturing, the lower labor costs involved still produced larger profits. Thu-Huong Nguyen-Vo's The Ironies of Freedom: Sex, Culture, and Neoliberal Governance in Vietnam calls attention to the inconsistencies of neoliberalism's enshrining of freedom and attempts to address who actually stands to benefit from less restrictive economic policies. Unsurprisingly, those already in possession of wealth exercised the ability to insulate their power. However, neoliberalism's amorphous nature through its emphasis on individualism and personal responsibility also obfuscated who was responsible for the careers of these Detroit auto workers becoming insecure. Post WWII Japan's simultaneous ascendance to a global economic power as well as the development of its own auto industry resurfaced historic racial tensions. There is nothing distinct about the framing of an Asiatic threat to the (White) interests of the American people. The restrictive immigration legislation of the 1800s, Japanese American incarceration during WWII and American military intervention in Southeast Asian during the 1970s are part of a sustained thread of constructing the Asian body as deviant and threatening. The combination of Detroit's declining auto industry and longstanding racializations of Asian Americans cannot be ignored when considering the context of Chin's death. Not born in the United States, Vincent was adopted and raised by Bing Hing Chin and Lily Chin. Bing Hing served in the United States military during World War II and Lily immigrated from China for the two to become married after his service was completed. Zia mentions the generational gap between families like the Chins living in Detroit proper and newer, more educated migrants able to settle in the outlying suburbs. The global economic context provided the basis for the rhetoric around the Asian body

to shift towards frustration with any semblance of an Asian ascendance and eventually proved fatal for Chin.

Central to the staying power of Chin's murder is Ebens and Nitz's alleged assumption that he was Japanese; which problematizes the process of ethnic identification and reveals the body and visual are sites of Asian American racialization. Chin and his friends were holding a bachelor party at the Fancy Pants strip club where they encountered Michael Ebens and Ronald Nitz. The two were local autoworkers who became frustrated with the dancers' attention to Chin and his party. The situation escalated and Ebens and Nitz began using racial slurs in their indignance against Chin. Though Ebens and Nitz were probably not aware, the policing of women for expressing affection or sexual interest in Asian men has a long history in the United States. Anti-miscegenation laws barring the marriage of White women and non-White people were commonplace in the early 20th century and several times local Whites found it necessary to riot and protest relationships between Asian men and White women. (Lee 2015) Eventually, the altercation escalated to the point of physical violence and both groups were kicked out of the Fancy Pants. Ebens and Nitz would go on to track down Chin and his friends at a nearby McDonalds and beat him near death with a baseball bat. The perennial quote used to encapsulate this moment is "It's because of motherfuckers like you that we're out of work." (Zia 59) This declaration would later become a central part of efforts to try Ebens and Nitz for violating Vincent Chin's civil rights. The exact intention of Ebens' remark is unclear. Much like the claim that "All Asians look the same," Ebens may have been attempting to assert that there is no substantive difference between Asian ethnic groups by grouping the Chinese and Japanese together as motherfuckers. Conversely, if Ebens were making the assumption that Chin was Japanese, his insult still functions in a very similar manner. Someone with no knowledge of a

Chinese American man's history or background is able to make a claim to this knowledge or insist on its irrelevance because of the way that the Asian body is racialized and constructed in America. This understandably drew the attention of Asian Americans as well as Asian media abroad. If being Japanese is a transgression worthy of death and certain Asian bodies can be (mis)identified as Japanese then race and the body present the threat of death for those who look a certain way.

I also want to consider the gendered ramifications of having to argue for the strip club as the site where a violation of Chin's civil rights occurred. Strip clubs are ostensibly public places (though not public for minors), but does this argument also make the composite Asian American figure a man? How are Asian American women to relate to the experience of being racially interpellated in a strip club? What if these Asian women are the workers and not the customers? How is the threat of violence from White or Asian men also much more severe for these same women? The extension of the argument that strip clubs must uphold some standard of racial inclusivity ignores the inherent difference in gendered inclusivity. Strippers (and even women in actual public spaces) are not exempt from being hailed and interpellated by men as an object of sexual interest. Though this may seem tangential to Chin's death, thinking about the way that his narrative is reiterated and the limitations of who it can serve is necessary. Chin's death may not be the utilitarian rallying point people of Asian descent in the United States need if we don't approach issues of race with attention to gender and intersectionality.

