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The Refugee Carceral Condition under Racial Capitalism: Histories of Intracommunity Policing across French Indochina, Cold War Southeast Asia, and US Resettlement Contexts

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Abstract

Citing contemporary examples of Southeast Asian police officers within the refugee diaspora, this essay traces a genealogy of "refugee cops" as they emerged vis-à-vis increased criminalization of growing Southeast Asian communities in the resettlement context. Locating their emergence from a deeper historical lineage of *indigène* officer cultivation across French Indochina and American Cold War intervention in the trans-pacific circuit between Southeast Asia and the United States, the genealogy weaves critical refugee studies's accounts of the refugee as key to understanding international relations into a political economic arc across the timeline of racial capitalism to ultimately discuss what I term the *refugee carceral condition*. Southeast Asian cops, from this view, emerged from racial capitalism's ongoing carceral reliance on confinement and the operation of sites that normalize "bare life" to securitize racialized space for the purposes of dispossession, exploitation, accumulation, and disposal. Closing by turning to the writings of Cedric Robinson and H. L. T. Quan to help imagine old and new refugee ways of living and being free beyond carceral imperialism, the essay ends by taking up the notion of preserving the ontological totality as has been elaborated in the Black Radical Tradition, considering how an embrace of refugee ontological wholeness might work to dematerialize and divest from the global prison-border apparatus.

Introduction

On February 24, 2022, acting US Attorney Charles Kovats addressed the press about the outcome of the closely watched trial of three former Minneapolis police officers found guilty of failing to intervene in the murder of George Floyd by fellow police officer Derek Chauvin. Stating that "these officers had a moral responsibility, a legal obligation, and a duty to intervene," Kovats justified that their failure to do so—an act that "willfully violat[ed] Mr. Floyd's civil rights"—amounted to a federally punishable offense.[1] Attorney General Merrick Garland affirmed that the decision showed how the officers had violated the Constitution. "The Justice Department will continue to seek accountability for law enforcement officers whose actions, or failure to act, violate their constitutional duty to protect the civil rights of our citizens," Garland said. In a moment of both national racial reckoning and racial optimism, the global uprisings in memory of George Floyd and in solidarity with Black lives during the summer of 2020 amidst COVID-19 shutdowns represented a flashpoint in racial politics. The trial of not only Chauvin in the aftermath of Floyd's murder but of the three other officers present at the scene—Tou Thao, J. Alexander Kueng, and Thomas Lane—set a legal precedent for prosecuting officer complicity with police excessive use of force.

Later the officers were also tried in a state-level case, in which they received additional sentences. After receiving a guilty verdict and state sentence of nearly five years, the Hmong officer, Tou Thao, said, "I did not commit these crimes. My conscience is clear."[2] Meanwhile, Thao's attorney, Robert Paule, described him in the defense as "a good and decent man with a family." The Associated Press reported that "Thao said he never intended to hurt anyone that day" and that he had spoken "at length about his growth as a Christian during his 340 days behind bars but denied any responsibility for Floyd's death." In remarks full of biblical references, the AP relayed that he drew parallels with the sufferings and false accusations endured by Job and Jesus. Claiming that he would "not be a Judas nor join a mob in self-preservation or betray my God," Thao interestingly attempted to articulate a rebuttal couched in the lexicon of "family values" Christian scripture and right-wing antiliberalism to claim a moral high ground despite the formal judicial decisions made against him.[3]

Consequently, Tou Thao's case brings to light a set of tensions and questions about how to make sense of Southeast Asian complicity with the white supremacist police state, especially in the wake of 2020 and amidst the punctuated ascendance of domestic fascism in 2025 with the election of Donald Trump to a second presidential term. From members of the South Vietnamese refugee diaspora flying the former Republic's flag in solidarity with white populists at the Capitol on January 6th, 2021, to the appointment of government officials like Tony Pham, who currently serves as the Department of Homeland Security's Assistant Secretary for Border and Immigration Policy, examples of Southeast Asian refugees and diasporic subjects living in the United States who align with calls for greater migrant policing and even join law enforcement agencies themselves abound. Given such figures and stances held in the

community, what is important to understand about refugees' seemingly paradoxical investment in the carceral domain at this juncture, marked by the coinciding fifty-year anniversary of the end of the Vietnam War with the five-year anniversary of the white supremacist state murder of George Floyd?

The following essay aims to put critical refugee studies in conversation with the Black Radical Tradition in order to situate the subject-position of the Southeast Asian refugee diaspora within the racial politics and political economy of the carceral state, particularly as conceptualized by Ruth Wilson Gilmore in her explication of the state's turn to carceral expansion amidst fiscal crisis, Keynesian decline, and neoliberal globalization at the time of refugee resettlement in the 1970s. First locating "refugee cops" as analogously formed from the same disciplinary and biopolitical forces as the militarized refugee soldiers and settlers already theorized within critical refugee studies, the essay proceeds to trace a "history of the present" from the case of Tou Thao back through the cultivation of complicit policing across French colonization, US intervention in Southeast Asia, and the post-1975 resettlement context. Elaborating on what I term the *refugee carceral condition*, the essay closes by arguing how discussions of complicity must be attentive to the structure of carceral racial capitalism of which its regular practice has been historically productive, ultimately turning to the writings of Cedric Robinson and contemporary writers in the Black Radical Tradition like H. L. T. Quan to help imagine old and new refugee ways of living and being free beyond carceral imperialism.

Refugee Cops, Soldiers, and Settlers in the National Order of Things

In legal terms, "refugee" is a relatively new formal category. As anthropologist Liisa H. Malkki importantly traces, the category of the refugee emerged as a legible politico-legal object of knowledge with the 1948 adoption of The Universal Declaration of Human Rights and the subsequent definition of refugee status according to the 1951 Geneva Convention Relating to the Status of Refugees.[4] Negotiated in the post-World War II global order, the refugee system from this perspective is hence a relatively young truth apparatus (or *dispositif*), dated to just the middle of the twentieth century, that functions to naturalize the condition of both displaced and emplaced subjects within a recovered and subsequently relegitimated postwar national order of things.[5] Refugeehood in this sense is merely the displaced condition of statecraft, wherein humanitarian interventions on behalf of refugees enforce normalized intergovernmental reinscriptions of the citizen nation–state hierarchy.[6] In the contemporary context, Mai-Linh K. Hong refers to this as the "global refugee regime"—defined as "the global infrastructure of international and domestic laws, institutions, and legal processes that contour refugee flows."[7] The global refugee regime acts to largely secure citizenship among nations in the Global North rather than to ever "solve" the "refugee problem," Hong contends, where positive admissions make up only a fraction of the

over seventy million displaced persons estimated to be seeking resettlement worldwide.[8] The relationship between this national order of things and the refugee can therefore be critically understood as one of national state cultivation and alignment. States selectively grant refugee status to some applicants, pointing to their discretionary power to identify certain asylum seekers as more deserving of admission compared to others based on petitioners' ability to demonstrate their relative humanitarian worth.

