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Both Edges of the Margin: Blacks and Asians in Mississippi Masala, Barriers to Coalition Building

Taunya Lovell Banks†

Asians often take the middle position between White privilege and Black subordination and therefore participate in what Professor Banks calls "simultaneous racism," where one racially subordinated group subordinates another. She observes that the experience of Asian Indian immigrants in Mira Nair's film parallels a much earlier Chinese immigrant experience in Mississippi, indicating a pattern of how the dominant power uses law to enforce insularity among and thereby control different groups in a pluralistic society. However, Banks argues that the mere existence of such legal constraints does not excuse the behavior of White appeasement or group insularity among both Asians and Blacks. Instead, she makes an appeal for engaging in the difficult task of coalition-building on political, economic, social and personal levels among minority groups.

“When races come together, as in the present age, it should not be merely the gathering of a crowd; there must be a bond of relation, or they will collide . . . .”
—Rabindranath Tagore¹

“When spiders unite, they can tie up a lion.”
—Ethiopian proverb

I.
INTRODUCTION

In the 1870s, White land owners recruited poor laborers from Sze Yap or the Four Counties districts in China to work on plantations in the Mississippi Delta, marking the formal entry of Asians² into Mississippi’s black

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² The use of the term Asians is problematic as I indicate elsewhere in the text of this essay.
belt. The Chinese farm workers quickly became middle-class merchants, servicing Black Delta communities. Briefly, there was the possibility of a racial coalition between the Chinese immigrants and the native-born Black residents, but soon the legal and social structures prevailed, and this opportunity for coalition was lost.

Ultimately, the Mississippi Chinese came to represent an odd mixture of victim and oppressor, a phenomenon called simultaneous racism where one “racially” subordinated group simultaneously subordinates another racial group. Forced to exist at the margins of a society whose laws openly perpetuate an ideology of White supremacy, the Chinese in Mississippi were denied the rights and benefits granted Whites. Although classified by the dominant society as non-White, Asians were not Black, and they often capitalized on this legal and social distinction. Many also adopted the anti-Black attitudes of the dominant society to obtain better treatment by Whites. In this way the Mississippi Chinese community contributed to the racial subordination of Blacks in the Mississippi Delta.

In the past, formal legal barriers, such as Jim Crow laws, denied “non-White” groups the privileges that “Whiteness” conferred, while also providing a nexus for racial coalitions between Asians and Blacks. The experiences of Chinese people in Mississippi during the Jim Crow era illustrate this point.

Mira Nair’s 1991 film, Mississippi Masala, portrays the entry of a second group of Asians—Asian Indians or South Asians—into the Mississippi Delta one hundred years after the entry of Chinese workers. Unlike the Chinese immigrants, Asian Indians in Mississippi Masala arrive in the Delta as educated, formerly middle class immigrants. Director Nair por-

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4. I use the term race in this essay as a social as opposed to a biological or scientific label to denote legal and social classifications sometimes used interchangeably with ethnicity or national origin. The issue of whether there are legally significant differences between the terms race, ethnicity and national origin, however, is beyond the scope of this essay.

5. Eric K. Yamamoto builds on Michael Omi’s theory that members of a racially subordinated group may be differently racialized resulting in different levels of racial status and power within the group. He argues that “differential racialization occurs between as well as within racially subordinated groups.” Thus, it is possible for one racially subordinated group to simultaneously subordinate another racially subordinated group. Eric K. Yamamoto, Rethinking Alliances: Agency, Responsibility and Interracial Justice, 3 ASIAN PAC. AM. L. J. 33, 61 (1995) (“[Michael] Omi explains how differences within a group, class cleavages for example, differentially racialize members of the group, creating different levels of racial status and power for subgroups.”).

6. See infra notes 11-48 and accompanying text.

7. Loewen speculates that the Chinese workers came from peasant and artisan families, not from the lowest classes of poor peasants or landlord class. Most were illiterate. They also could not speak Mandarin, the language of the educated class in China. Some workers came directly from China while others stopped first in California or Chicago. The later arrivals came with some financial re-
trays the Asian Indian immigrant community, like the Chinese community before it, as consciously occupying a middle racial position between Blacks and Whites.

The film opens in 1972 as Jay, a Ugandan-born Asian Indian lawyer, is leaving Uganda along with other Indians, taking his wife, Kinnu, and daughter, Mina, from their comfortable upper-middle class home. The family leaves Uganda during the anti-Indian fervor encouraged by General Idi Amin. By the early 1990s, the film’s setting, Jay and his family are settled in Mississippi after a brief stay in England. They come to the United States as working-class immigrants, living in a Mississippi Delta motel owned by a relative. Kinnu supports the family by operating a liquor store in a Black neighborhood, and Mina works as a maid in the motel. Jay, obsessed with returning to Uganda and reclaiming his property, writes petitions to the Ugandan government.

Mina, now in her twenties, meets Demetrius, a native-born Black man who runs a carpet cleaning business. A romance ensues. When the couple are discovered in a motel room, Jay, supported by his Asian Indian relatives and friends, forbids Mina to see Demetrius. The Asian Indian motel owners boycott Demetrius’ business, and the White-owned bank recalls his loan. The film ends with Mina and Demetrius leaving Mississippi and their families for an uncertain future together.

Although movie critics bill the film as a “different” interracial romance, the romance between Demetrius, the Black small businessman, and Mina, the Asian Indian motel worker, is simply a device (perhaps an allegory) for exploring racial identity and coalition-building between communities of color in the United States. Their departure from Mississippi sources. Few intended to settle permanently in Mississippi. LOEWEN, supra note 3, at 28.

8. MISSISSIPPI MASALA (Samuel Goldwyn Company 1991).
issippi, a state that embodies the notion of White supremacy, suggests the possibility of racial coalition between Blacks and Asians.

Mira Nair's unflattering portrait of Asian Indians in the film does not necessarily reflect the behavior of the diverse Asian Indian community in the United States. However, this essay uses the film *Mississippi Masala* to explore the possibility and limitations of racial coalitions between Asians and Blacks in a post-Jim Crow society. I argue that in the film Asian Indians, like other Asian immigrants, entered a racialized legal system that refused to classify them as White. Unwilling to be consigned with Blacks to the bottom of America's racial hierarchy, Asian Indians, like other Asians, consciously occupied a middle position in this hierarchy. In order to attain and maintain this middle position between White and Black, Asian Indians, like other Asians, avoided aligning themselves with Blacks, and at times, consciously positioned themselves in opposition to Blacks.

I conclude that some within various Asian communities continue to capitalize on their middle group position, often making calculated and instrumentalist use of their position in the United States' racial hierarchy, usually at the expense of Blacks. The Asian community's failure to renounce the middle position reinforces both this racial hierarchy and the idea that Blacks are consigned to the bottom of the hierarchy. Although the film does not explicitly examine simultaneous racism by Blacks, I acknowledge its existence and briefly discuss this point at the end of the essay.

Because all non-White groups constantly try to improve their position in the racial hierarchy, native-born Blacks also resist coalescing with Asians. In fact, xenophobic native-born Blacks often united with White nativists to oppose social justice for Asians, whether native-born or immigrant, instead of joining forces to challenge the racial hierarchy that subordinates them. Asians and Blacks separately try to improve their position within the racial hierarchy—often at the expense of each other—by appeasing Whites.

Renunciation of simultaneous racism alone, however, will not foster racial coalitions between Asians and Blacks. Other barriers exist which make racial coalitions between Blacks and Asians problematic. Specifically, the "group insularity" of both the Asian and Black communities fosters misunderstanding and distrust. Group insularity results from a racial or ethnic group's hostility toward other physically distinct groups, and towards that group's actual and perceived cultural differences. This hostility is fueled by learned racial attitudes and stereotypes perpetuated by the dominant society. For native-born Blacks, group insularity includes a lack of knowledge about the history or experiences of other non-Whites in the United States. The parochialism that accompanies this group insularity prevents the social, economic, and political integration needed to attack the ideology of White supremacy that subjugates both groups. *Mississippi
Masala raises some of these points.

The first section of this essay discusses the circumstances which prevented the formation of a racial coalition between Chinese and Blacks in the Mississippi Delta during the first part of this century. Then, I briefly examine how Asian Indians came to occupy the middle racial position in the United States. Going back to the film, the second section of the essay explores Jay’s search for identity and place in Mississippi Masala, looking first at why Asian Indians and Africans failed to coalesce in Uganda, and then at how Nair portrays the Asians Indians who settled in Mississippi.

The third section of the essay discusses whether any lessons can be drawn from Mira Nair’s film about the possibility of coalition between Blacks and Asians in contemporary America. Specifically, I ask whether it is possible for communities of color to move beyond a preoccupation with appeasing Whites and focus instead on securing racial justice in the United States. In addition, I explore whether the group insularity that typically accompanies traditional racial and ethnic communities in the United States constitutes a barrier to coalition with other communities of color. I conclude that Blacks and Asians must move beyond group insularity, but not necessarily abandon cultural identity, to form effective, although limited, coalitions for racial justice. This is an extremely difficult, if impossible, step so long as each group constantly seeks to improve its position in the racial hierarchy by appeasing Whites.

II.

OLD LESSONS

In this section I explore the consequences during the first half of the twentieth century for racialized groups, like the Mississippi Chinese, who occupied this middle position. I conclude that racial coalitions between communities of color during this period would have been extremely difficult to maintain because the racial subordination of Southern Blacks was so severe and because the position of the Mississippi Chinese was so perilous. Next I look at the naturalization cases during the first quarter of the twentieth century involving Asian Indian petitioners who, unlike the Chinese, were classified as Caucasian, not Mongolian. Despite the Caucasian label, Asian Indians also came to occupy a middle racial position between White and Black in the United States.

A. Chinese in Mississippi

Deteriorating relations between Blacks and Whites during Reconstruction triggered the introduction of a third “racial” group into the Mississippi Delta. Delta planters thought that Chinese workers would in-
crease White political power by displacing Black voters and by introducing economic competition for Black workers. Thus, Whites encouraged the presence of a second racial group subordinate to them as a means of controlling Black economic and political power.

The Delta planters naively thought that the existing political, economic, and social hierarchy in the South—the Black-White racial paradigm—would remain unchanged because the Chinese were not White. It was commonly understood that the words “White person” meant a person of the “Caucasian race,” and ethnic Chinese were never considered Caucasians. Thus, when Chinese immigrants first arrived in the Mississippi Delta, Whites classified them with Blacks.