Ebens and Nitz's anger at Chin filtering through a logic of labor and race regurgitates a White fear of replacement that emerges as soon as Asian people begin working in the United States. Part of the biological threat the coolie posed to the White social order was his ability to do the same amount of work as a White laborer while subject to much less comfortable lodging

and a limited diet. (Lee 2014) The assumption that these pragmatic adaptations⁵ suggest a fundamental difference between the Asian body and the White body continues to underlie modern understandings of Asian Americans. Grace Kyungwon Hong describes how capitalism's construction of surplus extends beyond labor surplus into marking certain populations as existentially surplus. Hong asserts that "surplus emerges not only out of the labor exploitation but through the very rendering of certain subjects as the essence of non-value." (Hong 73) If Ebens and Nitz fear that Chin represents the potential for Asians to render White people as existentially surplus (whether on an individual or national level), then the situation is more than just an interpersonal conflict. Put another way, Iyko Day describes neoliberal capitalism and White supremacy as working in conjunction to affirm the labor of White workers and socially incorporate them. (Day 2016) But then, what happens to the White person who does not work and cannot be imbued with social value? Capitalism's imposition of uselessness onto those who do not work or "contribute" is mirrored in neoliberal policies such as the lowering of tax rates and reduction of government funded social services. Ebens and Nitz express an awareness of the need to be socially recognized by their labor and thus must actively comat the racial threat of the coolie who fails to show deference to them.

Widespread Asian American identification with Vincent Chin's death and recognition of the precarity of race augments Kristeva's understanding of the corpse as abject. For Kristeva, the corpse constitutes the abject, a liminal between subject and object because it assists in solidifying the positionality of the subject. The living are able to look at the corpse and begin to demarcate the conditions that constitute the differences between themselves and the dead; something which they will never become. Within this framework, death becomes a full stop; the endpoint of life

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⁵ I would encourage anyone who truly believes that Chinese frugality is an intrinsic cultural value to observe the clothes worn and cars driven by affluent Chinese international students.

and thus someone/thing that cannot exist in conjunction with life traditionally defined. Yet the rhetoric that continues to surround Vincent Chin insists that Asian Americans look at Vincent Chin and recognize the circumstances of his death and corpse as something that could reasonably present a threat to their own self. Karen Shimakawa's theorization of a national abjection compounds the convoluted position of the Asian American being asked to empathize with the tragedy of Chin's murder. Shimakawa proposes that Asian Americans are an abject population whose historic racial position and relationship to national legislation help constitute the prototypical White American subject. By abjecting the other, this subject is able to look at Chinese Exclusion, Japanese American incarceration, the struggle of Southeast Asian refugees and the murder of Vincent Chin and understand that they are protected from all of these violences. Just as race can function to mark certain populations as abject; it also assists in breaking down one dimension of the abjection that the racialized corpse presents. Organizing around Chin's death works because the senseless violence and later judicial shortcomings are seen by Asian Americans not just as unfortunate but as something that they may easily be susceptible to. The plight of the racialized dead highlights the salience of race in both an increased proximity to death and violence as well as the possibility of being subjected to posthumous denigration.

The promotion of a panethnic Asian American identity in light of Vincent Chin's death unfortunately disregards the subjectivity of the deceased by turning him into a cautionary tale. This is not to say that the discourse around Chin's death blames him for his murder. Rather, Chin's story is often used as a starting point to attempt to compel certain actions and as an example of the larger issues of race in America. Yet even though Vincent Chin's politics are unknown, advocating for racial justice in his name is surprisingly straightforward. Even if

Vincent Chin was uninterested in addressing the issues of Asian Americans on a national scale or if at worst Chin himself held discriminatory viewpoints, death erases these nuances that could become impediments. No more can we assume that Chin wanted to become this icon than we can assume that he wanted to die. Preserving the subjectivity of the dead becomes a question of building more ethical ways of existing with them. The argument that instrumentalizing Chin's death represents a utilitarian opportunity for the Asian American community unfortunately reproduces the idea that others must be deferred to achieve success. If Chin's death is a vehicle for Asian Americans to become recognized and gain formal protection through the legislative measures, this still does not guarantee protections for those such as the rightless. Certainly, it would still be possible to combat the system of racialized capitalism that builds surplus through a hierarchy of the valuation of labor without Vincent Chin dying. If Vincent Chin is only a means to an end or a convenient coincidence, then Asian Americans must wrestle with their willingness to defer the deceased for the sake of the living. This reveals the continued relevance of abjection despite Asian Americans being asked to identify with Vincent Chin. Because the living will never become the dead, viewing the dead in terms of their utility for the living reinforces the subject/abject relationship and is not seen as a transgression.

