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The Citizen Who Is Not: Nicole Waligora-Davis's *Sanctuary: African Americans and Empire*

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Nicole Waligora-Davis, *Sanctuary: African Americans and Empire*. (New York: Oxford University Press, 2011), 240 pp.

Nicole Waligora-Davis's *Sanctuary: African Americans and Empire* offers a timely and insightful examination of the ongoing failure of the United States to fulfill the most basic promises of legal justice for African Americans. The history of chattel slavery, of course, marks the nation's most explicit trajectory of exploitation, but Waligora-Davis shows how even post-Emancipation, U.S. law operated as a horrifyingly "peculiar institution." Some subject matter will be familiar for many readers, such as the injustices of Jim Crow laws and related Supreme Court decisions. Her study effectively moves beyond this terrain, however, to examine how even seemingly non-racialized aspects of U.S. law, such as rules of evidence, rights to a fair trial, and the right of self-defense, have been distributed inequitably throughout U.S. history. African Americans thus faced a most daunting double bind: crucial parts of state and national codes explicitly discriminated against them, while the language that should offer "universal" protection of basic legal rights was not applied on their behalf.

*Sanctuary* demonstrates that contingencies of race consistently have trumped the law in U.S. history, as judges, juries, and other authorities would often nullify the law itself when its precepts would grant protection to African Americans. Waligora-Davis aptly summarizes this twinned pattern of discrimination as a history of "legal depersonification" (xii) that renders the African American "the citizen who is not" (xv). Waligora-Davis convincingly argues that African Americans have not simply been regarded as second-class citizens within the U.S., but "treated as foreigners in their home country" (front flap). Her study marks a valuable addition to recent work in American and African American studies that seeks to reframe U.S. imperialism not as simply a matter of foreign occupation or overseas neocolonialism, but as a crucial fabric of domestic policies and internal nation-building. Scholars of Caribbean literature and the broader African diaspora will find the last chapter of *Sanctuary*, "I Dream a World," particularly compelling. For the closing argument to her study, Waligora-Davis considers resistance to the U.S. occupation of Haiti from 1915-1934 in tandem with simultaneous African American struggles for civil rights. This twinned investigation demonstrates how external and internal patterns of U.S. exploitation are not separate complexes, but interdependent practices. One of the book's highest ambitions, in the author's words, is "revealing the

interconnection between U.S. international interventions and domestic policies” (12).

With the exception of the final chapter on Haiti, however, the book focuses primarily on domestic racial politics in the U.S., though often with an eye towards international discourses about race and justice. The opening chapter, “Exile,” uses the case of Rosa Lee Ingram as a touchstone for the domestic exile of African Americans because of the “suspension of the law” (11) that should protect them as citizens. Ingram was an African American woman who was arrested in Georgia in 1947, with five of her sons, for the murder of a white neighbor who trespassed onto her property, harassed her, and threatened her family. This case forms a stark contrast with the more familiar instances of Southern injustice, which typically were acts of violence directed against African American males, either in the form of extrajudicial lynching (followed by a failure to punish white perpetrators in the judicial system) or what was often termed “legal lynching:” i.e forced confessions, problematic testimony, and rapid jury deliberations leading to a swift death sentence. In the case of Ingram, what seemed a clear-cut case of self-defense devolved into six prison sentences for her and her family. While working on her farm with her five sons, Ingram was approached by a neighbor who demanded that she “go with” him. When she refused his advances, he grew violent, attacked her with a rifle butt, and her sons had to intervene to save her, dealing him a lethal blow to the head. Ingram and her sons were quickly tried and sentenced to prison. Waligora-Davis carefully traces the hypocritical complexities of state law, which systematically discounted the overwhelming eyewitness testimony of her sons, as well as claims of self-defense for both herself and her family. Race also trumped gender in this case as well, as a culture reputed for its chivalry denied the right of a self—defense to a woman who was fending off a male assailant. Beyond the miscarriages of the law, the court record itself was violated: Waligora-Davis notes that Ingram’s testimony was truncated and abridged in the record, which made it more difficult for her to appeal the case later.

The international dimension to this case arose when W.E.B. Du Bois and other noted intellectuals exposed this injustice, and multiple voices of support for Blanche Ingram emerged from the world community, ultimately leading to the release of the family on parole in 1959. Waligora-Davis also notes the irony that in 1948, the same year that Ingram and her family were sentenced and imprisoned, the U.S. had ratified the U.N. Universal Declaration of Human Rights (1948), which guaranteed, among other protections, the right to a fair trial and impartial court procedures. In this respect, the U.S. betrayed not only its internal legal principles of self-defense and corroborating testimony in the Ingram case, but flouted international law of which it was a crucial signatory: a sobering convergence of domestic and international practices indeed.