It also is important to note that even before the importation of Chinese workers another “racial” group co-existed with Blacks and Whites in Mississippi. Despite efforts by the federal government to remove them from Mississippi, a band of Choctaw Indians remained in the eastern part of the state. Under the Treaty of Dancing Rabbit Creek signed September 27, 1830 and ratified in 1831, the Choctaw Nation agreed to leave the State of Mississippi and move west of the Mississippi river. Approximately 5,000 Choctaws, however, chose to take advantage of a provision contained in Article 14 of that treaty and remain in Mississippi. They received an allotment of land specified in the treaty and became known as the Mississippi Choctaws “in order to distinguish themselves from those who emigrated to the Indian Territory.”

The presence of the Mississippi Choctaws within the state, however, was not factored into the formal biracial system that existed in the state when the Chinese arrived. Between 1830 and 1918 when Congress enacted legislation giving de facto tribal status to the Mississippi Choctaws, they “occupied an anomalous position in the social structure of the antebellum South. They were not slaves, not landowners, not [W]hite, and not [B]lack. They did not fit into any of the accepted social and cultural classes of the time . . . . They persisted as a separate group, held together by language and customs, but without any land base or political institutions . . . . With the freeing of the slaves and the development of the institution of sharecropping, the main social distinctions between Indians and [B]lacks disappeared. Neither was free . . . .” Clara Sue Kidwell, *The Choctaw Struggle for Land and Identity in Mississippi, 1830-1918 In After Removal: The Choctaw in Mississippi*, 81-82 (Samuel J. Wells & Roseanna Tubby eds., 1986).

12. See LOEWEN, supra note 3; TAKAKI, supra note 11.

13. The earliest recorded case making this point is *In re Ah Yup*, 1 F. Cas. 223, 224 (C.C.D. Cal. 1878) (denying a petition for naturalization by a Chinese immigrant). Subsequent courts agreed. *See, e.g.*, Fong Yue Ting v. United States, 149 U.S. 698 (1893) (upholding the Chinese Exclusion Act of 1882); People v. Hall, 4 Cal. 399, 400-02 (1854) (Chinese witness barred by statute providing that “no Black, or Mulatto person, or Indian shall be allowed to testify against a White man because Black was a generic term that covered all non-Whites, including Chinese). Even someone with a White father and Asian (half Chinese and half Japanese) mother was not considered White. *In re Gee Hop*, 71 F. 274 (N.D. Cal. 1895) (denying the application for citizen by a multi-ethnic man named Knight and a Chinese immigrant named Gee Hop).

14. LOEWEN, supra note 3, at 2, 23-31. The first documentation of Chinese laborers in the Mis-
The Chinese workers, quickly realizing the limited opportunities available for laborers, became merchants. Most worked as grocers serving Black Mississippi Delta communities. They lived in the Black community and hired Blacks to work in their stores. Some merchants even married or lived openly with Black women. Here were the seeds of a racial coalition between Chinese and Blacks.

James Loewen, in his field study of the Mississippi Chinese and segregation, argues that Whites soon realized that “[b]racial segregation force[d] a complete set of definitions, expressing and codifying the relationship of dominance and subservience . . . . There [was] no provision in such a system for a third racial group.” In an era of de jure segregation, Whites had to determine how to treat Chinese acquaintances in their daily encounters on the street, and what social rules applied. No rules existed for people who were neither Black nor White.

Under de jure segregation, Mississippi public schools were racially segregated. In the 1920s, while White public schools existed in the Delta, Black public schools were practically non-existent. The Mississippi Chinese, rather than send their children to substandard segregated Black schools often far from their hometown, and rather than have their children go without formal education, pressed for their children to attend the legally segregated White public schools. The resulting litigation, Gong Lum v.

sissippi Delta appears in an August 12, 1879 news article in the Jackson Semi-Weekly Clarion which reprinted a report from the Bolivar (Mississippi) Times that sixteen Chinese laborers had been imported from Hong Kong to work near Prentiss, Mississippi. Id. at 24.

Loewen explains why it was possible for Chinese immigrants, but not Black Mississippians, to succeed as grocers in the Mississippi Delta, emphasizing that the former came to the state as “sojourners” (temporary residents) rather than immigrants (permanent residents) seeking economic rather than social success. More importantly, these Chinese sojourners came with economic resources not possessed by Black Mississippians. Id. at 28-55. Initially, the Chinese merchants “faced few acts of repression, even from competing merchants . . . [because White merchants who sold to Blacks] were without status in the white community.” Id. at 56. LOEWEN points out that the Chinese immigrants, unlike Japanese immigrants on the West Coast, posed no real economic threat because they were not in direct economic competition with powerful or upper-class Whites. Id. at 56-57.

16. Id. at 28-55.
17. Id. at 58-59.
18. Loewen reports: “Before World War II, school systems outside the larger towns were rather rudimentary. County and city consolidated schools for whites were built in some cases well before the Depression, but schools for Negroes were almost nonexistent until the mid-1930s. Some planters established one-room schools, usually operating for only three or four months of the year, for their plantation’s Negro children. By 1935 public schools for Negroes had been established on an eight-month basis in some areas . . . .” LOEWEN, supra note 3, at 65. Funding of the few public schools for Blacks was woefully unequal. For example, Loewen indicates that during the Depression Bolivar County (located in the Delta) spent $283,161 in one year for the education of 6216 white school-aged children, but only $38,765 towards education of 35,708 Black school-aged children. Id.
19. By the mid-1920s, the Chinese merchant class was able to secure Chinese brides and start families. As Loewen points out, under U.S. immigration laws it was almost impossible for Chinese men to import Chinese brides or family members until the 1940s. LOEWEN, supra note 3, at 61. Initially, the Chinese Exclusion Act, Ch. 126, § 14, 22 Stat. 58 (1882), prohibited the immigration of Chinese laborers for ten years. A later statute extended this restriction to all Chinese immigrants and extended the time span indefinitely. IAN HANEY LOPEZ, WHITE BY LAW: THE LEGAL CONSTRUCTION
Rice,\textsuperscript{20} forced Whites to reassess the status of the Mississippi Chinese.

When Gong Lum, a Rosedale grocer, sued the Bolivar County Consolidated School District in 1924, a few small Delta towns, including Rosedale, permitted Chinese students to enroll in White schools.\textsuperscript{21} Initially, the White Rosedale school admitted Martha Lum, Gong Lum’s daughter, but later notified her that she could not return because she was Chinese.\textsuperscript{22} Lawyers for Gong Lum filed a petition for a writ of mandamus to compel the school district to readmit Martha Lum to the White Rosedale public school. The trial judge granted the petition, and the school district appealed.\textsuperscript{23}

In framing the issues in Gong Lum the lawyers knew better than to argue that Chinese were White,\textsuperscript{24} yet they did not want Chinese children to be consigned to the few and woefully inadequate Black public schools. At this time racially segregated public facilities did not violate the equal protection clause of the Fourteenth Amendment of the United States Constitution,\textsuperscript{25} so the lawyers advanced arguments based on the state constitution. Section 201 of the Mississippi Constitution of 1890 required the legislature to provide a system of free public education for all school age children.\textsuperscript{26} Section 207 of the constitution provided, however, that “separate schools shall be maintained for children of the [W]hite and colored races.”\textsuperscript{27}

Gong Lum’s lawyers argued that under section 201 all school age children must have access to free public education. Thus, where the state does not provide a separate school for Chinese, they should be allowed to attend school with Whites. The constitutional requirement of racially segregated schools, the lawyers argued, applied only to “the [W]hite and colored races” but not to Martha Lum, who was not colored, but instead was “pure Chinese.”\textsuperscript{28}

Pitting Gong Lum against Blacks, Gong Lum’s lawyers argued before

\textsuperscript{20} OF RACE 37-39 (1996). Thus, the ability to marry another Chinese depended on the availability of Chinese females in the United States.

\textsuperscript{21} LOEWEN, supra note 3, at 66. Loewen speculates that there were few Chinese school-aged children in most of these towns, but White resistance surfaced when the numbers increased as other Chinese families attempted to board their children in school districts which admitted Chinese children or moved to these districts themselves. Loewen’s speculations are supported by the recollections of older Chinese residents of the Mississippi Delta. ROBERT SETO QUAN, LOTUS AMONG THE MAGNOLIAS: THE MISSISSIPPI CHINESE 46-47 (1982).

\textsuperscript{22} Id.

\textsuperscript{23} 139 Miss. at 777-78.

\textsuperscript{24} In fact, the Mississippi Supreme Court cited the 1878 California case Ah Yup, for the proposition that only “Caucasians” are “White.” Id. at 763.

\textsuperscript{25} Plessy v. Ferguson, 163 U.S. 537 (1896) (holding racially separate but “equal” public accommodations did not violate the equal protection guarantee of the Fourteenth Amendment).

\textsuperscript{26} 139 Miss. at 767 (brief for appellees).

\textsuperscript{27} Id. at 769.

\textsuperscript{28} Id. at 766-67.
the Mississippi Supreme Court that the state’s failure to provide separate schools for “Indian children” was proof that the term “colored” referred only to Blacks and not to other non-Whites.29 This argument was flawed for two reasons. First, the federal government, not the State of Mississippi, bore the legal responsibility for educating Choctaw children, and by the mid-1920s most Mississippi Choctaws lived on tribal lands.30 Even when state law created separate schools for Indians in East Mississippi between 1882 and 1900, Choctaw children were not allowed to attend White public schools.31

The argument that Chinese were not “colored” was flawed for a second reason. Two state attorney general opinions issued prior to the suit said that Chinese were not considered “White” under section 207 of the state constitution.32 Nevertheless, Gong Lum’s lawyers forced the state supreme court to determine whether Chinese, who were neither White nor Black, were classified, along with Blacks, as “colored.”33

In the brief filed with the Mississippi Supreme Court, Gong Lum’s lawyers explicitly distanced Chinese from Blacks. In claiming that Chinese were not “colored” under the state constitution, Gong Lum asked the court to take judicial notice that the Jim Crow laws did not treat members of the “Mongolian race” as belonging to the “Negro race.” Japanese and Chinese were classified together, and according to the brief, “furnish some of the most intelligent and enterprising people. They certainly stand nearer to the [W]hite race than they do to the [N]egro race. If the Caucasian is not ready to admit that the representative Mongolian is his equal he is willing to concede that the Mongolian is on the hither side of the half-way line between the Caucasian and African.”34

Loewen argues that this “reasoning was explicitly equalitarian; although good use was made of the [W]hite racist rationale for segregated

29. Id. at 767.
30. Kidwell, supra note 11, at 87-89. Government support for Indian education in Mississippi was spotty. There was some federal support for education until the bulk of the Choctaw nation was removed in 1830. McKee & Schlenker, supra note 11, at 70-71.
31. State support was withdrawn from the Indian schools in 1900 when a second attempt was being made to remove the remaining Choctaws from Mississippi. A few counties provided separate public schools for the Choctaws, and some continued this practice until federal recognition of the tribe in 1918. Kidwell, supra note 11, at 87-89. The Choctaws, who held “strong prejudices” against Blacks, refused to attend Black schools. Id. at 84, 87. Much like the Mississippi Chinese after Gong Lum, the Mississippi Choctaws chose not to attend any public school rather than attend public schools with Black children. Both groups consciously chose not to be identified with Blacks who were positioned at the bottom of the racial hierarchy.
33. 139 Miss. at 765-74.
34. Id. at 774 (brief for appellees) (emphasis added).
He asserts that the Chinese community never accepted the premise underlying these arguments, but adopted an instrumentalist approach in using them. Whether or not this is an accurate assessment of the sentiment within the Mississippi Chinese community at that time, the use by Mississippi Delta Chinese of an argument that advanced the racial oppression of Blacks as a means of avoiding similar oppression was a form of simultaneous racism. The Mississippi Chinese readily sacrificed racial justice for both the Black and Chinese communities in return for access to quality public education for their own children.