While Ebens and Nitz misidentification of Chin is crucial to the transcendence of Vincent Chin's death, we must consider the ways that identifying Chin as Asian American may also be a misidentification. Given the relative novelty of the term, it is unlikely that Vincent Chin every personally identified as an Asian American rather than Chinese or Chinese American. The early uses of self-identifying as Asian American also carried a very political connotation related to the radical circumstances through which it was envisioned as a means of building solidarity. Death's foreclosure of subjectivity allows Chin to be co-opted and represent people with whom he may

have never chosen to identify. If an Asian American criticism of race is that it groups disparate people with little in common together, then there needs to be a nuanced conversation around all of those groupings. I don't mean to say that race is only given power through those who recognize or attempt to define it. Instead I wish to call attention to the ways that people and communities choose to intervene on the behalf of the deceased, and the gap between that intervention and who the dead really are. I use the present tense here intentionally as part of my framework that the subjectivity of the dead can be preserved and that we can seek novel ways of incorporating the dead beyond understanding their passing as a non-negotiable end.

Ebens and Nitz's proclivity for gratuitous violence reveals a disdain for the Asian body which can also be understood through the rightlessness of non-citizens as well as Japanese Americans. By interpellating Vincent Chin as Japanese, Ebens and Nitz reveal the precarity of Asian American racialization and its proximity to foreignness. In Social Death: Racialized Rightlessness and the Criminalization of the Unprotected, Lisa Cacho describes the rightless as people who are "ineligible for personhood" (Cacho 6) In an American context, non-citizens are not always guaranteed the rights and protections offered by the state to citizens. Moreover in an Asian American context, naturalized and natural born citizens can also be assumed to unquestionably hold these rights. Japanese American incarceration during WWII imprisoned over 100,000 Japanese Americans, a significant number of whom were born in the United States. (Lee 2015) Franklin D. Roosevelt legitimized this national action through Executive Order 9066 which designated a portion of the West Coast of the United States as a military zone thus offering the government greater jurisdiction. The government argued that Japanese Americans living within these zones presented a threat to the American war effort and forcibly relocating these people away from the coast was their only option. Several individuals challenged the legal

justifications for internment such as Gordon Hirabayashi, Minoru Yasui and Fred Korematsu. Though these cases each had their own intricacies and methodology for challenging the United States' abuse of power, the Supreme Court upheld the legitimacy of internment across the board. Thus inadvertently, Ebens assumption that Chin was Japanese unwittingly placed him with a history of rightlessness. If Chin is a Japanese non-citizen, he has no claim to recognition by the American state. Yet even if Chin were a Japanese American citizen his claim to this same recognition would not be stronger. The dangers of race extend not only to being misidentified or differential treatment within the legal system, but also lacking the grounds to challenge violence that may befall you. Whether Ebens and Nitz were aware of the history of race and differential treatment for Asian bodies in the United States, their willingness to mutilate Vincent Chin reveals pure disdain. Because of the lack of information about what actually occurred at the Fancy Pants, the discourse veers close to hearsay. However, after being separated form Chin and his friends Ebens and Nitz conscious decision to track down Chin and attack him with a baseball bat is incredibly callous. Additionally, if Ebens and Nitz truly believed Chin to be Japanese and responsible for the shortcomings of the American auto industry their attack may be seen as an attempt at vengeance on a national scale. Though I cannot assess how Ebens and Nitz would have reacted to a different person, their use of slurs and failure to consider the repercussions of their actions do not display a consideration that the Asian body is accorded the same respects as a White subject.