Scholarship on Southeast Asian refugees has shown how various state and humanitarian bureaucracies cultivated and selected among petitioners particular applicants deemed assimilable into and productive for recipient nation states. In the field of critical refugee studies, Yến Lê Espiritu's concept of "militarized refuge(es)" refers to the militarized character of refugees who, in having their own ambivalent experiences with war displacement obscured, were taken up by the state as evidence for the need to fight other imperial wars of professed rescue and liberation.[9] Mimi Thi Nguyen contends that this relationship between Vietnamese and other Southeast Asian refugees and the US nation state reflects the warring/humanitarian state's perverse conferral of the "gift of freedom" onto those who would ambivalently experience both its militarist violence and self-professed humanitarian welfare generosity.[10] The effect entraps the recipient in a condition of perpetual debt to liberal empire, which authorizes its existence from a promise to coercively secure freedom for "unliberated" others based on evidence from refugees who regularly perform and profess their patriotic gratitude and loyalty.

Looking to the United States's wars in Iraq and Afghanistan, Long T. Bui, for example, shows how second-generation, Vietnamese American military officers' bridged aspirational attachments to the US nation state with their intergenerational attachments to a lost South Vietnamese homeland they still felt symbolically obligated to defend.[11] Following Vietnamese refugee settlers across Guam and Israel-Palestine, Evyn Lê Espiritu Gandhi moreover shows how refugees themselves became additionally conscripted into the settler-colonial project by becoming invested in the territorial occupation of lands where they were authorized to resettle and traverse, a process Lê Espiritu Gandhi calls the "refugee settler condition."[12] As such, these "refugee soldiers" and "refugee settlers" as I have come to jointly understand them are conditions made possible by the refugee's constitutive relationship to both militarized settler-colonial and liberal empire as deputized subjects invested in the project of bordered territorialization.

The "refugee cop" as I call it can therefore also be understood as a subject condition that emerges from this militarized settler-imperial foundation that underwrites the national order of things. Just like refugee soldiers and settlers are disciplined and cultivated to align with the national order's social reproduction, so too did refugee police officers emerge in alignment with imperial-state interests. As Ma Vang and Kit Myers explore in their examination of Tou Thao's involvement in George Floyd's murder, while there is perhaps an assumption that Southeast Asian Americans affected by

militarized violence would reject and resist the imperial order responsible, their historical role as proxy soldiers for the US state during the Secret War actually reveals the structure of their relational position as ambivalently militarized "model minorities" vis-à-vis Black Americans' experience of police violence.[13] Unlike such conceptualizations of refugee soldiers, settlers, and even police officers in Vang and Myers's case that emphasize how the militarized refugee "makes visible processes of colonization, war, and displacement," however, this essay contends that a deeper engagement with the Black Radical Tradition would help better situate refugee cops as not only produced from a nationally *militarized* order but also a *carceral* one whose basis demands our greater attention to material arrangements of racial labor and punishment in the formation of empires and states (or more aptly, empire-states).

Classic works like C. L. R. James's (1938) *The Black Jacobins*, Eric Williams's (1944) *Capitalism and Slavery*, Walter Rodney's (1972) *How Europe Underdeveloped Africa*, and of course Cedric Robinson's (1983) *Black Marxism* have discussed the role of the Black Atlantic slave trade in powering Europe's industrial revolution and the ongoing embeddedness of racism and racial social control in contemporary capitalist societies.[14] In their coedited anthology, *Colonial Racial Capitalism*, Susan Koshy, Lisa Marie Cacho, Jodi A. Byrd, and Brian Jordan Jefferson build on these and other such core works to articulate how examinations of racial capitalism must consider the role of settler colonial dispossession as constitutive of contemporary financialized global capitalism, where Cacho and Jodi Melamed specifically write about how police operate as street-level administrators tasked with enforcing this order on the ground.[15] The Black Radical Tradition's focus on the expansion of prisons and policing vis-a-vis transformations in the racialized global economy consequently offers a related yet distinct critical toolkit from which to understand the material social location of refugee police officers, without which a conceptualization of them would likely be incomplete.

Histories of Intracommunity Policing from French Indochina to the Modern Carceral State

Critical refugee studies defines itself as a field concerned with the refugee not as an "object of rescue" but as a paradigm through which to unsettle the normalized authority of and desire for inclusion within the nation state. Seeing the stateless refugee rather than the emplaced citizen as key to conceptualizing a new model for international relations, such an approach not only conceptualizes the refugee as a critical figure "but also as a social actor whose life, when traced, illuminates the interconnections of colonization, war, and global social change."[16] Meanwhile historical scholarship on prisons and policing that are informed by the Black Radical Tradition emphasize the material arrangements of racial exploitation and profit that bridge the conceptual boundaries of writings singularly concerned with either only colonialism or capitalism.[17] For example, Brian Jordan Jefferson discusses how Smart City technologies like computer-assisted mass-appraisal software (CAMA) and algorithmic waste

disposal models bring historical practices such as redlining and settler wastelanding into the digital age of colonial racial capitalism.[18] Interested in establishing race as a structuring force in the global development of both as existing in overlap and continuity with one another, this work emphasizes the long timeline of racial punishment and social control such that the relatively modern turn towards mass incarceration is placed in the same genealogy as other forms of punishment under systems like colonialism, slavery, and Jim Crow.[19] As a result, this section draws on the analytical tools offered by both areas to trace a genealogy of refugee policing from the contemporary late capitalist carceral state into the more historically distant colonial past, discussing how complicit policing in the Southeast Asian refugee community was cultivated across the periods of French colonialism, US intervention, and postwar refugee resettlement. In doing so it aims to show how Tou Thao's case was not random or idiosyncratic but rather fundamentally reflective of how racial subjectivities complicit with the police state have been cultivated over the course of colonial racial capitalism in the transpacific circuit between Southeast Asia and refugee sites of resettlement in the United States.