The Mississippi Supreme Court reversed and dismissed Gong Lum’s petition. The court stated that “[i]t has been at all times the policy of the lawmakers of Mississippi to preserve the [W]hite school for members of the Caucasian race alone,” citing the Constitution and state law. According to the court, the state constitution mandated separate schools for only two categories of children, “the [W]hite and colored races.” Since the Chinese are not White, the court reasoned, they fell under the state’s 1890 constitutional classification of “colored races, . . . [and the] Legislature is not compelled to provide separate schools for each of the colored races.” (emphasis added)

The United States Supreme Court, affirming the decision of the Mississippi Supreme Court, said it was settled that a “Chinese citizen of the United States” is not denied equal protection of the laws when s/he is classified as “colored” and furnished educational facilities for “the colored

35. LOEwen, supra note 3, at 67.
36. Id. at 67-68. Novelist Toni Morrison invokes the closing scene from Elia Kazan’s film, America, America, to support her claim that racial estrangement from Blacks is essential for immigrant groups to complete assimilation. In the film Savros, a Greek “[f]resh from Ellis Island,” gets a job shining shoes at Grand Central Terminal. In the last scene Kazan “[q]uickly, but casually as an afterthought,” shows a young Black man, also a shoe shiner enter the scene trying to solicit customers. “He is run off the screen—‘Get out of here! We’re doing business here!’—and silently disappears . . . . It is the act of racial contempt that transforms this charming Greek into an entitled [W]hite.” Toni Morrison, On the Backs of Blacks, in ARGUING IMMIGRATION: THE DEBATE OVER THE CHANGING FACE OF AMERICA 97 (Nicolaus Mills ed., 1994). Morrison calls this “race talk,” the ability of non-Black immigrant groups to move into mainstream America by buying into the notion that native-born Blacks are the “real aliens.” Id. at 98. Although Morrison’s example involves a White European immigrant, her reasoning is applicable to unassimilated non-White groups like Asians. Morrison concludes that “[t]here is virtually no movement up—for [B]lacks or [W]hites, established classes or arrivistes—that is not accompanied by race talk.” Id. at 100. Thus, for Asian immigrants to avoid being categorized with native-born Blacks, they must estrange themselves from Blacks even to occupy a middle racial position.

37. Members of the older Chinese community interviewed during the late 1970s stressed that during this period the Mississippi Chinese did not consider themselves White nor did they want to be considered White. They were Chinese, not White or Colored. QUAN, supra note 21, at 43. “We wanted our children to go to [W]hite schools and learn how to read and write.” Id. at 36.
38. 139 Miss. at 761-62.
39. Id. at 763.
40. MISS. CONST. art. VIII, § 207 (1890).
41. Ibid. at 786-87.
The Court, turning a blind eye to the actual educational circumstances of "colored" children in Mississippi, rejected Gong Lum's lawyers claim that if Martha Lum was not admitted to the White Rosedale school, there was no school she could attend in the county. The Court accepted unquestioningly the state supreme court's statement that "a colored public school exists in every county and in some convenient district," reconciling the two conflicting claims by acknowledging that "the territorial limits of the [Black and White] school districts need not be the same." Thus, the public school for Black children from Rosedale might well be located in some large city like Greenville many miles away. In fact, there may have been no public high school for Blacks anywhere in the Mississippi Delta in 1924.44

The outcome in *Gong Lum* indicates that Whites in Mississippi considered the Chinese neither White nor Black. Instead, Whites labeled them "colored," along with Blacks, to fit the Chinese within a racially segregated system in which Whites were the dominant power.45 After *Gong Lum*, a stunned Chinese community tried to make themselves more acceptable to the White community. Loewen claims that the Chinese ceased all social contact with Blacks and ostracized individual Chinese who continued to maintain social relations, including marriages, with Blacks. They adopted a position of deference, not demanding that Whites accord them equal social etiquette and also made other lifestyle changes.46 By the 1970s, according to Loewen, the Mississippi Chinese were "very nearly, and in some respects entirely, equal in status to Caucasians."47

42. 275 U.S. at 85-86. According to the recollection of one elderly Mississippi Chinese man, "Chun Lan Ping, the Chinese Ambassador from China, came to the U.S. Supreme Court hearing and asked why the Chinese were not allowed in White schools in Mississippi." The ambassador allegedly claimed that the Mississippi Chinese were protected under the Burlingame Treaty, but the treaty did not apply to Gong Lum's daughter because she was a United States citizen and not a Chinese immigrant. *Quan*, *supra* note 21, at 46.

43.  Id. at 82-84.

44.  As mentioned previously in the text, public schools for Blacks in Mississippi were "almost nonexistent until the mid-1930s." *Loewen*, *supra* note 3, at 65. Until the 1970s, "[t]hroughout the entire Delta, only the private Catholic schools for Negroes in Greenville and Clarksdale produced students without serious educational deficiencies."  *Id.*


46.  *Id.* at 74-83. For example, traditionally the Chinese merchants maintained homes behind or above their stores located in the Black community. To appease local Whites the Chinese established separate homes, painted their stores and added brick facades, developed parallel organizations like independent Chinese Baptist churches, separate Chinese schools, and western social clubs. In general, the Chinese modeled themselves after Whites. *Id.* at 81-89.

47.  With the exception of a few Chinese grocers in small towns, even in the 1970s Chinese were not found among the top strata of the Delta social hierarchy. The social hierarchy of the Mississippi Delta was quite complex, illustrating the impact of class on racial hierarchy. Landed businessmen and old resident professionals were at the top of the social scale, followed by established white small businessman, old resident white middle class occupants, and city officials on the second tier. Jewish merchants and highly successful businessmen from other ethnic groups occupied the third tier. Working-class whites occupied the fourth tier along with Italian farmers and small businessmen, and other ethnic small businessmen. Chinese merchants occupied the fifth tier, ahead of poor whites and white
Robert Seto Quan, interviewing Lo Nen Ga, an older Delta Chinese resident in the 1970s, concludes that:

the early Delta Chinese felt pressure in three significant areas: (1) they had to become Christians in order to be accepted by the [W]hite community; (2) they had to learn English in order to adjust and survive; (3) they had to disassociate themselves from [B]lacks in order to be accepted by the [W]hite power structure as a separate Chinese ethnic group. The probable alternative was eventual amalgamation with [B]lacks.48

By distancing themselves from Blacks, and not demanding full social equality with Whites, and through partial cultural assimilation, the Mississippi Chinese improved their position in the Mississippi racial hierarchy. They did so, however, at the expense of Blacks, thereby thwarting all hope of substantive racial equality for both groups. Either before or after *Gong Lum* the Chinese and Black communities could have joined forces and established schools for both groups. It is hard, however, for any group to identify or align itself with the most maligned and despised group in a community. Often the costs imposed by the dominant society are too great. Few people would want to be Black in Mississippi during the 1920s.

In essence, the Mississippi Chinese adapted enough to the dominant culture to transform their image in the minds of Mississippi Whites in return for educational and economic gain. They did not directly challenge the binary racial system that treated them as exceptions and confined them to some place between the margins of Black and White. Rather, they adapted, assimilating as much as powerful Whites permitted. The White presence was always visible. The Mississippi Chinese, not wanting to be consigned with Blacks at the bottom of society, chose to improve their position in the racialized society by appeasing powerful Whites.

**B. Are Asian Indians “White” in the United States?**

Around the beginning of the 20th century Asian Indians entered the United States as a small and “somewhat dispersed group.”49 Their numbers did not increase significantly until the late 1960s after President Lyndon Johnson signed the Immigration and Nationality Act of 1965 which abolished restrictions on immigration based on race, religion and nationality.50 Today, there are approximately 815,477 Asian Indians living in the

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48. QUAN, supra note 21, at 36.
49. RONALD TAKAKI, STRANGERS FROM A DIFFERENT SHORE: A HISTORY OF ASIAN AMERICANS 294-353 (1989). “[T]hey did not develop a colony or distinct ethnic community with geographical boundaries.” *Id.* at 294.
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United States.\textsuperscript{51}

Unlike the Chinese who were considered "Mongolians" under the law, Asian Indians "represented a new diversity in the Asian migrations east to America . . . [T]hey were Caucasians."\textsuperscript{52} In a series of naturalization cases between 1909 and 1923 Asian Indians asserted their "Caucasian" background, thus forcing federal courts to grapple with whether they were White under U.S. law. Ultimately, they lost the fight, but court discussions are insightful in understanding how Asian Indians found themselves in the middle racial position.

From 1790 until 1952 Congress restricted naturalization to "[W]hite persons."\textsuperscript{53} A superficial review of the naturalization cases involving immigrants from India suggests that courts although somewhat confused about the racial status of Asian Indian immigrants initially granted their petitions for naturalization. In 1910 the Court of Appeals for the Second Circuit in \textit{U.S. v. Balsara} upheld a lower court ruling distinguishing Parsees from Hindus and granting citizenship papers to a Parsee applicant.\textsuperscript{54} The same year another federal appellate court in \textit{U.S. v. Dolla} allowed the grant of naturalization papers to a "dark-skinned" Afghani born in India saying it did not have jurisdiction over the appeal from the district court.\textsuperscript{55} Nevertheless, the opinion discusses at great length a physical description of the petitioner, Abba Dolla, referring to the "blue veins" that shone through those parts of his body not exposed to the sun.\textsuperscript{56} Three years later, a Washington federal court held that a "high-caste Hindu" of "pure blood" was White within the meaning of the naturalization statute, reasoning that the term White is synonymous with "Caucasian."\textsuperscript{57}


\textsuperscript{52} TAKAKI, supra note 49, at 294-95.