Judge Charles Kaufman's initial sentencing questions the relationship between punishment and harm present in the American judicial system. Nitz and Ebens plead guilty to manslaughter after the charge was reduced from second degree murder. Kaufman drew the ire of

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⁶ In addition to the seeming foreignness and indistinguishability of the Asian body, the belief that all Asians are working together towards the downfall of Western society is seen throughout Asian American history.

people of color in Detroit when he sentenced Ebens and Nitz only to three years of probation and \$3780 in fines. In Asian American Dreams: The Emergence of an American People, Helen Zia describes how in a city where the majority of the people of color were Black, their experiences with the judicial system were not as forgiving. The Asian American community reacted similarly and felt that Chin's life was being devalued because he was Chinese. Kaufman explained his justification for such a light verdict by saying "These aren't the kind of men you send to jail. You fit the punishment to the criminal, not the crime." (Zia 60) Though Kaufman may not have explicitly expressed any racial preferences in this statement, the message from the judiciardy that the loss of an Asian American life did not elicit a commensurate response was clear. Kaufman also seems to believe that the harmful actions of an individual can be overlooked based on their intrinsic value. Of course, this value can reasonably be deduced to be Whiteness but it functions by leaving the opportunity open to value certain groups over others. Similarly when he appears in the documentary Who Killed Vincent Chin?, Ebens is adamant that the system has worked correctly and asserts that additional punishment or rectification is not necessary for his behavior. Ebens either lacks self-reflexivity or truly believes that his role in Chin's death is justifiable. But to absolve himself through the decisions of the legal system does not have any bearing on the severity of Ebens' actions. Later, Ebens would be found liable in a civil suit and ordered to pay monetary damages to Lily Chin herself. He decided to cease making payments and after accruing interest the sum is has increased to at least \$8 million dollars despite Lily Chin's passing in 2002. Ebens' attempts to hide behind Kaufman's ruling while absconding from another valid ruling to compensate the Chin family are a transparent disrespect for Vincent's life and death.

The questions the legal system seeks to answer and its procedures function to generate knowledge that does not always align with what reality is. The question the legal system is

concerned with is not whether Ronald Ebens and Michael Nitz are responsible for the death of Vincent Chin. There are no reasonable alternatives given the information and witnesses available and each of them took a plea bargain to plead guilty. The system of laws that preside over the United States is interested in how to respond to violations but offers discretion to those it places in power. And though these systems have historically addressed and handled racialized populations racialized populations differently, Kaufman's justifications also align with the neoliberal moment in time. If judicial discretion is merely a facade hidden by a supposed individual focus on each case while simultaneously stripping the context of White supremacy and anti-Blackness, then this focus predominantly serves the status quo. This is why such a light sentence is within the realm of possibility for Ebens and Nitz. Kaufman has the power to both disproportionally punish people of color and forgive those he deems worthy. The semantic difference between murder and manslaughter also renarrativizes the actions of Ebens and Nitz by removing intentionality such as malice or forethought. Ultimately the overarching question Kaufman seeks to answer is what kind of relationship to cultivate between the judiciary and those under his jurisdiction. Addressing this issue depends on whether one believes that the judiciary can be worked through to achieve change for communities of color.

Though a cunning legal move, Asian American activists campaigning for Ebens and Nitz to be tried for a hate crime and violating Chin's civil rights accepts neoliberalism simultaneous incorporation and exploitation. The Civil Rights Movement was able to achieve more explicit legal recognition of the differential struggles of people of color in America. However, neoliberalism is also able to subsume the legitimate grievances of people of color and present them as evidence of America's successes rather than failures. This is why neoliberal multiculturalism is disingenuous and at its worst incredibly harmful to communities of color. It

insists that America's incorporation of various ethnic groups is unique and praiseworthy while ignoring the long history and reality of racial inequality in America. This legislative recognition unfortunately does not guarantee that the systems of White supremacy and racial capitalism that are foundational to the American production of wealth will disappear. Borrowing from Cedric J. Robinson's idea of racial capitalism, I refer to an economic system reliant on the labor of workers of color who are not compensated proportionally to the value they produce. Marx refers to this disconnect as workers being alienated from their labor as this value moves upwards, lining the pockets of those at the top of the corporate hierarchy. This labor comes not only from those willingly choose to work. Black slave labor was central to the early United States and modern sites such as the prison industrial complex or the use of cheaper undocumented laborers continue to perpetuate this system. Robinson remarks that "In contradistinction to Marx's and Engels's expectations that bourgeois society would rationalize social relations and demystify social consciousness, the obverse occurred. The development, organization, and expansion of capitalist society pursued essentially racial directions, so too did social ideology." (Robinson 2) The mutability of capitalism allowed for permutations beyond Marx and Engel's Eurocentric context. Class' primacy fails to describe the racial dimensions of modern America and the way that race could work in conjunction to mark certain populations as meant to produce surplus. And if this system is dependent on taking advantage of the labor of people of color, the term White supremacy describes the other mechanisms that are designed to uphold these systems in tandem. While White workers are still alienated from their labor, they are not subject to disproportionately producing surplus for others and more often benefit from this hierarchical structure.