From Saigon Police to Sûreté in French Indochina

According to Melissa Louise Anderson the police service was one of the first municipal offices that was founded during the early years of France's military conquest of Saigon in 1861.[20] Drawing on Marieke Bloembergen's work on the Dutch East Indies police, Anderson demonstrates how the Saigon police likewise was for many colonized subjects the "face of the colonial state" that brought its logics of domination and rule most deeply into everyday life in the territories.[21] In the French Indochinese context, Anderson emphasizes how municipal policing functioned as a differentiated though related body from the military wherein the police bureau and its internal ranks both reflected and enforced the racial order. By doing the interactional work of distinguishing colonial subjects from their French superiors, the Indochinese police regularly reproduced colonial ideas of race in the territories at the street-level, where the acceptance of the French colonial state's authority and the legitimation of its use of violence was embedded in the settler community's investment in notions of racial prestige as well as classed and gendered formulations of colonial respectability. "In colonial Vietnam," writes Anderson, "this differentiation came in the form of an upper and lower personnel hierarchy consisting of a European cadre overseeing a subordinated, much larger *indigène* (native) work force." The hierarchy of Indochina's early police forces largely consisted of an upper rank of senior French leadership, a middle rank of "French-Vietnamese *métis*, naturalized Vietnamese Frenchmen, French Indians, metropolitan French recruits … Belgians, Vietnam-born Frenchmen (*créoles*), and a large number of Corsicans," and a lower rank of native personnel who made up sixty-five to eighty percent of the force.[22]

The organization of French Indochina's police forces fluctuated over this period. In the late nineteenth and early twentieth centuries there were effectively two kinds of police offices in the major cities, the *police municipale* (PM) and the *police administrative judiciare* (PAJ). Municipal police offices were founded in Saigon in 1861, Cholon in 1865, Hanoi in 1884, and Haiphong in 1884, tasked with enforcing city ordinances and maintaining social order. Administrative and judicial police offices were founded in Cochinchina in 1871, Tonkin in 1902, and Cambodia in 1903, alternatively tasked with investigating crimes and collaborating with the Justice Service across municipal boundaries. Governor Albert Sarraut merged all three PAJ offices together with the municipal police offices in 1917, consolidating for the first time a centralized police force based in Hanoi called the Indochinese Police (*Police de l'Indochine*). Soon after, Sarraut again assigned their functions in a similar manner, subdividing the Indochinese Police into a *Sûreté* branch in Cochinchina, Annam, Tonkin, and Cambodia to take on the old functions of the PAJ and creating an urban police (*police urbaine*) to take up the old functions of the former municipal police. Sarraut's reforms set off the first major of several changes to the organization, where the "dreaded Sûreté" in particular came to take on an outsized role as political dissenters and anti-imperial revolutionaries came under its intensive surveillance after World War I.[23] After the Great War, Martin Thomas shows how local police actions evolved in Southeast Asia and across colonial Africa and the Caribbean to manage colonial labor and contain uprisings and dissent as the old order broke down during the interwar years.[24]

Ultimately, looking at the colonial prison effectively illustrates both the intended targets and racial ordering function of this system under French rule. Peter Zinoman highlights the wartime origins of colonial prisons as having emerged in the long campaign to conquer French Indochina over the course of several decades in the middle to late nineteenth century, where incomplete pacification alongside lack of popular consent to being made to coercively labor fostered brutal practices, including torture, aimed at disciplining willful *indigènes* resistant to French authority.[25] Blurring boundaries between police and the military, some guards' experiences of colonial conquest shaped their perception that racialized prisoners were enemy combatants rather than civilians. Interestingly, however, Zinoman discusses how Vietnamese guards in particular often shared the same racial and socio-economic background as prisoners, as low wages characterized prison guard work, thus facilitating a complex variety of interactions ranging from "collusive" to "predatory."[26] Guards sometimes leveraged their occupational role to collect symbolic deference through interactional abuses of power or they sometimes leveraged it to facilitate—or at least consciously ignore—the many escape attempts of their wards.[27] The French colonial government's reliance on local intermediaries for policing and prison staffing consequently created this embedded paradox within the Indochinese colonial project, conscripting subjects into its imperial machinery even as the act of doing so opened up possible paths for them to undermine its legitimacy.

The National Police Academy and the US Agency for International Development in Cold War Southeast Asia

Public security infrastructure first developed under the French colonial government as discussed for nearly a century before being handed over to Vietnamese control starting in 1948 when negotiations for an independent government took place after WWII, resulting in the formation of a General Directorate of Security and Police in 1950. After 1954, which saw Viet Minh forces win formal independence after the Battle of Điện Biên Phủ and the divison of North and South Vietnam along the 17th parallel, the police reorganized under Prime Minister Ngô Đình Diệm in the south. American foreign policy in the region worked by collaborating with South Vietnam's US-backed leaders, aiming to bolster the Republic of Vietnam (RVN) as a model of liberal democracy and market readiness by cultivating nation statehood through economic development as a formal priority alongside its more often discussed boots-on-the-ground military campaign.[28] In this context, policing during US interventionism fell under the domain of the US Agency for International Development (USAID) that was responsible for this nation building strategy, though police capacities became more deeply hybridized with military concerns as the war continued. According to former Colonel Trần Minh Công of the South Vietnam Police Forces, "Through the US Agency for International Development aid programs, the United States helped reorganize and build the National Police (NP) of the RVN. Advisors from Michigan State University were sent to help with administration, logistics, communication, and training. Several police training centers were built." In 1961 a new branch called the Central Commissariat for Intelligence (*Phủ Đặc Ủy Trung Ương Tình Báo*) was formed, tasked with gathering domestic intelligence. By 1965 the National Police Academy in Vung Tau (*Học Viện Cảnh Sát Quốc Gia*), one of the largest of its kind in Southeast Asia, was established to recruit up to 2,000 new officers annually, with another training site planned for Da Nang. Around the same time a Police Field Force Unit Training Center was constructed near Dalat. As such, he recounts, "the Vietnamese police gradually moved away from the French model and became influenced by the American model of police organization, operation, and training."[29]

The police of South Vietnam remained centrally organized on a national basis, following an administrative and operational chain of command that moved from headquarters to region to province to district. Headed by a director general overseeing a deputy director and seven assistant directors for administration, personnel and training, intelligence, operations, resources control, field forces, and scientific police, the National Police operated six regional directorates designated and located at North Central Lowlands Hue, South Central Lowlands Nha Trang, Central Highlands Ban Me Thuot, Eastern Bien Hoa, Upper Mekong My Tho, and Lower Mekong Can Tho, in addition to the Saigon Municipal Police Directorate. Officers who would first serve as investigators (*biên tập viên*) and inspectors (*thẩm sát viên*) upon graduation eventually had their titles and roles changed to lieutenants and captains to facilitate easier

coordination between the National Police, the Army of the Republic of Vietnam (ARVN), and the US Army. High level officers and administrators additionally participated in further training at USAID's International Police Academy in Washington, DC, which opened in 1963 with the aim of building up police forces with counter-insurrectionist expertise.[30]