\textsuperscript{54} United States v. Balsara, 180 F. 694 (2d. Cir. 1910). The court stated that Parsees emigrated from Persia, "constitute a settlement by themselves of intelligent and well-to-do persons, principally engaged in commerce, and are as distinct from the Hindus as are the English who dwell in India." \textit{id.} at 695. Ironically, the 1909 New York circuit court judge upheld the grant of citizenship papers to a Parsee applicant in order to allow the federal government to obtain an authoritative interpretation of the phrase "free white persons" contained in the federal naturalization statute. \textit{In re} Balsara, 171 F. 294 (C.C.S.D. N.Y. 1909).

\textsuperscript{55} United States v. Dolla, 177 F. 101, 105 (5th Cir. 1910).

\textsuperscript{56} \textit{id.} at 102. The district court judge also may have been swayed by Dolla's testimony during his hearing that a New Orleans court granted another "countryman," Abdul Hamid, naturalization papers in 1908. \textit{id.}

\textsuperscript{57} \textit{In re} Akh Kay Kham Mozumdar, 207 F. 115 (E.D. Wash. 1913). The court notes that "[t]he great bulk of Hindus in this country are not high-caste Hindus, but are what are called sikhs, and are of mixed blood . . . . The high-caste Hindus always consider themselves to be members of the Aryan race." \textit{id.} at 116-17. The district judge suggests that not all Asian Indians qualify as white, citing a
In 1917, however, a Pennsylvania district court denied naturalization to Sadar Bhagwab Singh, a Hindu applicant, reasoning that Hindus were not included among those groups commonly understood in the United States to be White. Yet two years later a California district court granted naturalization to Mohan Singh, a “high caste Hindu,” following the reasoning of the earlier Washington federal case that White is synonymous with Caucasian. In justifying this conclusion the district judge wrote that a contrary result would be “a travesty on justice [because] ... a refined and enlightened high caste Hindu should be denied admission on the ground that his skin is dark ... and at the same time a Hottentot should be admitted merely because he is ‘of African nativity.’”

Arguably, Sadar Bhagwab Singh and Mohan Singh can be reconciled and are consistent with the cases decided prior to 1917. In all of the cases where the court found the applicant fit, the court described the applicant as a high caste Hindu, or someone not commonly understood as Indian—meaning Hindu. During this period the term Hindu was used most often to refer to any immigrant from India, even though only a small percentage of immigrants were Hindus. Only in one case, In re Sadar Bhagwab Singh, where the court refused to declare the applicant White, was there no reference to high caste or non-Indian ethnicity. In fact, the courts in the Indian naturalization cases consistently distinguished the successful applicants from the mass of Indian immigrants. One could argue that from the beginning of Asian Indian migration to the United States, none of the courts believed most Indian immigrants were White under American law.

In 1923 the United States Supreme Court finally settled the matter in United States v. Thind. Earlier in Ozawa v. United States, the Court had defined White as synonymous with “Caucasian,” refusing to classify Japanese immigrants as White for naturalization purposes. The Court’s view in Ozawa that the term Caucasian was interchangeable with White, gave Asian Indians false hope about their racial status in the United States.
Asian Indians were “Caucasians” and, according to Ozawa, this seemed to mean that legally they were White.

A closer reading of the language in the opinion, however, indicates that the term Caucasian was used by the Court to exclude other racial groups like Mongolian, and not to include all Caucasians as White under the law. Specifically, the Court admitted that borderline cases “must be determined as they arise from time to time by . . . ‘the gradual process of judicial inclusion and exclusion.’” The next year, however, the Court in Thind rejected this definition of Caucasian and adopted instead the common understanding test, concluding that White meant immigrants from northern or western Europe.

The lawyers in Thind adopted a position distinguishing the petitioner, a high-caste Hindu, from non-Whites. The lawyers described Bhagat Singh Thind in terms that “affirmed some of the fundamental aspects of Whiteness,” asserting his Caucasian ancestry, Aryan language, purity of blood, and “disdain for non-Whites.” (emphasis added) Ian Haney Lopez, like Loewen, cautions that this was a calculated argument, a “recognition [by Thind’s lawyers] that racial dialogue must be framed in ways that pander to the mindset of those with power over one’s life. [Lopez admits, however, that] Thind personally may well have believed to some extent his own words about Whiteness.” Lopez writes: “[A]fter Thind, the naturalization of Asian Indians became legally impossible: Asian Indians were, by law, no longer ‘[W]hite persons.’”

Almost fifty years later, in the 1970s, there was a major debate within the Asian Indian community about whether to “give up the emotional and

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63. Id.
64. United States v. Thind, 261 U.S. 204 (1923), rev’g In re Thind, 268 F. 683 (D. Or. 1920). The next year Congress passed the Immigration Act of 1924, which denied entry to people ineligible for naturalization. Ch. 190, § 13(e), 43 Stat. 162 (repealed 1952). “Asian Indians were especially feared as labor competitors by white workers and were often victimized by white working-class antagonism and violence.” TAKAKI, supra note 49, at 297. So it is not surprising that starting in 1908 “immigration officials targeted Asian Indians seeking admission to the United States . . . Seven years later, Congress enacted an immigration restriction law which designated India as one of the Asian countries in the ‘barred zone’ and prohibited the entry of Asian-Indian laborers.” Id.
65. In the brief before the Supreme Court Thind’s lawyers asserted:
[T]he people residing in many of the states of India, particularly in the north and northwest, including the Punjab [Thind’s home], belong to the Aryan race . . . speaks the Aryan language . . . The high-class Hindu regards the aboriginal Indian Mongoloid in the same manner as the American regards the negro, speaking from a matrimonial standpoint.
66. HANEY LOPEZ, supra note 19, at 149.
67. Id. at 91. Haney Lopez continues, “Even worse, many Asian Indians, like Thind himself, lost the citizenship they believed secure.” Immediately following Thind the government instituted proceedings revoking naturalized citizenship previously granted Asian Indians. Id. See also, TAKAKI, supra note 49, at 299-300; DAVID ROEDIGER, TOWARD THE ABOLITION OF WHITENESS 182 (1994). Ronald Takaki, in writing about early Asian Indian immigrants, notes that “whether they were first- or second-generation Asian Indians, they felt isolated, not knowing for certain their place and future in America.” TAKAKI, supra note 49, at 314.
psychological advantages of being considered ‘Caucasian,’ [and whether to] seek or accept minority status.\textsuperscript{68} Recently, English professor Amritjit Singh noted:

Today, some twenty-five years later, most [Asian Indians] would find the idea of empowering ourselves as Caucasoid not only laughable but even sinister. The ironies are further compounded when we learn the history of this concept in the struggle of South Asians to get acceptance as migrants or naturalized citizens in the early years of this century.\textsuperscript{69}

III.
NEW LESSONS: \textit{MISSISSIPPI MASALA} EXAMINED

Whiteness, an overt presence for the Mississippi Chinese during the first half of the twentieth century, is a barely visible subtext surrounding the Asian Indian community in \textit{Mississippi Masala}. There are, however, some parallels between the experiences of the Chinese in Mississippi and the Asian Indian community depicted in \textit{Mississippi Masala}. Like the Chinese, the Asian Indians come as sojourners and immigrants. They open businesses—motels and liquor stores—that do not compete directly with important White economic interests. Instead, these businesses fill an economic gap.

The Asian Indian immigrants come with financial resources or ready access to these resources. Although Jay and Kinnu leave most of their worldly possessions behind in Uganda, they have ready access to financial resources. Kinnu opens a liquor store with money borrowed from relatives, and this store serves a Black neighborhood much like the early Chinese-owned grocery stores. In contrast, Demetrius, the Black businessman, although native-born, has access to fewer resources and must depend on financial resources outside his community. He secures a loan to start his business from a White-owned bank, but only after his father’s White employer vouches for him. Demetrius’ path to securing the capital for his business highlights Blacks’ continuing economic dependency on Whites.

Unlike the Chinese before them, Jay and other Asian Indians from Africa had prior experience living simultaneously with both Blacks and Whites. Asian Indians occupied the middle position between two racial extremes, White and Black, in East Africa.\textsuperscript{70} For Asian Indians, occupation of the middle position had serious consequences in post-colonial Uganda. Throughout, the film alludes to the resulting hostility between Indian and Black Ugandans and the reasons for this hostility.

\begin{flushright}
\textsuperscript{69} Id.
\textsuperscript{70} Syed A. H. Abidi, \textit{The Return of Asians to Uganda}, 36:3 \textit{AFRICA Q.} 45, 46 (1996). The term “Asian” as used in East Africa excluded other groups like the Chinese and Japanese traditional classified as Asian in the United States. Id.
\end{flushright}
A. The Ugandan Experience

In the film, Mina says that the British brought her grandfather and other Asian Indians to Uganda to build the railroad. During British colonial rule, in fact, significant numbers of Asian Indian immigrants arrived in Uganda.71 Frederick D. Lugard, and others, wanted to use Asian Indian indentured laborers and farmers to develop East Africa.72 As Lugard expected, many of the Asian Indian laborers settled permanently in Uganda and (mirroring the pattern of Asian Indians in other parts of East African) soon controlled most of the country’s retail trade.73

Although the British encouraged the Asian Indian economic prosperity, real political power in Uganda remained in British hands. The British discouraged racial coalitions between Black Ugandans and Asian Indians, sometimes using racially neutral laws to prevent economic cooperation between Asian Indians and Black Africans. The Uganda Trading Ordinance of 1938, for example, drew distinctions between non-native and native traders. It restricted trade between the Indian-dominated urban and Black-dominated rural areas, distinctions that reflected racial trading patterns. Implicitly, the 1938 ordinance made economic partnerships between Asians Indians and Africans illegal.74 As a result, African-Asian Indian

71. Indians first came to the Ugandan sea coast a thousand years ago as traders and merchants. J.S. MANGAT, A HISTORY OF THE ASIANS IN EAST AFRICA: C. 1886 TO 1945 88-89 (1969). “At first Indian traders penetrated into Uganda along the caravan route . . . .” Id. They were sojourners whose presence in the country was temporary and economically driven. There was, however, disagreement over whether the Indian traders in East Africa were sojourners or temporary residents or settlers. Mangat writes that “the Indians were described as mere ‘birds of passage’ who had no thought of settling down in Zanzibar. [General] Rigby and [Frederic] Holmwood, however, felt that the Muslims came to Zanzibar as settlers—a view based on the Muslims bringing their families with them. But [Sir Bartle] Fere dismissed this view and thought that both the Hindus and the Muslims had ‘as little idea of settling or adopting the country for their own, as a young Englishman in Hongkong’. Yet the Indians had created a substantial stake in the country, and the large sums of money invested by them in real estate, trade goods, and loans provided for what was in essence a virtually permanent commitment to the country.” Id. at 22-23.