By considering the work of organizers as performance, both the performativity of the law

and the requirement of those under to work within its constraints are revealed. In A Race So Different: Performance and Law in Asian America, Joshua Chambers-Letson frames the historic interaction between Asian Americans and the law as entering the realm of performance. By doing so, the logics through which appeals are made to humanize and incorporate Asian Americans become much clearer. At the time Civil Rights and more specifically hate crime legislation had not yet been applied to an Asian American case. The results of the second hate crime trial against Ebens reveal the constraints of the judicial system and its process of generating knowledge and truth. Though Ebens and Nitz were found guilty by a jury in Detroit during the initial hate crime trial; a mistrial was declared because of improper communication between prosecution attorneys and a witness. Because of the scale and conversation around the case, the next trial was relocated to Cincinnati where the general population was less aware of the circumstances of Chin's death. Helen Zia attributes the not guilty verdict in the third trial to the predominantly White jury and racial composition of Cincinnati. The law requires those who wish it to intercede to act within its constraints with no promise of the desired result. Two times, Ebens and Nitz were able to avoid jail for their killing of Vincent Chin. If Chin's death calls attention to how the legal system fails people of color, it certainly also points towards the possibility of working outside of the system. If the knowledge required to engage the law on its terms implicitly understands the relationship between the one performing and the law, we can understand this performance as a negotiation of power. Thus Chin's death (and a myriad of other sites) allow the consideration of how to manage these negotiations. For organizers at the time, the main issue at hand was seeking legal punishment for Ebens and Nitz. As that moment has passed, I wonder if that pragmatic focus obscures the potential for conversations about Vincent Chin to move towards the dangers of race and neoliberal capitalism. It is simple to recognize and declare that the justice system failed Vincent Chin, what is more difficult is to consider the ways that the system is built to benefit certain populations.

Vincent Chin's martyrdom expresses the mutability and capacity to instrumentalize the dead for various purposes thus also questioning the ethics of how the dead are to be treated. Lily Chin's requests for justice differ from that of activists because of her intimate relationship with her son which then questions the purpose of the organizing and activism surrounding Chin's death. In Who Killed Vincent Chin?, Lily tearfully calls for justice for her son and argues that if he were a White man that his killers would certainly be imprisoned. I would then argue that this viewpoint and any extension of it into action is not an instrumentalization of the dead. Lily does not attempt to advocate for Vincent only because of the system of racial categorization that pervades American society. While she acknowledges the functions of race and of white supremacy, she does not make any larger statements about the place and precarity of the Asian body in America. Additionally, her request is not altruistic and invested in seeking racial justice and deconstructing systems of oppression in the United States. This comparison is not an attempt to blame Lily Chin for her position on her son's death; if anything, she has the most honest intentions. Instead I question how Lily Chin's appeal to others to advocate for her son and achieve the very specific justice that she desires expands beyond that into a much larger project. This appeal to justice from activists focuses not only on Vincent and his specific circumstances but to attempt to create a solidarity between Asian bodies as well as solidarity with other people of color.