To match the NP's chain of command, USAID operated its own public safety bureaucracy that provided paired consultants with National Police personnel. According to a 1966 report of its efforts to expand Vietnam's National Police force, USAID detailed that:

> The Assistant Director of USAID for Public Safety is the principal advisor of the Director General, National Police, or, in bureaucratic parlance, they are counterparts. Similarly, each of the USAID Regional Police Advisors has as his counterpart the appropriate Regional Director of the National Police and each USAID Provincial Police Advisor has as his counterpart the Provincial Chief of Police. Nearly all other public safety advisors also have counterparts within the National Police hierarchy or in one of the other organizations supported under the public safety program.[31]

National Police officer duties and forces thus varied widely. As in the preceding period, the primary function of the civil police was to "maintain law and order, to protect the lives and property of persons within its borders, to detect and suppress such illegal activities as subversion and incipient insurgency, and to perform various regulatory functions, ranging from traffic control to the control of the movement of persons and goods across or within its borders and the protection of the currency." For instance, the Combat Police under Diem were replaced by two Special Order police units in 1965 known as Battalion 222 and Battalion 816 to manage any possible unrest and conduct supplementary nighttime household censuses. The Harbor Police specialized in patrolling rivers and ports with the mandate to protect cargo and deter smugglers and pirates, as well as to regulate harbor entry points. The Airport Police likewise had the responsibility of regulating air entry points—"examining passports, especially for proper visas, checking manifests, checking incoming and outgoing passengers prohibited from entering or leaving the country for political or other reasons, investigating and issuing passes to persons having business in the airport (Tan Son Nhut) in Saigon, providing guard posts at entrances and strategic areas … and conducting undercover investigations."[32]

In addition to the regular functions of the civil police force, the NP was also expected to support and assist ARVN and paramilitary forces. The responsibility of the

Office of Public Safety was to build the NP's Field Forces to supply this interrelated military function. As its 1966 report states:

> The National Police will be trained and equipped to a level where they can cope with guerrilla operations short of those by organized units employing military discipline and tactics and essentially military-type weapons and where they can hold areas cleared by the military, thus enabling the latter to concentrate on offensive action against the military main force units of the Viet Cong. Concurrently, the capability of the National Police will be strengthened so that they can control civil disturbances with a minimum of violence and cope with common crime in a manner befitting a modern state. These targets are closely interrelated, i.e., the efficient performance of normal police functions tends to prevent crimes associated with insurgency.[33]

Civil police and military forces also worked together for covert operations. Many commanders of the NP's intelligence wing who were largely directed at the time by the CIA's Edward Lansdale were also trained in counterinsurgency in Malaysia under Sir Robert Thompson's plan.[34] Through the joint US-South Vietnamese Civil Operations and Rural Development Support (CORDS) program, USAID funded a number of infrastructure and human development initiatives to promote loyalty to the nation building project. As Trần recounts:

> The National Police were involved in various aspects of CORDS. We teamed up with local defense militia (*nhân dân tự vệ*) and rural development forces (*xây dựng nông thôn*) to coordinate the elimination of communist cells in the countryside and to gain the support of farmers. Parallel to the launch of the Pacification program, the Open Arms (*Chiêu Hồi*) campaign was initiated, resulting in many communist troops deserting their ranks to join the RVN government. Through the Phoenix campaign [i.e., the joint intelligence program between several national security agencies to surveil and eliminate members of the North Vietnamese opposition] … we played a leading role in restoring security and destroying enemy infrastructure.[35]

The operation of prisons during US intervention consequently also reflected the priorities and orderings of power that were at work during the Cold War in Southeast Asia.

USAID provided material and technical support for the construction of several new prisons, positioning the US as the more civilizationally progressive power compared to the French empire. USAID comparisons of new facilities, for instance, juxtaposed American architectural modernism with the decrepit "primitive institutions" of the colonial past—"[m]ost kitchens are dirty and in disrepair. Bathing and toilet facilities are inadequate and primitive. Sewers are almost non-existent … [m]ost of the training buildings are 'jerry built' out of scrap material and thatch."[36] In this way carceral subjectification under US intervention articulated a rationalized orientation towards enemy combatants and dissenters alongside jailers and police officers as potentially productive for the postwar project of expanding global capitalism under liberal empire.[37] Taking a reformist orientation ("The policies of the Directorate have changed from the punitive type to the correctional type"), a "rehabilitation cadre" was formed alongside the class of jailers and assigned to vocational and professional retraining programs instead of being simply warehoused. As USAID reported in 1966, "Thirty-five female jailers are undergoing nurse training. Vocational schools have been started in several of the centers in carpentry, tailoring, weaving, typing, and other subjects. Two participants have received seven months training at Southern Illinois University, and two have attended the UN school in Japan on crime, delinquency, and correction."[38] Aimed at disciplining subjects who were emerging during a moment of imperial transition into docile-yet-productive free market subjects, this American model of punishment largely reflected the pro-capitalist racial liberalism of the post-WWII era as it was applied in the Southeast Asian context.

Refugee Policing in the US Resettlement Context

Scholars of the history of American policing identify a number of important domestic and international lineages from which the institution derives. In the homegrown context, policing emerged in the form of slave patrols and militias as part of an effort to deputize citizens to help curtail enslaved persons' risk of flight and further settle and conquer the western frontier.[39] Looking outside US borders, domestic policing also emerged in relation to imperial endeavors to form early police departments in the colonial territories. In circulating militarized equipment, knowledge, and personnel used to subdue colonized subjects from the Philippines back to the US in the early twentieth century, for example, domestic police departments along the West Coast became more militarized and subsequently diffused to other departments in the country.[40] Evidence of the circulation of Vietnam-war era war materiel and trained officers back to local departments also indicates the importance of the American intervention in Southeast Asia itself in shaping domestic policing.[41] The genealogy of refugee policing as it played out in the US resettlement context can therefore be located within these historical currents alongside the ones just discussed.