The middle chapters of *Sanctuary* address the question of the paradoxical "foreign" status of African Americans within the U.S. using a variety of historical and literary sources, with a consistent eye on legal and political discourses. The second chapter, "W.E.B. Du Bois and the World Citizen," analyzes Du Bois's explorations of the black diaspora in both nonfictional texts (such as *Darkwater*) and novels (such as *Dark Princess*). A number of critics have put renewed attention upon the latter text, which offers a plot of global romantic and political intrigue centering around a charismatic princess's plans to unite the peoples of color worldwide against European and U.S. imperialism. Waligora-Davis adds a fresh perspective by juxtaposing Du Bois's more familiar texts with less well-known, but perhaps even more provocative, explorations of African American revolutionary violence, like Sutton Griggs's *Imperium in Imperio*, which "imagines an African American coup d'états" (23). This exploration of fictive terrain is complemented by an account of Du Bois's exhibition at the Paris World's Fair of 1900, where he presented a history of African Americans and their culture as a "small nation" within the United States.

Chapter 3, "Sanctuary," revisits classic texts from the nineteenth century that are concerned with slavery, liberation, and the power (and danger) latent in the commodified bodies of the enslaved, which Waligora-Davis aptly describes as "a scopophilic preoccupation with the black body" (45). This chapter devotes particular attention to Herman Melville's *Benito Cereno*. While affirming Eric Sundquist's potent interpretation of the novella's central ship, the *San Dominick*, as a chronotopic representation of old and new world imperialisms in collision with black revolutionary power, Waligora-Davis looks to a more specific U.S. context that may have influenced Melville: the case of Anthony Burns. Burns was a fugitive slave living in Boston who was kidnapped by slave catchers in 1854 after they declared that they saw him robbing a silversmith's shop. Once recognized as a fugitive, Burns lost his right to testify, even though his trial was in a free state. Much as Babo's voice is redacted from the end of *Benito Cereno*, Burns's voice was not present at his trial, so he could not refute the false charge of robbery. His case thus shows that "the legal presumption of innocence is suspended for African Americans" (45) just as the rebels of the *San Dominick* had no legal status to contest their own case after Delano seized the ship and brought them to the authorities. Similarly, both Melville's novella and Burns's experience reveal the "social and legal dislocation of the black body" (46). The multi-national crew of rebels in *Bereno Cereno* found itself outside the protections (though not the persecutions) of both national and maritime laws; Burns found himself victim to Southern predation and legal abuse while residing in Boston, the archetypal "cradle of liberty" in the American imagination.

Chapter 4, "Graphic Inscription of Power," traces the state's response to the Chicago race riots of 1919. After the murder of Eugene Williams, a young

black teenager who had strayed across an invisible Jim Crow line on a beach, the Southside community rose up in protest. With intensive close reading of media coverage and official documents surrounding this conflict, Waligora-Davis reveals a state rhetoric that treats the African American community as not simply a hostile domestic force, but as an invasive body to be suppressed. Using the resources of popular racial pseudo-scientists like Lothrop Stoddard and Madison Grant, the mainstream media deployed an “anti-immigrant sentiment mapped onto the bodies of black Chicagoans” (96-7). Especially chilling are the numerous maps of the Southside published by the Chicago papers that used a visual rhetoric similar to that of World War I maps: one was even entitled “War Map of the Black Belt”. Thus, Waligora-Davis argues, African Americans were treated in this event not as homegrown political dissidents, or even merely as rioters, but as a separate national polity, “foreign in a domestic sense” (94) and “unincorporated members of the body politic” (95).

The last chapter of *Sanctuary*, “I Dream a World,” examines the U.S. occupation of Haiti from 1919-1934 alongside African American activism in defense of their Caribbean brethren. This chapter offers the most promising fulfillment of Waligora-Davis’s aspiration to show the interconnection between U.S. racial policies of oppression at home and abroad. Although represented as a matter of national security connected to World War I, the occupation was primarily motivated by business demands that Haiti grant U.S. banks exclusive access to their financial markets. For anti-imperialists of all stripes, this occupation marked a striking violation of basic international law and rules of sovereignty. For African American intellectuals who respected Haiti as the first black republic and second democracy in the American hemisphere, this violation was especially painful, as it represented a “transatlantic transplantation of a domestic problem” (115). By importing Jim Crow to the island, suppressing the Haitian population through martial law, erecting new racial barriers, and reinstating pre-emancipation labor requirements, the U.S. was cannily consistent in its technologies of racial oppression at home and abroad during this period.

Waligora-Davis also aptly places this intervention in the context of European imperialism after the Treaty of Versailles in 1919, in which England and France essentially divided up Asia and Africa into colonial subject-states. U.S. intervention in Haiti, along with a continued presence in Cuba and Puerto Rico, constituted a homegrown imperialist “pax Americana” (113) that mirrored its colonial control of African Americans within its own borders and echoed European colonial dominion abroad. On the literary front, this chapter shows that the occupation produced an outpouring of writing about the island—one might call this period “When Haiti was in Vogue.” Waligora-Davis references a wide range of ethnographic texts by U.S. writers that projected racist and fascist fantasies onto the island, such as the writings of Faustin Wirkus, John Craige, and

Edna Taft. She also charts the African American response in defense of Haiti's sovereignty, including the political writings of Du Bois and James Weldon Johnson and Langston Hughes's opera *Troubled Island*. By its close, the final chapter of *Sanctuary* successfully shows how the U.S. used Haiti as its imaginative and political double: in so doing, the U.S. revealed "its political unconscious" vis-à-vis African Americans and showed how its "domestic policies [were] mirrored in its international interventions" (111).