This disconnect between Lily Chin's calls for justice and the mobilization and instrumentalization of Vincent's death produces a melancholic relationship to his murder that is eternally perpetuating because it accepts no substitution. If we differentiate these relationships

based on scale and extrapolation, it is fairly straightforward why Lily Chin is able to be appeased. Her desire is for justice is localized to the proceedings that let Ebens and Nitz avoid jail because of the salience of race within the judicial system. For others who attempt to honor Chin's life through making sure his story and issues are not forgotten, a meaningful resolution is much more convoluted. Until a system of neoliberal racialized capitalism is done away with, there will always be space for Vincent Chin in the Asian American narrative writ large. And if a project of those who take up Chin's tragedy is to prevent anything similar from transpiring, then Vincent Chin will always be a figure who is held up by the Asian American community. When quoting Freud, Anne Anlin Cheng states that a melancholic relationship "accepts no substitution" (Cheng 8) for that which is lost. While Cheng uses this theory to consider the ways that race and the grief it produces permeate the experiences of people of color, here I apply Cheng's framework to both Chin's death and the racial grief his death produces for Asian Americans. In describing how this process functions Cheng states that "First, the melancholic must deny loss as loss in order to sustain the fiction of possession. Second, the melancholic would have to make sure that the 'object' never returns, for such a return would surely jeopardize the cannibalistic project." (Cheng 8) The management of Chin's death occurs vis-à-vis a language of honoring his life, preserving his legacy and seeking justice thus suspending the loss that has already occurred. Reading loss another way, Chin's death becomes productive and generative for people who would have never cared about him had he not died so extraordinarily⁷. Moving to the latter clause, a return to life (however unlikely/impossible) from Vincent Chin would certainly disrupt

⁷ I do not say this without recognizing my own position as a benefactor of Chin's death. Indirectly as a scholar of Asian American Studies, Chin's death often legitimizes the field and the distinctions of Asian American experiences to those outside. And directly, as this thesis serves as a requirement for my MA and I wish to pursue a PhD and opportunities in academia, I am certainly not blameless in taking from Chin to suit my own purposes.

the work around his life. As I mentioned before, Chin's ethnic identity and racial awareness are ignored in order to place him into the position that is most convenient for Asian American organizers.

The critiques levied during the aftermath of Chin's death do not address the fundamental injustices that America's institutions are predicated upon. If the initial goal was only to try Ebens and Nitz again because of Kaufman's initial decision, the goalposts have moved far beyond that. Comparatively, for an organization such as Black Lives Matter, the criticism is simultaneously of the system of race that exists in America as well as the institutions that enforce and punish race such as the police. Appealing to the system of law within the United States despite its faults and production of harm and violence unfortunately enshrines the law as arbiter of justice. Moreover, neoliberalism also reframes the civil rights legislation that sought to create a more equitable society for people of color. By removing the struggles to obtain this legislation from the context of its existence, America presents itself as actively interested in uplifting people of color instead of just as willing to make concessions. This also works to strip the political efficacy from invoking a racial identity; if we accept neoliberalism's façade of equality then the racialized exist alongside White Americans and not in opposition. Thus if the criticism is not that race creates a hierarchy of existence in America and abroad, seeking uncritical incorporation fuels neoliberal multiculturalism and identity politics.

Constructing justice for the racialized dead requires consideration of what the end goals of this justice are; especially given the ways that race contains the potential to move certain populations towards premature death. My use of Vincent Chin's death and everything that surrounds him as a case study is also attempt to determine how narrative becomes ascribed both to body and to corpse. Chin's death continues to be deployed as a wake-up call for those unaware

of the struggles of Asians in America⁸. This is because Vincent Chin's circumstances very neatly address many of the specific issues that Asian Americans face when being categorized. Chin is mistaken for another Asian ethnic group, is assumed to be foreign even though he was a citizen and is assumed to be a saboteur of the United States. Moreover, the clarity of culpability for Nitz and Ebens make Chin a good victim; though Chin may bear some responsibility for the physical altercation at the Fancy Pants it is easy to recognize the actions of Ebens and Nitz as excessive and unnecessary. This contrasts the narratives often created around Black victims of police violence. In these cases, the police are often assumed to be acting altruistically and believed to resort to violence and using their guns only when necessary. This also occurs through posthumously ascribing criminality and blame to Black victims and insisting that their deaths are a deserved consequence of their own actions. Tina Campt's *Listening to Images* discusses these active narrativizations and challenges from within the Black community around the hashtag #IfTheyGunnedMeDown. Users who posted using this hashtag juxtaposed images of themselves that would be easy to renarrativize because of their appearance and Blackness with images of them doing more traditionally respectable actions such as serving in the military or working as a doctor. These practices reveal that meaning can be ascribed to the dead outside of their control. Though this is seen and done without much consideration, I still think it is necessary to explicitly recognize this. If the dead have no subjectivity, then they can only exist as abject or object and are forced to survive through the actions of those who remain.