In particular, the mass arrival of refugees after 1975 occurred in relation to important changes in the political economic arrangement of the nation that saw an

unprecedented expansion of the carceral state. The end of the Vietnam War marked the shift "from military Keynesianism to post-Keynesian militarism," as Ruth Wilson Gilmore argues, which saw the postwar Keynesian bargain brokered with the middle class supplanted by free market, neoliberal policies that accelerated domestic deindustrialization in favor of cost-saving globalized production at home and abroad.[42] As an IT, service-oriented economy emerged to facilitate these global flows, middle-class security became limited to white collar workers, leaving surplus increasingly precarious blue-collar and reserve laborers abandoned by a shrinking welfare state and lack of union protections. In the face of neoliberal restructuring, Gilmore contends that the state turned to a prison-building strategy reliant on racialized criminalization that absorbed the "surpluses that the newly developing political economy had not absorbed in other ways."[43]

Faced with this new economy, Aihwa Ong's ethnography on Cambodian refugees in Northern California shows how they were among the many Southeast Asian refugees who became diverted into low-pay factory assembly work and other jobs in service and agriculture available to the new global precariat migrating to the United States.[44] Eric Tang discusses the experience of Cambodian refugees resettled in the Bronx, New York, where workfare requirements trapped welfare recipients into informal piecemeal garment contract work to supplement insufficient government benefits.[45] As Tang's account follows refugees moving from one substandard housing unit to another, he emphasizes how refugees had to navigate a regime that had quickly moved towards criminalizing poverty in the wake of post-Keynesian retrenchment.

Overall, refugee criminalization came to figure prominently in the shadow of neoliberal austerity as federal attention to the "refugee gang problem" justified greater criminalization of immigration and a turn towards deportation as a policy tool. Examining Kim Ho Ma, one of the first Cambodian refugees to be deported under the terms set by 1996's Antiterrorism and Effective Death Penalty Act (AEDPA) and Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), Lisa Marie Cacho shows how criminalized Southeast Asian gang members found themselves "beyond ethical obligation" in the eyes of the state as "deservedly unfree"—part of the class of the racially criminalized relegated to a shared condition of rightlessness or "social death."[46] Assumptions of Ma's supposed irrationality (i.e. lack of gratitude for the gift of freedom) drew on racialized imperial and suburban imaginaries of pathologized "Third World" and "inner-city" spaces. Collapsing these geographies to produce Southeast Asian gang members as pathologized peoples irreparably harmed from both war and racialized urban violence, Cacho shows how such discourses were leveraged to ultimately distinguish these refugees from their peers as distinctly undeserving of rights while simultaneously authorizing intensive policing in neighborhoods where refugees like them resided.[47]

While attention to refugee subjects living at the margins of the neoliberal state's new transformations has importantly focused on precarious refugee labor and criminalization, less examined is how refugee police officers also emerged during this

period in relation to amplified criminalization of the Southeast Asian community. Like their refugee soldier counterparts, some of the first documented police officers recruited among the ranks of newly arrived refugees articulated feeling indebted to the gift of freedom, especially in their relational work with suspected refugee gang members. As the Hmong "gang problem" became more discursively prominent in the Twin Cities in the 1990s and early 2000s, for instance, one of Saint Paul Police Department's first Hmong officers, David Yang, described his state of mind in an oral history:

> [E]ach time that I arrest these people, not that I justify my action, but I would tell them, "Hey, what you did is not right. What you did was wrong. You have the opportunity to change yourself." And when I talked to many of the gang members who were Hmong at that time I said, "You know, you are wasting an opportunity that our parents would do anything to get to America. And you have a free ticket to get to America, so you should go get the best education you can. You should go get the best job that you can."[48]

In invoking the gift of freedom as a "free ticket" whose receipt of which refugees should feel grateful, police officers like Yang played an important role in affirming the terms of proper refugee assimilation and comportment. Their boundary work to draw ethical distinctions around refugee deservingness and undeservingness under perpetual conditions of parole was based on an enforcement of neoliberalism's law-and-order politics, serving to align expectations of Southeast Asian refugee gratitude with the interests of an expanding carceral workfare state.

After Reagan's Presidential Commission on Organized Crime held a hearing in 1984 on Asian groups targeting Southeast Asian gangs as an emergent threat, local departments listened to the participating officers who had provided testimony calling for the recruitment of more Southeast Asian personnel capable of performing linguistic and cultural translation.[49] In their search, the discretionary basis underlying Southeast Asian refugee resettlement often supplied an already trained and ideologically willing pool from which to put to work in growing refugee communities cropping up throughout the continental US. The first Vietnamese officer in the history of the Westminster Police Department located in Orange County's Little Saigon, Manh Ingwerson, was sworn in for duty in 1985 after having recently completed a six-and-a-half year tour of duty with the US Army where he was a sergeant stationed in West Germany, for example.[50] Profiled in the police blog *Behind the Badge* for his 30 years of service as part of the Westminster PD in 2015, one of Ingwerson's colleagues, Bill Lewis, said, "There was this expectation when we hired Manh—we all were expecting him to educate the department about the Vietnamese community and it was a big

responsibility that fell upon his shoulders." Chief Kevin Baker affirmed Lewis in the blog, saying, "I can't underscore how instrumental Officer Manh was in those early days of policing Little Saigon, there's just no other way we could have done our jobs properly without his language skills and insight into the Vietnamese community's cultural tendencies."[51]

Additionally, just as policing took on a covert surveillance function under colonialism and across the First and Second Indochina Wars, so too did these carceral influences also take on a security dimension in the form of some refugee figures, as evident in the case of Viet Dinh. Born in Saigon in 1968 while his father was held in a reeducation camp, Dinh studied law at Harvard and went on to serve as Assistant Attorney General of the United States under President George W. Bush—most notably becoming a major author of the Patriot Act, which expanded the authorization of law enforcement to participate in domestic surveillance and indefinitely detain those suspected of terrorism in extrajudicial "black sites" outside US borders.[52] In a speech delivered to the DC Bar titled "Ordered Liberty in the Age of International Terrorism" delivered soon after 9/11 in 2002, Dinh justified the Bush administration's expansion of homeland security actions taken without due process. Taking up three major questions—"1) what is it we are fighting for; 2) who is it we are fighting against; and 3) how are we to wage this fight?"—he offered that his work at the DOJ was meant to ensure "the security of America and the safety of her people" wherein greater state authority to impose order by law is justified as necessary for protecting citizens' liberties in the face of terrorist threat.[53] Again exemplifying refugees' investment in state invocations of the gift of freedom, Dinh expounded, "That is why since September 11, the Department has refocused its investigative and prosecutorial resources toward one overriding and overarching objective: to prevent terrorist attacks before they happen and to disrupt terrorist activities before they threaten innocent lives. This massive effort is undertaken with one objective, to defend the foundations of our ordered liberty—to deliver freedom from fear by protecting freedom through law."