72. Id. at 29-30. He pushed for Indian laborers to build the railway in Uganda as a means of developing Indian agricultural settlements in the most fertile areas of Uganda, along the rail lines. See also ROBERT G. GREGORY, SOUTH ASIANS IN EAST AFRICA: AN ECONOMIC AND SOCIAL HISTORY, 1890-1980 67, 238-39 (1993). Lugard hoped that certain Indian agriculture methods would be imitated by Black Ugandans and vastly increase the land’s yield. Id. at 238-39.


74. Joan Vincent, Trading Places: Recognizing and Recreating Legal Pluralism in Colonial Uganda, 33 J. LEGAL PLURALISM 147, 150 (1993). Included among these businesses were partnerships entered into by Asian traders and their African wives living in the countryside. Id. Vincent argues that the ordinance was designed to thwart the efforts of approximately fifteen African cooperative marketing societies in existence at the time from uniting to form the Uganda Growers Cooperative Union and extending their operations throughout the Ugandan colony. This expansion would have resulted in “trans-ethnic trading ‘combinations’” with Indians and Europeans in urban areas. Id. at 156. Ironically, the legislation was “justified on the grounds that it protected Africans against the ruthless ambitions of immigrants and settlers, both Asian and European.” Id. at 155.
business partnerships remained rare or non-existent even after independence. Some writers suggest that "racial discrimination functioned within the colonial state to protect the Asian [Indian] community, providing a recognized niche in the plural society and lessening the tensions of open market competition." Joan Vincent concedes this possibility, but notes that some Asian Indians did protest racially discriminatory laws. The unwillingness of the Asian Indian community as a whole to reject the economic privileges permitted by the British and to coalesce with Black Ugandans in order to directly challenge the racial discrimination accompanying colonial rule fits the pattern of racial groups who occupy the middle racial position. In essence, middle racial groups help preserve racial subordination.

As the Asian Indians prospered in Uganda, however, Black Ugandans were relegated to the bottom rung of society. The Ugandan Indian business class participated in the exclusion of Black Ugandans from the country’s economic structure, relegateing them to laboring and servant jobs. Thus, Ugandan Indians, like Mississippi Chinese, accepted the middle position. They accepted racial subordination by the British and in turn disassociated themselves from Ugandan Blacks. As a result of this colonial history, Ugandan Blacks perceived the Asian Indian dominated economy in post-colonial Uganda as a perpetuation of the racial hierarchy created and maintained by the British.

Mississippi Masala tries to convey the resentment of Black Ugandans toward Asian Indians in Uganda. As the film begins, a voice is heard explaining that "the Asians" are being forced to leave in order for the "indigenous people of Uganda" to control the economy. Newspaper headlines read "Asian domination to end." Later in the film, there is actual footage of General Amin saying that "Asians milk the cow" (Uganda), but don’t feed it, and "Asians" are rich while "Africans" are poor.

Without question, Ugandan Indians isolated themselves socially from Ugandan Blacks, and this relationship worsened after independence. In the

75. Abidi, supra note 70, at 47.
76. Vincent, supra note 74, at 155-56 (citing D. Ghai and J. Ghai, Portrait of a Minority (1970) and contrasting their claims with a minority report from an unofficial Asian member of the Special Committee on the Trading Ordinance). While Indians were allowed to be unofficial members of legislative committees and thus had some voice in legislative matter, in 1938, Africans were not represented officially or unofficially in the Ugandan legislature. Id. at 155.
77. Id. at 156.
78. "Indians created a second-class [stratum] for themselves, while the [Black] Africans were automatically relegated to the third and lowest." Id. at 187.
79. Ugandan Blacks "saw them rather as pawns of the British Empire, first as policemen and laborers, who had been unloaded on the East African nation, and later as business wheelers and dealers." Id.
film, Amin is heard to claim that “Asians” refuse to let their daughters marry “Africans,” suggesting Ugandan Blacks also believed that Asian Indians practiced social inequality as well. While some Asian Indians willingly became Ugandan citizens, they “were unwilling to give up caste and cultural differences.” They retained their “caste exclusiveness,” choosing to remain “culturally” Asian Indian. Nair suggests this cultural mindset of the diasporic Indian through the words of an Indian song played in the film: “My shoes are Japanese, My pants are English. My red hat is Russian. But my heart—it’s all Indian.”

Ugandan Blacks saw the insularity within the Asian Indian community as a sign of racial bias toward Blacks. In the film, Jay never equates this insularity with inequality. Yet the film characterized him as a political radical, a “champion defender of Blacks” in Uganda, and an exception to the stereotypical Ugandan Indian. Jay considers himself an African first and Indian second. He does not understand his forced exile. When told that he should leave, Jay asks his childhood friend Okelo, a Black Ugandan, “have you forgotten that I am Ugandan?” Okelo replies, “You were born here [but now] Africa is for Africans, Black Africans.” The meaning of Okelo’s statement is ambiguous, probably reflecting the mixture of resentment and xenophobia that fueled the expulsion of Asian Indians from Uganda.

Although sympathetic to the plight of Ugandan Blacks, Jay is still very much an ethnic Indian in thought and practice. He fought for Black rights, but did nothing to change the Indian community’s treatment of Ugandan Blacks. Jay does not understand that the battle for racial, political, economic, and social justice must be fought both externally and internally. In the end of the film, Jay seems to renounce his connection to Uganda, but not India. Jay, however, never understands what led to his exile.

81. “Many Indians did have a colonial mentality and chose to opt for British passports rather than Indian or Ugandan passports. But ... a little over half [of] the expelled Indian population in Uganda, held Ugandan citizenship either by dint of Ugandan birth or by personal choice.” Jain, supra note 80, at 29.

82. Vincent, supra note 74, at 187. Sushil Jain concedes that Indians “did not mix with the African Ugandans; social intercourse with the Africans was non-existent. There were few intermarriages between Africans and Indians. The Indians kept their castes and customs, continued to hold on to their ancient beliefs and, some say, even archaic habits. They did not become Ugandans but remained as hyphenated citizens: Ugandan-Indians.” Jain, supra note 80, at 28. He sees nothing wrong with diasporic Indians “keeping their culture, retaining and preserving their heritage,” equating this with the type of pluralism recognized by the Canadian government. Id. In essence he approves of the classic cultural pluralism model rather than more progressive models of pluralism discussed in this essay.

83. As Binita Mehta points out, the Ugandan Indian community was diverse, comprised of a mixture of Hindus, Muslims, Christians, and Sikhs. Nevertheless, they retained their caste and kinship ties and successfully transferred the traditional caste hierarchy that existed in India. Mehta, supra note 73, at 187.

84. After returning to Uganda to reclaim his property he calls his wife Kinnu saying, “home is where the heart is.”
Jay's inability to comprehend the meaning of Okelo's comments illustrates how group insularity often heightens the tendency of racially subordinated groups to romanticize a mythical past they have never experienced. Diasporic Indians dream of India while "African Americans" dream of Africa. This insularity encourages group members to adhere to certain traditions or rules and avoid out-group coalitions. Political or social interaction with other racially subordinated groups is also discouraged.\(^8\)

Racial group insularity in pluralistic countries is bound to result in miscommunication across racial groups, especially when accompanied by economic disparities between racially subordinated groups.\(^6\) This form of group insularity resembles John Furnivall's classic description of cultural pluralism in the British colonies.

Each group holds by its own religion, its own culture and language, its own ideas and ways. As individuals they meet, but only in the marketplace, in buying and selling. There is a plural society, with different sections of the community living side by side, but separately, within the same political unit... In the economic sphere there is a division of labor along racial lines. Natives [and]... Indians and Europeans all have different functions.\(^7\)

Furnivall continues that the different groups have "no common standards of conduct beyond those prescribed by law."\(^8\) A byproduct of this form of group pluralism is that the dominant power in the country determines the law, and therefore the common, legally recognized standards of conduct, and even the legal definitions of social concepts like "race."

In countries like colonial Uganda or the United States, the dominant power uses the law to shape and regulate the economic and social aspects of society in ways that subordinate communities of color. *Gong Lun* and the naturalization cases illustrate how the dominant society in the United States uses the law to maintain a two-race (White-Black) hierarchy when the realities of the nation's population is much more diverse than political discussions admit. Yet the same law used to subordinate communities of color also can be used by these groups as an arena to challenge politically the existing regime and their place in it.\(^9\) Thus, while the dominant soci-
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ety uses the law as a vehicle to conserve the existing regime, subordinated groups can use the same law for coping with and opposing the status quo. Unfortunately, racially subordinated communities of color too often use racially restrictive laws to advance their own interests rather than to challenge the racist policies underlying the law. Gong Lum and Third illustrate how this principle has operated in the United States. Mississippi Whites used Jim Crow laws to enforce racial segregation and the subordination of people of color like Chinese and Blacks. The Chinese in Mississippi, on the other hand, used the Jim Crow laws to argue for racial separation from Blacks and integration with Whites. Arguably, Black civil rights advocates used the “separate but equal” principle coming out of Plessy v. Ferguson to undermine this doctrine. Unquestionably, their challenges were directed at achieving racial equality for Blacks, but other non-White communities benefitted as well.

Attempts to coalesce with groups that consciously or unconsciously adopt an insular approach to race or ethnicity are bound to fail. Group insularity focuses attention inward and makes those groups suspicious of “outsiders.” It increases the potential for misunderstanding and miscommunication between groups, erecting barriers to essential communication about goals and objectives between groups trying to coalesce. This is a lesson Jay does not understand.

Jay returns to Uganda only briefly at the end of the film, but Mira Nair’s husband, Mahmood Mamdani, an Indian-born political scientist discrimination against Blacks in the United States. See, e.g., Taylor Branch, Parting the Waters: America in the King Years, 1954-63 (1988); David J. Garrow, Bearing the Cross (1986). King was influenced by the nonviolence resistance used in India by Mohandas Karamchand Gandhi between the 1920s and the late 1940s to challenge British colonial rule. Sudarshan Kapur, Raising Up a Prophet: The African-American Encounter with Gandhi 2-3 (1992).

90. Joan Vincent raises these points in her discussion of cultural pluralism in colonial Uganda. Vincent distinguishes classic legal pluralism, “the intersection of indigenous and European law” in colonial and post-colonial societies, from the new legal pluralism, relationships between dominant groups and subordinate groups, described by scholars like Sally Merry. Vincent, supra note 74, at 157. See Sally Merry, ‘Legal Pluralism,’ 22 LAW & SOCIETY REV. 869, 872 (1988) (discussing the various definitions of legal pluralism). I believe they apply equally to the situation in the United States. Chang Kuk Cho questions whether colonial theory more accurately describes all forms of racial inequality in the United States. Chang Kuk Cho, Theories of Racial Inequality: From Assimilation to Internal Colonialism, 1 CRITICAL PERSPECTIVES OF THIRD WORLD AMERICA 238, 249-60 (1983). I agree with those scholars of colonialism who contend that the United States exists in a colonial rather than a post-colonial state because White settlers broke away from the colonial country and substituted their dominance for that of the initial colonial power. See, e.g., Anne McClintock, The Angel of Progress: Pitfalls of the Term 'Post-colonialism', in COLONIAL DISCOURSE AND POST-COLONIAL THEORY: A READER 291, 295 (Patrick Williams et al. eds., 1994).