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⁸ I must also admit my own culpability in this practice. Since Chin's death is a focus of my research, I gave a guest lecture in a general education Asian American History class that I TAed for. Some were unaware of who Vincent Chin was before my lecture but I was able to problematize the traditional narrative slightly by encouraging the students to question what justice and an ethical relationship to Vincent Chin really are and how we are to advocate for/with the dead.

Though abjection as a framework can produce possibilities outside of a subject/object binary, considering how each category can apply to Vincent Chin allows for an exploration of the capabilities and futurities of the racialized dead. Chin's relevance as an Asian American historical object remains clear. It would not be a stretch to say that any survey of Asian American history would be doing a disservice by failing to include Vincent Chin. Considering where he fits as an abject body and corpse, Chin allows for instances of identification to occur from Asian Americans while simultaneously supporting the national abjection that positions Asian Americans help define Whiteness and American subjectivity. Chin helps us consider how to avoid repeating the foreclosure and abjection that death traditionally defers the deceased to. If neoliberal capitalism places marginalized populations in precarious positions, premature death is a constant reality for these people. Striving to envision a subjectivity of the dead helps construct these figures beyond the disposability that capitalism's constant search for surplus imposes. If we recognize this current mode of subjectivity as inextricable from systems of patriarchy, White supremacy and neoliberal capitalism, I don't believe that we can preclude a subjectivity that is not contingent on abjecting certain populations. The alterity of the dead and the impossibility of recuperating subjectivity would then not be fundamental but incidental. Though I argued earlier that the mobilization of Chin's death by Asian American organizers broke down the racialized component of his abjection, his death still remains as a threshold that could not be broken down. To imagine how a subjectivity of the dead could emerge, consider the scene of an open casket. As Uri McMillan proposes in Embodied Avatars Genealogies of Black Feminist Art and Performance, it is through an avatar and a seemingly contradictory move towards objecthood that certain figures were able to more fully express themselves. These individuals' performances as distinct avatars offered a vocality and the guise of a unique identity that made more permeable

their reality as Black women. Going back to the casket, it is at this site in which the dead perform rest. Adorned with pristine garments and perhaps flowers and treasured possessions, these accessories heighten the believability of this performance. We may also cynically read an open casket as another instrumentalization of the dead in order to provide emotional closure for those who mourn. Yet this visual and tactile access to the dead reminds us that they are momentarily still among us. A posthumous performance of rest also works to avoid the production of a melancholic relationship with the dead. Knowing that the dead rest easy also makes it less likely that it is necessary to advocate for or mobilize them. Of course, there are many circumstances in which the peaceful appearance of the corpse masks other issues; and the decorum of funeral attendees does not fully encapsulate their relationship to the deceased. Yet if we can accept that the dead are at peace resting, how much fuller might our relationship to them be when we accept other space and moments for them to communicate with us? Vincent Chin's death doesn't only have to be a lesson about the justice system or about the perils of being an Asian body in America. We can take the tragedy as it is and mourn who he was regardless of the conversation or theories he facilitates. And when the dead are centered, the actions that we need to take to properly honor them will follow. Chin is not only the victim of one man's individual disdain for Asian life but of institutions and global power structures that placed him in proximity to that disdain. And by ensuring that less and less people live precarious lives and unnatural deaths, justice emerges for the marginalized in tandem with justice for those who we also make the mistake of deferring once they are absent.

Coda: Where Their Bodies Once Moved but Don't Move Anymore

In moving towards an ending to this thesis, I am struck by the difficulty in taking my subject matter seriously while also wishing to avoid the further production of melancholic relationships to the dead. This final section serves not only as a conclusion of sorts but also a consideration and analogue for a type of premature death not addressed in the main chapters: suicide. By bringing this case study to an end and taking its own life, I open it up to interpretation beyond my control; whether that constitutes affirmation, denigration, indifference or all that lies in between.