Consequently, as James Forman, Jr. has shown concerning the first major cohort of post-civil rights Black mayors, judges, and police chiefs that took office during the War on Drugs and War on Crime who embraced tough-on-crime measures, this historical survey of early Southeast Asian refugee police officers and other state agents demonstrates a similar rationale and pattern.[54] Refugees drew internal distinctions among themselves—however strategic or cynically performative—to distance the aspirationally respectable set from gang members and other stigmatized groups. In doing so they bargained and sometimes colluded with the racial terms of receipt laid before them under the multicultural embrace of a globalizing imperium while bringing back to it a legacy of colonial punishment and militarization. Those who had "soldiered through empire" during the war themselves or inherited its immediate legacy were more likely to return to the US context as "imperial importers," bringing their expertise to the metropole and often spearheading changes to contemporary law enforcement and national security policy.[55]

The Refugee Carceral Condition and Refugee Ontological Wholeness as an Emancipatory Practice

The transpacific genealogy detailed above from the cultivation of a native police cadre across the French Indochinese territory through the recruitment of refugee police officers in the United States capable of bridging domestic departments' relationships with recently resettled refugee communities reveal what can be understood as the *refugee carceral condition*. In charting a historical arc of complicit intracommunity policing as it was structured across the French colonial, Cold War interventionist, and US resettlement contexts, the preceding historical trace threads these political economic arrangements—often neatly demarcated into district eras of "colonialism," "capitalism," "neoliberalism"—to more deeply locate the emergence of diasporic Southeast Asian police officers like Tou Thao within the material, global racial project of (colonial) racial capitalism which conceptualizes them as overlapping and continuous. Southeast Asian refugee cops emerged from racial capitalism's carceral conditions which across historical time have remained reliant on confinement and the operation of sites that normalize "bare life" to securitize racialized space for the purposes of dispossession, exploitation, accumulation, and disposal.

Carceral refugee subjectivity thus reflects a particularly revered position under racially liberal citizenship—that which maps the conditional terms within which the globally dispossessed may be transmuted into respectable liberal subjects through articulating their right and capacity to participate in policing as a form of legitimated state violence against criminalized others, even and perhaps especially against members of their own communities. Alongside the militarized and settler refugee condition, it demonstrates how both colonial and national state interpellations of The Human hinge on imposing differential entitlements to the occupation of the globe's varied geographies (i.e., national-global, local-municipal, urban-suburban, etc.) based on logics of deservingness, even to life itself, as endemic to their respective moral orders. In focusing on this relation between "refugee cops" vis-à-vis "refugee criminals," this essay aims to ultimately move the former out of the realm of valorized citizenship and the latter out of the realm of irrecuperable pathology and into mutual relation with the foundations of the carceral state itself.

In returning to the opening discussion of Tou Thao and the question of Southeast Asian complicity with the white supremacist police state, perhaps it is soberingly fitting that the fifty-year anniversary of the "Fall of Saigon," which many take as the climactic moment that marked the symbolic end of US intervention in Southeast Asia, fell within a month of the five-year anniversary of the murder of George Floyd this past spring of 2025. As programming aimed at commemorating these events were hosted across the United States, it is important to contextualize that they were—and continue to be—playing out amidst the rise of a homegrown xenophobic white ethnonationalist far-right movement that has amplified its militarized response to unrest produced from racialized austerity measures and financialized

globalization. After following the genealogy charted previously, the confluence of these matters should alert us to important points of reckoning, co-study, and reorientation.

The Black Radical Tradition's emphasis on racialized labor exploitation, ontological dehumanization, collective freedom struggle can continue to inform writings in critical refugee studies hoping to understand the position of Southeast Asian refugees not only after they arrived en masse beginning in 1975 but also before resettlement in the context of a precolonial, colonial, and decolonial Southeast Asia. The refugee must be understood as emerging from not only the liberal condition of national state border sovereignty and rights-based citizenship but also from the very displaced condition produced from the primitive accumulation of territory itself as a privatized, militarily defensible form of capital under settler colonialism and modern regimes of occupation. Likewise, critical refugee studies's emphasis on the role of the refugee in questioning the fixity of the imperial nation state and illuminating the processes of colonization, war, and displacement bring together important but often underexamined dimensions of white supremacy like "war/orientialism" in addition to "capitalism /slavery" and "colonialism/genocide."[56] The ascent of the American middle class that has become the object of nostalgic reactionary longing in recent years emerged in constitutive tandem with the growth of the US war economy, especially after WWII with unprecedented outlays towards defense spending that subsidized wide scale suburbanization.[57] The claims-making domestic proletariat forced to pay impossible rents due to being displaced from capitalist enclosure must therefore reckon with the refugee as the globally subaltern figure of displaced proletarianization, rightlessness, and disposability not easily captured by nationalist working class imaginaries unable to attend to the simultaneous exploitation of surplus workers from and across the Global South. Bringing the Black Radical Tradition into conversation with critical refugee studies might consequently reconsider central questions about internationalist working class solidarity "from below," pushing analyses of the political economy and critiques of the carceral state beyond methodological nationalism and into fuller global focus.

However, as Robinson makes sure to emphasize in *Black Marxism*, the primary intervention of his argument is that a Black Radical engagement with materialism diverges from Marx's progressive teleology of dialectical change to instead invest improvisatory, revolutionary potential in the strivings, ontologies, and cosmologies made possible by Black revolt. Expressed in ways that often rendered them illegible to Marxist working class struggles in the twentieth century—e.g. "the first organized revolts in the slave castles in Africa, and on board slave ships … [then] marronage"—Robinson returns to these radical experiments in dignified living with a critical seriousness:

> The Black Radical Tradition was an accretion, over generations, of collective intelligence gathered from struggle. In the daily encounters and petty resistances to domination,

> slaves had acquired a sense of the calculus of oppression as well as its overt organization and instrumentation. These experiences lent themselves to a means of preparation for more epic resistance movements … Newly transported "outlaw" Africans and creole Blacks, and sometimes Native Americans and European slaves, withdrew beyond the patrolled presence of exploitation to forge egalitarian societies.[58]

Robinson's account, in other words, emphasized the worldbuilding agency of racial "outlaws" whose refusal to labor in slave economies began to build a repertoire of revolutionary practices to resist the coercive order of things in which they found themselves.

From this view, resisting carceral empire in the present may entail looking to these prison and border abolitionist models already free of what racial capitalist theorist H. L. T. Quan calls "state addiction" to embrace and embody an *ontological wholeness* that comprehensively rejects the administrative categories that provide the basis from which the state is able to govern.[59] Ontological wholeness as such moves away from the need to distinguish between refugees as either good or bad, recognizing the "problem of innocence" wherein the search for the truly innocent necessarily produces an essentialized class of the truly bad as a productive racial fiction used to justify further police violence.[60] Instead of accepting the abandonments of self and community necessitated by a carceral structure deeply reliant on intermediaries to do the work of inscribing its power and efficacy on the ground, ontological wholeness in service of the collective totality might instead refuse attempts to fracture refugee communities according to state-market rubrics of moral worth. In doing so, it not only serves to recognize the dignity of so-called refugee "criminals" but that of all displaced persons who do not need to be good or perfect to have something more than social death and a bare life. In becoming ungovernable through this reorientation, collective expressions of refugee wholeness might be able to directly challenge and dismantle the carceral bordering apparatus of the national order of things which, at the very least, then finds itself unable to conscript and deputize its necessary agents.