91. See, e.g., Sweatt v. Painter, 339 U.S. 629 (1950) where the Court ordered Blacks admitted to the all-white University of Texas School of Law, concluding that the separate law school the State had recently established for Blacks was both tangibly and intangibly unequal. There is another analogous aspect to the Plessy decision. The case can easily be read as an attempt by light-skinned Blacks to use civil rights law to distance themselves from dark-skinned Blacks. Thus, Homer Plessy’s petition looks more like Gong Lum’s in that Plessy also is trying to distance himself by invoking a phenotypic definition of “race” that equates Black with dark skin.
who grew up in Uganda, and who also was forced out of Uganda during this period, returned in 1979 when Uganda removed the restrictions on Asian Indians. Nair proudly characterizes her husband as “a true son of Africa.” Unexamined however, in both Nair’s comments and the film, is what it means for an Ugandan Indian to be “a true son of Africa.” The answer to this question seems crucial to understanding the barriers to coalition-building between racially subordinated communities of color within the United States. I contend that the experiences in Mississippi of Jay’s daughter, Mina, provide some insights.

B. The Mississippi Experience

In the first scene after Jay and his family arrive in Mississippi, Mina appears dressed in jeans and blouse accompanied by a relative dressed in a sari. The relative speaks to Mina in Hindi, and Mina replies in English. Multi-lingual, Mina does not deny her Indian ancestry or her experiences in Uganda, but after three years in Mississippi, she is trying to adjust to life in a pluralistic America. She is becoming an American of Indian ancestry. Her adjustment is difficult because of the insular environment of the motel where she and her family live, and where she works. In many ways her circumstances repeat the Ugandan pattern of group insularity and isolation. The identity-bound Indian immigrant community portrayed in the film works, lives, and socializes in small Indian-owned motels.

The motel setting is a compelling symbol of otherness; it operates both literally and figuratively as a no man’s land. “Motels are quintessentially American: convenient, inexpensive, and linked to working-class life . . . [a] ‘no man’s land’ of ‘truck drivers or prostitutes or lovers having a tryst.’” The motel also signifies the family’s state of mind. Jay is in suspended animation. He is still a sojourner, a temporary resident. Mina and Kinu, her mother, however, are permanent immigrants in transition.

As Asian Indians in the United States, Jay, Mina, and Kinu also occupy a racial no man’s land. They are “ambiguous nonwhites,” “Caucasians” like White Europeans, but not regarded as White.

92. Janice C. Simpson, Focusing on the Margins: In the Piquant Film Mississippi Masala, Indian-Born Mira Nair Depicts Outsiders in Multiethnic America, TIME, Mar. 2, 1992, at 676. Ironically, at the time of the film they lived together with their son in Kampala in the beautiful home from which Jay and his family are expelled in the film. Id.
93. Mehta, supra note 73, at 189 (citing filmmaker Nair).
96. See supra notes 49-69 and accompanying text.
quently, as Asian Indians they fall somewhere between Black and White, like other Asians, but even their identity as Asian is contested. Ian Haney Lopez characterizes Asian Indians as a liminal group occupying the space between “White” and “yellow.” As “South Asians,” Indians are lumped in with immigrants from Bangladesh, Bhutan, Pakistan, Maldives, Nepal and Sri Lanka, “since they are judged to ‘look alike.’” The term “South Asian,” like the term Asian American, “mask[s] deeply salient divisions of nationality, culture, religion and language.” In addition, other Asians question the appropriateness of including South Asians in the larger Asian American community. Thus, Jay, Mina, and Kinnu are the foreign “other” whose existence does not fit neatly into any of this country’s various racial classifications. Their options are to accept their marginal status in this country or to challenge it.

Jay and Kinnu exhibit strong attachments to the past and seem destined to repeat past immigrant patterns, while Mina, the rebel, searches for a new road. In a sense, Jay has been “twice displaced,” first from India, his ethnic or cultural home, and secondly from Uganda, his nation of origin. Thus, as mentioned previously, Jay sees himself as both Indian and Ugandan. He is attached both to India, his romantic homeland, and Uganda, his birthplace. Jay, the sojourner, dreams of returning to Uganda and spends his days writing petitions to the Ugandan government for return of his property.

In contrast, Kinnu, his wife, supports the family by operating a liquor store in a Black neighborhood, mirroring the patterns of Chinese immigrants in Mississippi and Asian Indians in Uganda. The few scenes in the film that take place in Kinnu’s liquor store provide important clues about racial coalitions. The store presents the potential for the economic exploitation of its Black clients—reminiscent of the past exploitive relationship between Asian Indians and Blacks in Uganda. Kinnu, while not overtly exploitive, is present in the Black community only to make money. Relations between her and her patrons are cordial, but there is no suggestion of economic or even social equality. She is not involved in neighborhood civil affairs, and it would be hard to picture a meaningful racial coa-

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97. HANEY LOPEZ, supra note 19, at 103.
98. Kibria, supra note 95, at 77-78.
99. Id. at 77.
100. Id. at 82-84.
101. His identity crisis illustrates the difficulty some immigrants face in “maintaining active relations between multiple countries of origin and settlement.” Kibria, supra note 95, at 80.
lition developing from the economically unequal relationships displayed in the liquor store.

Kinnu takes her earnings back to her identity-bound community. Her interactions with the Black community help maintain her own group’s insularity. The limited contacts with the Black community—commercial transactions—provide no incentive for coalition-building.

On the other hand, the film portrays Mina, much like many child immigrants, as rebellious. She seems to reject the insularity of her tradition-laden community. For example, she willingly leaves the traditional Indian wedding ceremony at the motel to go dancing in a Black club. She rejects the wealthy Indian suitor, preferring to date Demetrius, a Black man. She makes friends with a Black woman with whom she works, suggesting an equal economic relationship. Later Mina socializes with the Black woman at the dance club, suggesting a potential social relationship as well. At the birthday celebration for Demetrius’s grandfather, Mina maintains her cultural identity as an Indian, yet seems relatively comfortable in an all Black social setting. She is open and curious, grounded in her cultural identity rather than identity-bound.

bell hooks and Anuradha Dingwaney, however, interpret Mina’s actions differently. They write that:

Both in terms of ethnicity and class, [both Mina and Demetrius] are portrayed [in the film] as bored with the expectations of family and community and eager to assert a particularly American version of ‘individuality,’ which always required separation from home and community. This notion of self and identity, so fundamentally rooted in bourgeois [W]hite western traditions, was in no way oppositional or subversive.

I contend that hooks and Dingwaney base their conclusions on a very reactionary and self-limiting notion of community. Their critique defines ethnicity and race in terms of culture-identity. This notion of culture identity is reproduced and maintained by the family structure which transforms this socially constructed process into natural or instinctive behavior.

Paul Gilroy, discussing racism in the United Kingdom directed at Asian Indian and West Indian immigrants, states that “[b]y defining ‘race’ and ethnicity as cultural absolutes [static or unchanging], [B]lacks themselves and [other] parts of the anti-racist movement risk endorsing the explanatory frameworks and political definitions of the new right.”

Racially subjugated communities adopt and perpetuate attributes of a race-culture identity partially constructed and endorsed by the dominant power. This race-culture identity also incorporates the racially subjugated community’s reaction to their constructed identity along with vestiges of its

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ancestral culture. The resulting identity-bound group insularity, I contend, poses a barrier to racial coalitions between Asians and Blacks. I explain this point in more detail in the next section of this essay.

IV.

CONTEMPORARY BARRIERS TO COALITION-BUILDING

Mississippi Masala provides the viewer with clues about coalition building between communities of color in the United States. How Jay, Mina, and Kinnu view their condition in Mississippi illustrates the dilemma which American notions of race, racial hierarchy, and racial classifications pose for non-Black immigrants of color in this country. As mentioned previously, "[W]hites are powerfully absent in the film." Nair chooses not to explore the overt barriers to coalitions between communities of color imposed by the dominant culture, for that is old ground.

Director Nair, by focusing almost exclusively on the Asian Indian and Black communities in Mississippi, suggests that the really hard work is removing the barriers between communities of color. For example, although the Indian immigrants in the film are keenly aware that they are people of color in a White dominated community, there is only a false appeal to racial coalition with Blacks, when it serves the economic advantage of the Indian community. To the extent that non-White immigrant communities privilege their economic well being over securing economic, social, and political justice for all racially subordinated groups, coalitions between Blacks and other non-White groups are more difficult to maintain.

The film suggests two other major barriers to racial coalition between these two groups. Both the Black and Asian Indian communities shape their external behavior and modify their culture to appease powerful Whites and gain some measure of equality, whether economic or social. Second, as I mentioned previously, group insularity within each community makes outreach to other racially subordinated groups difficult.

A. Appeasement of Powerful Whites

Nair uses the conflict over the romance between Mina and Demetrius to illustrate how both the Black and Asian Indian communities worry about appeasing powerful Whites even in their absence. The negative reactions of the Asian Indian and Black communities to the romance between Mina and Demetrius provide a lesson about coalition-building between these communities. In the end, Mina and Demetrius must leave Mississippi to maintain their relationship. Although each has different

106. Mina runs into Demetrius’s van while driving a relative’s car. The relative is afraid that Demetrius will sue claiming whiplash. He asks a business associate for whom Demetrius cleans rugs to talk with him. The associate appeals to Demetrius by saying that in this country it is people of color against Whites, and people of color must stick together.
reasons for leaving, both reject their community’s concern about appeasing powerful Whites.

Demetrius feels he must leave the state to survive economically. His father, stressing that Blacks need to appease powerful Whites, scolds him for violating “the rules [and] not knowing his place and staying in it.” His fledgling carpet cleaning business has been destroyed because he dared to date interracially. Both powerful Whites and Asian Indians retaliate economically, contributing to the demise of Demetrius’ business. Unsurprisingly, the White-owned bank threatens to call in Demetrius’ loan. In addition, mirroring past practices by Whites, the Asian Indian motel-owners stop doing business with him.107

Mina leaves for family reasons. Her relationship with Demetrius also violated “the rules.” By dating outside her ethnic group, Mina broke caste and culture rules. In the film, Jay told Mina that she has let down her family, her community and her “entire race.” Mina’s actions shamed not only her family, but also her community and race because they attracted the attention of the dominant White community. Jay seemed concerned not only about the family’s standing in its community, but also with the community’s standing in the eyes of the dominant society. There was a similar reaction in the Black community.