Asian American suicide is often discussed in terms of academics and mental health and unwittingly extends rhetorics of value and productivity. I draw from an article published in *The* Atlantic chronicling high school student suicides in 2015 to think about the dangers of accepting these rhetorics. (Rosin 2015) In order to recuperate the transgressive act of taking one's own life, it is straightforward to identify those lost as troubled or suffering alone. But if neoliberal capitalism has produced the settings that lead students to feel suffocated within its confines and institutions, what does it really mean to tell someone that suicide is not the answer because their conditions will improve? Does that simply encourage children to accept the comforts capitalism offers even though they are conscious of the violence it perpetuates? To some degree, we must recognize that death allows a material disengagement from the pressures of the world. Always framing suicide in terms of mental health issues, disguises the reality that escapism is desirable even for those who can "think clearly." I don't wish to advocate for or glorify suicide, but it seems tone deaf to expect individuals to persevere when there is no immediate indication that their problems will be resolved. Moreover, it should not be assumed that reducing suicide to nominal or non-existent numbers would truly represent the end of circumstances that pressure

students towards these ideations. While replicating model minority discourses and continuing to determine value through capitalist paradigms may help in the negotiation of grief and loss, I also wonder what a approaching these student suicides on a structural level could do. Similarly, if we only turn our attention towards the recuperation of those deemed to have potential, does this abject those who exist outside systems of capitalist productivity?

If high achieving Asian American student suicides offer an image of a redeemable and good Asian, I wish to contrast that with bad Asians who kill themselves and others. Andrew Cunanan, a multiracial Filipino American is best known for his spree killings and the murder of fashion designer Gianni Versace. In "Notorious Kin: Filipino America Re-imagines Andrew Cunanan" Christine Bacareza Balance, discusses the stake of Cunanan's crimes and what images of Filipino Americans are extended through his actions. Balance writes that "By critically examining the language we use to describe and discuss violent figures such as Cunanan, we may move beyond the one-dimensional and moralizing renditions of his life story, versions that often only work to mimic and uphold popular media discourse." (Balance 102) This language subtly differs from the archive I have constructed earlier in this thesis. Though I addressed premature death and attempts to recuperate a relationship to the lost, the deceased I discussed are all accepted as victims. Cunanan's killings make it more difficult to balance the violence of his life with the representations he creates and the management of his queer and racial identities.

The Asian American community must also be prepared to address people whose relationship with their Asianness may be pathological. I refer here to the case of Elliot Rodger, the man responsible for the 2014 Isla Vista murders. Motivated by his disdain for women and frustration with his lack of romantic and sexual experience, Rodger murdered his roommates and shot several sorority members before going on to shoot several more people while driving.

Adding to the infamy of these actions was the extensive manifesto he wrote and distributed to people close to him. This manifesto details the experiences in his life that have led him to consider violence and murder and why he views these actions as retribution against an unjust social order. In addition to taking a stand against misogyny, toxic masculinity, White supremacy and gun violence, I would argue that it is the sole responsibility of Asian Americans and not other people of color to address the racial elements of Rodger's killings. Since he explicitly expressed a consciousness about his own mixed identity as well as a prejudice towards other Asian Americans, those intricacies cannot be dealt with by other communities of color. Because Rodger's actions are so simple to identify as morally wrong, he becomes a bad Asian or perhaps not Asian at all. It is unnecessary to insert Rodger into the larger narrative of diasporic Asian American experiences if he does not assist in the promotion of an Asian American identity politics. Lest that be misconstrued, I am not attempting to ascribe blame or fault for Rodger's actions onto Asian American communities or culture nor am I trying to rationalize or diminish the severity of his actions. However, I do earnestly believe that Asian Americans cannot be dependent on others to address the intricacies of the Asian American experience and identity that emerge even in cases like Rodger which we would rather not address or claim as our own.

Through a brief gesture towards further applications of the theoretical framework I have developed and put forward in this thesis, I hope to not only argue for its pertinence but also the permeance of death and the mutability of those we have lost throughout our lives. As Asian American Studies develops further and as more diverse experiences become incorporated into its canon, I am optimistic that we can continue to center the dead and to form more ethical relationships with them while combatting the systems that threaten and marginalize so many people. Just as passing is not the end of an existence, this too is not the end of my academic work

or my advocacy and visions of justice. As I have learned through my own mourning while writing this thesis, sometimes there are no easy answers and we must sit and ponder uncomfortable questions longer than we may want to. Yet in those moments, in the silence of our loss we can let our bodies and minds relax and seek an opportunity to rest in peace.

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