Notes

For Mo, Hieu, Hang, and Minh. To meeting each other in other pocket universes.

1 US Attorney's Office, District of Minnesota, "Three Former Minneapolis Police Officers Convicted of Federal Civil Rights Violations for Death of George Floyd," press release, February 24, 2022, https://www.justice.gov/usao-mn/pr/three-former-minneapolis-police-officers-convicted-federal-civil-rights-violations-death.

[2] Steve Karnowski, "Ex-Minneapolis Officer Unrepentant as He Gets Nearly 5 years in George Floyd Killing," Associated Press, "August 7, 2023, https://apnews.com/article/george-floyd-minneapolis-officer-tou-thou-sentencing-586deaeb4d14807ef3f2bdd0196d0b86

[3] Karnowski, "Ex-Minneapolis Officer Unrepentant as He Gets Nearly 5 years in George Floyd Killing."

[4] Liisa H Malkki. "Refugees and Exile: From 'Refugee Studies' to the National Order of Things," *Annual Review of Anthropology* 24 (1995): 495–523, https://doi.org/10.1146/annurev.an.24.100195.002431

[5] See Colin Gordon, Power/Knowledge: (Pantheon, 1980), 194–195, where in an interview Michel Foucault defines *dispotif* (apparatus) as in part: "firstly, a thoroughly heterogeneous ensemble consisting of discourses, institutions, architectural forms, regulatory decisions, laws, administrative measures, scientific statements, philosophical, moral and philanthropic propositions—in short, the said as much as the unsaid. Such are the elements of the apparatus. The apparatus itself is the system of relations that can be established between these elements" that has a "dominant strategic function."

[6] See Nevzat Soguk, *States and Strangers: Refugees and Displacements of Statecraft* (University of Minnesota Press, 1999) and Emma Haddad, *The Refugee in International Society: Between Sovereigns* (Cambridge University Press, 2008).

[7] Mai-Linh K. Hong, "Navigating the Global Refugee Regime: Law, Myth, Story," *Amerasia Journal* 46, no. 1 (2020): 34–48, https://doi.org/10.1080/00447471.2020.1776571

[8] Hong, "Navigating the Global Refugee Regime," 37.

[9] Yến Lê Espiritu, *Body Counts: The Vietnam War and Militarized Refugees* (University of California Press, 2014).

[10] Mimi Thi Nguyen, *The Gift of Freedom: War, Debt, and Other Refugee Passages* (Duke University Press, 2012).

[11] Long T. Bui, *Returns of War: South Vietnam and the Price of Refugee Memory* (NYU Press, 2018).

[12] Evyn Lê Espiritu Gandhi, *Archipelago of Resettlement: Vietnamese Refugee Settlers and Decolonization across Guam and Israel-Palestine* (University of California Press, 2022).

[13] See Ma Vang and Kit Myers, "In the Wake of George Floyd: Hmong Americans' Refusal to Be a U.S. Ally," *Amerasia Journal* 47, no. 1 (2021): 20–34. https://doi.org/10.1080/00447471.2021.1974781

[14] See C. L. R. James, *The Black Jacobins: Toussaint L'Ouverture and the San Domingo Revolution* (Secker and Warburg, 1938); Eric Williams, *Capitalism and Slavery* (University of North Carolina Press, 1944); Walter Rodney, *How Europe Underdeveloped Africa* (Bogle-L'Ouverture Publications, 1972); and Cedric Robinson, *Black Marxism*: *The Making of the Black Radical Tradition* (1983, University of North Carolina Press, 2000).

[15] Lisa Marie Cacho and Jodi Melamed, "'Don't Arrest Me, Arrest the Police': Policing as the Street Administration of Colonial Racial Capitalist Orders,'" in *Colonial Racial Capitalism*, ed. Susan Koshy et al. (Duke University Press, 2022).

[16] Yến Lê Espiritu et al., *Departures: An Introduction to Critical Refugee Studies* (University of California Press, 2022).

[17] See Neil Websdale, *Policing the Poor: From Slave Plantation to Public Housing* (University Press of New England, 2001); Robyn Maynard, *Policing Black Lives: State Violence in Canada from Slavery to the Present* (Fernwood Publishing, 2017).

[18] Brian Jordan Jefferson, "Programming Colonial Racial Capitalism: Encoding Human Value in Smart Cities," in *Colonial Racial Capitalism*, ed. Susan Koshy et al. (Duke University Press, 2022).

[19] See Kelly Lytle Hernández et al., "Introduction: Constructing the Carceral State," *Journal of American History* 102, no. 1 (2015): 18–24, https://doi.org/10.1093/jahist/jav259; and Susan Koshy et al., Colonial Racial Capitalism (Duke University Press, 2022).

[20] Melissa Louise Anderson, "For 'the Love of Order': Race, Violence, and the French Colonial Police in Vietnam, 1860s–1920s," PhD diss., University of Wisconsin-Madison, 2015.

[21] Marieke Bloembergen, "The Dirty Work of Empire: Modern Policing and Public Order in Surabaya, 1911–1919," *Indonesia* 83 (2007): 119–50.

[22] Melissa Louise Anderson, "For 'the Love of Order,'" 8.

[23] See David G Marr, *Vietnamese Tradition on Trial, 1920–1945*, (University of California Press, 1981); and Patrice Morlat, "La Répression Coloniale au Vietnam (1908–1940), (Editions l'Harmattan, 1990).

[24] Martin Thomas, *Violence and Colonial Order: Police, Workers and Protest in the European Colonial Empires, 1918–1940* (Cambridge University Press, 2012).

[25] Peter Zinoman, *The Colonial Bastille: A History of Imprisonment in Vietnam, 1862-1940*, (University of California Press, 2001).

[26] Zinoman, *The Colonial Bastille*, 73; Zinoman discusses how, for example, "In 1928, the warden of Poulo Condore [at Kien An Provincial Prison] included chronic gambling in a litany of complaints against the Vietnamese staff: 'Frankly speaking, most *matas* [members of the indigène prison staff] are drunks, opium addicts, and gamblers. They collude with the prisoners and steal from the regime. In short, their mentality is no better than [that of] the prisoners."

[27] Zinoman, *The Colonial Bastille*, 22.