On the other hand, bell hooks and Anuradha Dingwaney view the departure of Demetrius and Mina from Mississippi as a negative rather than positive ending. “They Mina and Demertius [sic] opt for individual happiness driven by lust, not racial coalition.”108 Dingwaney and hooks see the couple’s departure as “negat[ing] the notion that there is ever any need to work for the transformation of society, nation, home, and family.”109

I find their interpretation unpersuasive for several reasons. Mina and Demertius leave Mississippi, but not the United States. Thus, they can not escape racism, but they can escape the group insularity represented by their families, and they can work to build racial coalitions among like-minded people in a less hostile environment. In addition, given Nair’s portrayal of the Asian Indian community as unaccepting of the couple’s relationship, remaining in Mississippi would require Mina to renounce her cultural identity as an Asian Indian and would require Mina to live as a Black person in a Black community that is somewhat ambivalent about her presence within it. It is difficult, if not impossible, to build racial coalitions when one of the coalescing groups is required to deny or submerge its culture. Coalition-building requires some articulation of equality be-

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107. In the past, whites in Mississippi used economic retaliation to control both Chinese and White merchants in Mississippi who refused to follow the rules. LOEWEN, supra note 3, at 28-57.
108. hooks & Dingwaney, supra note 103, at 43.
109. Id. hooks and Dingwaney continue saying that Mina’s and Demetrius’ departure is celebrated, yet this seems inconsistent with Nair’s portrayal of the pain that comes with exile from one’s home.
between coalition members. Finally, one's perspective about the significance of the couple's departure from Mississippi depends on whether one views Mina and Demetrius solely as individuals rather than as representatives of their racial and ethnic groups. For the purposes of this essay, I adopt the broader perspective.

B. Group Insularity

Group insularity within the Black and Asian Indian community also accounts for some of the negative reactions to the romance between Mina and Demetrius. In a confrontation between Jay and Demetrius, Jay states that people should stick to their own kind, adding, "you're forced to accept that as you grow older." Thus, Jay accepts rather than challenges the status quo or current racial hierarchy. No doubt he remembers how his challenge of General Amin caused his departure from Uganda almost two decades earlier. Jay still is not critical of how the group insularity within his own community contributes to the problem. In Uganda he blamed Blacks; in the United States he implicitly blames the dominant (White) culture.

The full range of reasons for resistance within the Asian Indian community to the romance between Demetrius and Mina is unclear. Perhaps Nair did this intentionally, or perhaps the film's lack of clarity simply illustrates the potential for cultural miscommunication that results from racial insularity. For example, Mina's relatives and Jay's friends, on finding the couple together, assault Demetrius saying that he, a Black man, should leave "their women" alone. Black viewers may interpret this statement as disapproval of interracial dating based on Asian Indian notions of racial superiority over Blacks. On the other hand, Asian Indian viewers may interpret the statement as disapproval of any out group dating, even with Whites.10

Demetrius' friends and contemporaries within the Black community raise analogous culturally insular concerns. Jerome, his business partner, tells Demetrius to "leave those foreigners alone, they ain't nothing but trouble."11 Jerome asserts the prerogative of nativism to stress the status difference between native-born Blacks as U.S. citizens, and immigrants as "foreigners."112 This status distinction allows native-born Blacks to

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10 The conversation between the two Indian women gossips who fear that other young Indian women will get ideas and do the same is equally ambiguous.

11 In addition, Demetrius' former girlfriend condemns him for implicitly rejecting Black women in favor of a surrogate White woman. Her comment represents the flip side of Whites' obsession with interracial sex and is a reaction to how Whites have racialized sex within the Black community.

12 Some studies suggest that tensions arise because Blacks "are forced to compete [with Hispanic and Asian Americans] for jobs and economic opportunities in cities with marginal economies." Scott Cummings & Thomas Lambert, Anti-Hispanic and Anti-Asian Sentiments Among African Americans, 78 SOC. SCI. Q. 338, 340 (1997) (national survey of attitudes among Blacks to Asians and
overlook the common link of racial subordination as they attempt to privilege their status as citizens, even second class, over non-citizens.

Historically, native-born Blacks and Whites responded similarly to nativist fears. Sometimes, Blacks condemned discriminatory treatment directed at non-White immigrants. A few Black leaders saw the parallels between Black slavery and the subservient labor conditions connected to contract labor.113 Even Blacks who opposed foreign contract labor opposed immigration restrictions that limited Chinese, but not Europeans, from entering the United States as “free” immigrants, seeing a racial motive.114 “[W]hile [W]hite workers slowly rallied in support of restriction[s on Chinese laborers], Blacks formed a near solid front in demanding that Chinese be accorded rights granted other newcomers.”115 By drawing on their experiences with racial discrimination, Blacks have the capacity, but not always the vision, to see and attack racial injustice against other non-Whites.

Nativism is a continuing problem among segments of the Black community. A contemporary study suggests that Black “attitudes toward Asian and Hispanic Americans are very similar to those held by the Anglo

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113. David J. Hellwig, Black Reaction to Chinese Immigration and the Anti-Chinese Movement: 1850-1910, 62 AMERASIA 25, 27 (1979). Frederick Douglas recognized that the importation of Chinese laborers was the way for the White aristocracy to maintain a slave-like labor force. John M. Langston, a law professor and later the Dean of Howard Law School agreed. Id. Not all Blacks were sympathetic to Chinese immigrants. For example, during the anti-Chinese movement in the mid-nineteenth century, some native-born Blacks opposed Chinese immigrant laborers for fear they would compete with them economically, especially in the South. Id. at 26-27. The Black California press, although initially supportive of free immigration for Chinese, by the 1880s did not join the bulk of the Black press in condemning the Chinese exclusion laws because of economic pressures on Blacks created by the presence of Chinese laborers on the West Coast. Id. at 31-33.

114. Id. at 27-28.

115. Id. at 28.
American majority.” This finding may explain why exit polls indicated that among Black voters, 47% voted in favor of California’s Proposition 187, a referendum restricting state assistance to undocumented immigrants. The Proposition 187 campaign asserted that “Asian and Latino immigrants were taking jobs from [B]lacks or using government services intended for underprivileged citizens,” and falsely implied that Blacks would benefit if Asian and Latino immigrants were excluded. The willingness of nativist Blacks to act upon these claims and disadvantage non-White immigrants is a form of simultaneous racism. On the other hand, non-White immigrants also continue to capitalize on their treatment as non-Black. This too is simultaneous racism.

116. Cummings and Lambert’s preliminary findings suggest that Black “attitudes toward Asian and Hispanic Americans are very similar to those held by the Anglo American majority.” Cummings & Lambert, supra note 112, at 341. Their study found that Blacks “hold slightly more positive orientations than the Anglo American majority toward Hispanic Americans.” Id. at 350. The study also found that Blacks “holding the most negative view of their own group also expressed the most negative sentiments toward” Asian and Hispanic Americans. Id.


The rhetorical similarities between anti-immigrant and anti-affirmative action campaigns emerge in the juxtaposition of Prop. 187 with the cleverly misnamed California Civil Rights Initiative (CCRI)—the anti-affirmative action referendum . . . . Each contains an appeal to racial minority groups at the expense of other people of color . . . .

. . . . In an almost perfect reversal, CCRI is targeted at the . . . Asian American community. Proponents of CCRI argue to Asian American audiences that they are limited in their upward mobility because African Americans receive racial preferences. Id. Professor Wu calls upon “[p]rogressive individuals and communities, whether people of color or [W]hites . . . [to] address their disagreements cooperatively and constructively.” Id. at 51.


120. Keith Aoki, Direct Democracy, Racial Group Agency, Local Government Law, and Residential Racial Segregation: Some Reflections on Radical and Plural Democracy, 33 CAL. W. L. REV. 185, 200-01 (1997) (discussing residential segregation in Monterey Park, a suburb of Los Angeles and how newly arrived Asian and Latino residents “implicitly” joined with White residents in keeping Blacks from buying in the area). “[I]n certain complex ways Asian Americans and Latinos have been treated as ‘non-Black’ in contradiction to being treated as ‘non-White.’” Id. at 200. Professor Aoki discusses a recent study on housing segregation in the Los Angeles area which found that “[t]he comfort level (with a racially mixed neighborhood) dropped sharply for Asians and Latinos if hypothetically more than a third of their neighbors were to be [B]lack.” Id. at 201 (citing Larry Gordon, Prejudice Called Main Cause of Housing Segregation, L.A. TIMES, Dec. 23, 1996, at B1). The study also found that White respondents “shared this sentiment, although to a lesser degree.” Id.
V. CONCLUSION

Nair's ending gives us some clues about how to eliminate barriers to racial coalitions between people of color in the United States. Mina and Demetrius must leave Mississippi. Their departure together is symbolic. They leave to pursue both a personal and economic life together. Thus, they plan to advance economically with each other rather than at the expense of the other.

Demetrius and Mina leave their families as well. The family is a symbol of tradition, culture, and identity, an analogy for group or cultural insularity. As mentioned previously, the family is a crucial factor in forming notions of culture and self-identify. Nair's ending suggests that racial coalitions between Asians and Blacks are possible only when both groups move beyond both the obsession with appeasing powerful Whites and the confines of group insularity.