[28] See Seth Jacobs, *America's Miracle Man in Vietnam: Ngo Dinh Diem, Religion, Race, and US Intervention in Southeast Asia* (Duke University Press, 2005); and Christopher T. Fisher, "Nation Building and the Vietnam War," *Pacific Historical Review* 74, no. 3 (2005): 441–56.

[29] Trần Minh Công, "Public Security and the National Police," in *The Republic of Vietnam, 1955–1975: Vietnamese Perspectives on Nation Building*, ed. Sean Fear and Tuong Vu (Cornell University Press, 2020), 72.

[30] See Katherine Unterman, "A History of US International Policing" in *A Companion to US Foreign Relations: Colonial Era to the Present*, ed. Christopher R. W. Dietrich (Wiley, 2020).

[31] Charles A. Mann and Robert C. Lowe. "The Public Safety Program in Vietnam (1966)," Office of Public Safety, Vietnam Division (11/03/1961–1975) Subject Files, US National Archives, College Park, MD: 10.

[32] Mann and Lowe, "The Public Safety Program in Vietnam (1966)," 63.

[33] Mann and Lowe, "The Public Safety Program in Vietnam (1966)," 16.

[34] See Ian F. W. Beckett, "Robert Thompson and the British Advisory Mission to South Vietnam, 1961–1965," *Small Wars & Insurgencies*, December 1, 1997, https://doi.org/10.1080/09592319708423184; Douglas Valentine, *The Phoenix Program: America's Use of Terror in Vietnam* (Open Road Media, 2014).

[35] Trần Minh Công, "Public Security and the National Police," 75.

[36] Mann and Lowe, "The Public Safety Program in Vietnam (1966)," 77.

[37] See Jeremy Kuzmarov, *Modernizing Repression: Police Training and Nation Building in the American Century* (University of Massachusetts Press, 2012).

[38] Mann and Lowe, "The Public Safety Program in Vietnam (1966)," 76.

[39] See Jonathan Obert, "State-Building, Settler Colonialism, and Policing the Nineteenth-Century American West," in *The Routledge History of Crime in America* (Routledge,

2024).; Laurence Armand French, *The History of Policing America: From Militias and Military to the Law Enforcement of Today* (Bloomsbury, 2018).

[40] See Julian Go, "The Imperial Origins of American Policing: Militarization and Imperial Feedback in the Early 20th Century," *American Journal of Sociology* 125, no. 5 (2020): 1193–254, https://doi.org/10.1086/708464; and Alfred W. McCoy, *Policing America's Empire: The United States, the Philippines, and the Rise of the Surveillance State* (University of Wisconsin Press, 2009).

[41] See Abigail R. Hall, "Police Use of Military Tools Presents a Growing Danger," *Los Angeles Times*, June 4, 2025, https://www.latimes.com/opinion/story/2025-06-04/military-tactics-materiel-policing; and Stuart Schrader, *Badges without Borders: How Global Counterinsurgency Transformed American Policing* (University of California Press, 2019).

[42] Ruth Wilson Gilmore, "Globalisation and US Prison Growth: From Military Keynesianism to Post-Keynesian Militarism," *Race & Class* 40, nos. 2–3 (1999): 171–88, https://doi.org/10.1177/030639689904000212

[43] Ruth Wilson Gilmore, *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California* (University of California Press, 2007).

[44] Aihwa Ong, *Buddha Is Hiding: Refugees, Citizenship, the New America* (University of California Press, 2003).

[45] Eric Tang, *Unsettled: Cambodian Refugees in the New York City Hyperghetto* (Temple University Press, 2015).

[46] Lisa Marie Cacho, *Social Death: Racialized Rightlessness and the Criminalization of the Unprotected* (New York University Press, 2012).

[47] Lisa Marie Cacho, *Social Death: Racialized Rightlessness and the Criminalization of the Unprotected* (New York University Press, 2012).

[48] Kate Cavett, "Transcript of Saint Paul Police Department Oral History Interview with Officer David Yang, Saint Paul Police Officer, 1981–2014," Saint Paul Police Historical Society, 2014, https://spphs.org/oral_history/index.php

[49] See United States President's Commission on Organized Crime, "Organized Crime of Asian Origin: Record of Hearing III, October 23–25, 1984, New York, New York," 1985.

[50] Dave Palermo, "Westminster: First Vietnamese Officer Graduates at Academy." *Los Angeles Times*, May 17, 1985.

[51] Katherine Nguyen, "O. C.'s First Vietnamese Officer Gives Police Big Lift in Little Saigon," *Behind the Badge*, March 30, 2015.

[52] See *The Harvard Law Record*, "Viet Dinh: An American Story," April 16, 2003, https://hlrecord.org/viet-dinh-an-american-story/; Viet Dinh, *The USA Patriot Act: Preserving Life and Liberty*, US Department of Justice.

[53] Viet Dinh, "Harold Leventhal Talk: Ordered Liberty in the Age of International Terrorism." Administrative Law and Agency Practice Committee, DC Bar, June 7, 2002. https://www.dcbar.org/for-lawyers/communities/join-a-community/administrative-law-and-agency-practice/harold-leventhal-talk-ordered-liberty-in-the-age-o

[54] James Forman, *Locking Up Our Own: Crime and Punishment in Black America* (Farrar, Straus and Giroux, 2017).

[55] Simeon Man, *Soldiering through Empire: Race and the Making of the Decolonizing Pacific* (University of California Press, 2018).

[56] Andrea Smith, "Heteropatriarchy and the Three Pillars of White Supremacy: Rethinking Women of Color Organizing," in *Transformations*, 264–72 (Routledge, 2015).

[57] See Robert A. Beauregard, *When America Became Suburban* (University of Minnesota Press, 2006); Layne Karafantis and Stuart W. Leslie, "'Suburban Warriors': The Blue-Collar and Blue-Sky Communities of Southern California's Aerospace Industry." *Journal of Planning History* 18, no. 1 (2019): 3–26. https://doi.org/10.1177/1538513217748654

[58] Cedric Robinson, *Black Marxism*: *The Making of the Black Radical Tradition* (University of North Carolina Press, 2000), xxx.

[59] H. L. T. Quan and Tiffany Willoughby-Herard, "Black Ontology, Radical Scholarship and Freedom," *African Identities* 11, no. 2 (2013): 109–16; and H. L. T. Quan, "'It's hard to stop rebels that time travel': Democratic Living and the Radical Reimagining of Old Worlds," *Futures of Black Radicalism* (2017): 173–93.

[60] Ruth Wilson Gilmore, "Abolition Geography and the Problem of Innocence," *Tabula Rasa* 28 (2018): 57–77.

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