A documentary film on the contemporary Mississippi Delta community makes this point more directly. The film, Mississippi Triangle, suggests "that the issue of racial and ethnic difference may not be resolved socially through assimilation into White society[,] or through the clear separation between ethnic groups, but instead, through the merging of those ethnic and racial groups maligned and marginalized by the White, middle-class mainstream."[122]

[The film] hinges its discussion of race and ethnicity on the related issues of gender and sexuality . . . . Who can or cannot be married to whom, who can or cannot have sexual relations with whom, and who can or cannot have children with whom all stand as the key questions at the root of the perpetuation of the racial, ethnic, class, and gender divisions in the Mississippi Delta . . . . Ironically, the promise of acceptance within the White world the civil rights movement gave to many middle-class Chinese in the Delta region has also separated these Chinese Americans more completely from the Black communities which agitated for these reforms.[123]

There is some precedent for coalitions between Blacks and Asians in other countries. The term "Black" is a political identification representing a coalition between Indians and Blacks in the United Kingdom.[124]

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121. Mina states that she knows how to clean and can help Demetrius get jobs.
122. Gina Marchetti, Ethnicity, the Cinema and Cultural Studies in UNSPEAKABLE IMAGES: ETHNICITY AND THE AMERICAN CINEMA 302 (Lester D. Friedman ed., 1991) (comparing film portrayal of Asian Americans in the documentary film, Mississippi Triangle, by third World Newsreel, and in the commercially produced film Year of the Dragon). The film, Mississippi Triangle, is a work by three directors: Christine Choy, Worth Long, and Allan Siegel. Choy worked primarily with the Chinese and Black-Chinese community, Long worked with the Black community, and Siegel with the White community in Mississippi, to create "a complex picture of the interrelation of class, race, ethnicity, and gender." Id. at 299.
123. Id. at 303.
124. KOBENA MERCER, WELCOME TO THE JUNGLE: NEW POSITIONS IN BLACK CULTURAL
Africans, Asian Indians and Coloreds in South Africa who were active in the anti-Apartheid movement adopted the term "Black" to indicate their rejection of the apartheid government's racial categories.\(^{125}\)

In addition, racially subjugated communities of color must reject the strong pressures within their communities to appease powerful Whites.\(^{126}\)

Too much of the quest for racial equality in this country focuses on being accepted by Whites as equals. As I have said before, any notion of equality based on acceptance is doomed since acceptance can always be withheld by those from whom we seek it. "We must first free ourselves of the need to be accepted before we can create . . . a theory to liberate people of color."\(^{127}\)

I hold no illusions, however, that these racial coalitions will be permanent, but assume that once formed they will periodically dissolve and reorganize depending on issues and goals. Native Hawaiian activist, Haunani-Kay Trask, complains that coalitions suffer when people are either "ignorant of, or hostile to" the history and experiences of the people with whom they coalesce, or when they try to minimize differences between coalescing groups.\(^{128}\)

Trask argues that coalitions fail because of cultural problems, "[c]ultural humiliation or conflict [that] is almost im-

\(^{125}\) See STEVE BIKO, The Definition of Black Consciousness, in STEVE BIKO, I WRITE WHAT I LIKE 48-52 (1979). "Progressive nonwhites in South Africa, be they African, Asian, or one of the many variations of multiracial South Africans, self-identify as "Black." This is a political statement, a symbol of resistance to the labels that defined and divided them under apartheid, and a deliberate choice to identify with the bottom of the old hierarchy. It is a statement of their solidarity in opposition to white supremacy. It is a reminder that when they are divided and in conflict with one another, when they harbor racist attitudes and engage in racist acts against their African, or Asian, or mix-raced sisters and brothers, that conflict, that racism, is the product of apartheid and white supremacy." Charles R. Lawrence III, Multiculturalism, and the Jurisprudence of Transformation, 47 STAN. L. REV. 819, 827-28 (1995).

\(^{126}\) Elizabeth Martinez asks whether a binary approach to race tends to encourage "people of color to spend too much energy understanding our lives in relation to whiteness, obsessing about what the white will think." Elizabeth Martinez, Beyond Black/White: The Racism of Our Time, 20 SOCIAL JUSTICE 22, 22-23 (1993). She argues instead that we should take a more global look at racism, looking at the close relationship between capital's need for labor and racism. Id. at 23.

\(^{127}\) Taunya Lovell Banks, Two Life Stories: Reflections of One Black Woman Law Professor, 6 BERKELEY WOMEN'S L. J. 46, 51 n.14 (1990-91).

\(^{128}\) Haunani-Kay Trask, Coalition-building between Natives and non-Natives, 43 STAN. L. REV. 1197, 1205-06 (1991). "Over time, Hawaiians will drop out of the [coalition] group . . . because of the racism and individualism of haole [non-Hawaiian] members who presume their views and strategies should take precedence over those of Hawaiians." Class differences, conflicts over leadership styles, and differing motivations for coalescing also present problems. Id. at 1207.
possible to resolve . . . .”\textsuperscript{129} Therefore, she concludes that racial coalitions are short-term—rather than long-term—means of achieving long-term goals like racial justice.\textsuperscript{130}

Trask’s comments may help to explain the existence of racial coalitions between people with African ancestry and South Asians in the United Kingdom and South Africa. The success of these racial coalitions may have more to do with the similar circumstances of each group’s racial subordination. In the United Kingdom you have two non-White immigrant groups, Afro-Caribbeans and South Asians, from former British colonies who experienced discrimination because of their “unEnglishness or foreignness.”\textsuperscript{131} This racial coalition, however, has started to disintegrate as Afro-Caribbean immigrants become “more English.”\textsuperscript{132} The common problem that united Afro-Caribbeans and South Asians—discrimination because of immigration status—has lessened as immigrants raise British-born children. Discrimination against both groups continues, but may manifest itself in different ways, dividing rather than uniting the two racial groups.\textsuperscript{133}

Similarly, the racial coalition in South Africa between Black Africans, South Asians, and Coloreds grew out of the Black consciousness movement which repudiated the government’s formal use of race to determine rights and privileges.\textsuperscript{134} Blacks in the United States resist coalescing with other non-White racial groups, like South Asians, perceived as foreigners whether immigrant or citizen.\textsuperscript{135} In South Africa, unlike the United States, immigration was not used to divide groups of non-Whites. South Asians were not pitted against racially subjugated indigenous groups like Black Africans. Nevertheless, the racial coalition in post-apartheid South Africa shows signs of strain as indigenous Black Africans, by virtue of their numbers, push for jobs, education, and housing, sometimes at the expense of other non-White groups.\textsuperscript{136}

The experiences with racial coalitions in both the United Kingdom and South Africa suggest that coalitions tend to fall apart once the short-term common goal is reached. These coalitions dissolve despite the continued existence of racial subordination because the subsequent or re-

\begin{itemize}
\item \textsuperscript{129} Id. at 1209.
\item \textsuperscript{130} “We need to see them [coalitions] as an immediate means to an immediate end, not as long-term answers to long-term goals. Id. at 1210.
\item \textsuperscript{131} Gilroy, supra note 104, at 45-46.
\item \textsuperscript{132} See, e.g., Gates, supra note 124.
\item \textsuperscript{133} Gilroy, supra note 104, at 230-31.
\item \textsuperscript{134} Biko, supra note 125, at 104.
\item \textsuperscript{135} Wu, supra note 118, at 52-53. See also, Neil Gotanda, ‘Other Non-Whites’ In American Legal History: A Review Of Justice At War, 85 COLUM. L. REV. 1186, 1188-92 (1985).
\item \textsuperscript{136} See, e.g., Gilbert A. Lewthwaite, African Nationalism Debate Is Growing In South Africa; Some Say Blacks Don’t Wield Enough Power, BALT. SUN, June 25, 1997, at A1 (discussing the perception among some Black Africans that Whites, Indians and Coloreds occupy too many leadership positions).
\end{itemize}
maining subjugation affects each group differently, or is perceived differently by each group. The recent debate between Black and Asian members of President Clinton’s advisory panel on race illustrates this point.

In July 1997 President Clinton appointed an advisory panel to promote a dialogue on race. Immediately, disagreement about a starting point arose among panel members. Angela Oh, a Los Angeles lawyer and activist within the Korean-American community and the only Asian member of the panel, announced that it was time to “dump un-useful concepts like race” along with the Black-White paradigm of race. The panel chair, historian John Hope Franklin, an African-American, invoking African slavery, responded, “This country cut its eyeteeth on racism in the [B]lack-[W]hite sphere.... They didn’t do it with Native Americans... And they learned how to do this to other people at other times, at later times, because they’d already become experts in this area.” An overriding question became whether slavery must be at the center of any discussion of race in America. Several recent law review articles raise similar questions. These articles suggest that the traditional civil rights model developed and espoused by Blacks may be inappropriate for other people of color like Latinos and Asians.

I concede that viewing race in the United States only through a binary lens is an imperfect analytical tool. On the other hand, it may be unwise to totally abandon the Black-White paradigm. The paradigm may be useful in some circumstances, but it cannot be the only paradigm for analyzing race. The Black-White paradigm helps explain how and why non-White groups like Asians occupy the middle racial position in the United States. The paradigm also helps explain intergroup tensions between Blacks and Asians. As this essay illustrates, the experiences of some immigrants of color, like the Chinese in Mississippi, have been influenced or shaped by

137. In announcing the creation of this panel Clinton said, “I want this panel to help educate Americans about the facts surrounding issues of race, to promote a dialogue in every community in the land, to confront and work through these issues, to recruit and encourage leadership at all levels to help breach racial divides and to find, develop and recommend how to implement concrete solutions to our problems....” William Powers, Oh My!, THE NEW REPUBLIC, Aug. 11 & 18, 1997, at 9 (emphasis added).

138. Id. Other Blacks, including conservatives like Shelby Steele, agreed with Franklin. Shelby Steele said: “The real racial divide in America was and remains black and white.... Other ethnic groups were never slaves in this country, so there is not the moral tension there.” Scott Shepard, One Nation, Indivisible? The Answer May not Simply Be Black-and-White, ATLANTA J. & CONSTITUTION, Aug 3, 1997, at 1R.

the Black-White racial dynamic in this country. The Black-White paradigm, however, is not the only lens through which the experience of non-White groups like Asians should be viewed.

The Black-White racial dynamic operated differently, and only tangentially for American Indians and Mexicans living in what is now California and the southwestern states. Here Black soldiers were used to enforce U.S. imperial power. Blacks fought as patriots on behalf of a White-controlled government in order to advance the imperialist objectives of that government. These Black soldiers did not strongly identify with Mexican nationals or American Indian tribes, because they were “foreign nationals” and Blacks were Americans. Native-born Blacks used their citizenship status to justify support of imperialistic policies that resulted in racial injustice for other people of color. This was another form of simultaneous racism.

There may be many ways to talk about “race.” Even the process of naming this project is problematic. Perhaps we should be talking “through” race or “from within” race rather than “about” race. Whatever the name of this project, in order to advance any discussion of race between communities of color and to increase the potential for racial coalitions, the Black community must be willing to concede that slavery may be an imperfect lens through which to view race in America. In addition, other communities of color must be willing to accept that the Black-White racial paradigm influences, either directly or indirectly, how race is constructed and maintained in the United States.

Recently, Jack Chin reminded us that many people mistakenly interpret W.E.B. DuBois’ famous prediction that the “color line” would be the “problem of the twentieth century” as describing race relations between Whites and Blacks. The full quote, however, reads: “the problem of the twentieth century is the problem of the color line,—the relation of the darker to the lighter races of men in Asia and Africa, in America and the islands of the sea.” As Mississippi Masala’s title suggests, racial coalitions between communities of color are masala, spicy mixes. In the film Demetrius describes racism as a recipe that is passed down. The trick, he says, is to know what to eat and what to leave; otherwise you will never eat. Likewise, in real life, racially subjugated communities must decide when to coalesce and when coalition is impractical, but they must find ways to coalesce to overcome their racial subordination.

140. Granted, you can argue that slavery helped shape this outcome, but it was central only to Blacks who, in fighting for the United States, sought to prove to powerful Whites that they were equal to White soldiers.