The success of *Sanctuary's* final chapter, in which Waligora-Davis most fully realizes her aim of uniting an analysis of the United States' racialized policies at home and abroad, leaves this reader wishing for more in that spirit. As illuminating as the first four chapters are regarding the racist contradictions of the U.S. legal system and political practices, they are primarily domestic in focus, though not necessarily U.S.-centric. There are significant examples of U.S. intervention beyond Haiti that support Waligora-Davis's case quite strongly. For example, the spread of Jim Crow to Cuba and the Bahamas via neo-colonial expansion, which was commented extensively upon Langston Hughes in his journalism, threatened to create a virtual "greater Dixie" in some parts of the Caribbean. More directly parallel to the case of Haiti was the American presence in the Panama Canal Zone, where laborers of color, once hired, lived under military jurisdiction and an exported Jim Crow system. Notable New Negro Renaissance authors, including but not limited to, the West Indian author Eric Walrond, depicted this in vivid strokes and with vibrant critique of the United States's racist practice at home and abroad. One could draw an almost direct parallel between the scenes of conscripted African American labor during the Mississippi flood of 1937 and the virtual serfdom of the laborers (a diasporic group of peoples of color) who were lashed onward to complete the Canal. The fact that there is additional relevant evidence available does not undermine Waligora-Davis's investigation, however, but shows its resonant potential for further elaboration.

Critical attention to perspectives from members of the black diaspora would further enhance Waligora-Davis's argument. When issues of international dominion are examined in *Sanctuary*, they are seen primarily through U.S., African American sources (especially Du Bois). For example, while *Sanctuary* offers excellent analysis of domestic critiques of U.S. colonialism at home and abroad, the voice of black postcolonial intellectuals is largely silent, whether in critiquing U.S. policy or in describing their experience of U.S. imperial practices. Given the cosmopolitan makeup of the New Negro Renaissance, there is ample opportunity in the works of Eric Walrond and Claude McKay, for example, to bear witness to their own problematic experiences with U.S. policies (or post World War II, in the writings of C.L.R. James). Their experiences revealed that the only thing worse than being an African American betrayed by U.S. law was

being a person of color within U.S. jurisdiction but with no legal standing whatsoever. James's detention on Ellis Island, or McKay's struggles to gain re-entry to the U.S. after his political work abroad, bespeak the fact that however problematic not-quite-citizenship may be, its possession is better than the alternative when facing U.S. legal and political structures. For example, McKay notes in *Banjo*, his celebratory novel of the black diaspora, that African Americans abroad were envied for their passports by West Indians or Africans, for it gave them an ability to cross borders, to pursue exile and return, with a fluidity rarely afforded to most diasporic Africans.

Adding more black diasporic voices would also strengthen Waligora-Davis's arguments about U.S. domestic imperialism, as intellectuals like Aimé Césaire, C.L.R. James, and René Depestre joined Hughes and Du Bois in their criticism of U.S. racial politics, often with a more intensive militancy than was possible in the domestic publishing spheres of the U.S. In the case of Emmett Till, for example, poetic tributes and indictments poured in from the black diaspora, and these opinions increasingly mattered to domestic politics. Indeed, it is almost a matter of critical consensus that international demands—such as preserving the reputation of the U.S. on the world stage as it battled Soviet communism—played as much of a role in Lyndon Johnson's decision to support the Civil Rights Act as did his own internal moral compass. In this respect, the domestic-international congruency that Waligora-Davis observes proves to be a (potentially) reversible equation. While the powers of white supremacy in the U.S. have proven quite apt in establishing symmetrical systems of oppression at home and abroad, international pressure, whether by explicit advocacy or frightening example (such as the convulsions of decolonization) have, at times, reshaped domestic policy in the U.S.

The epilogue of *Sanctuary*, however, shows that such instances may be the exception that proves the rule. Waligora-Davis concludes her study with a powerful examination of the aftermath of Hurricane Katrina and the rhetoric of "refugeeism" that surrounded those fleeing that devastation of the city. Sadly, African Americans displaced by Katrina were usually figured not as citizens, evacuees, or fellow Americans in need of vital aid, but refugees seeking entry or asylum, paradoxically, to the nation of which they already were supposed to be a part. The skill and eloquence of this argument, as in the case of the Haiti chapter, suggests more direct connections to the present legal status of African Americans in the U.S., which could be developed further. Although Jim Crow, redlining, and black codes have been wiped from the statutes, a shockingly transparent number of (barely) covert legal practices of discrimination persist, whether in the form of racial profiling, disparate sentencing guidelines, inequitable application of the death penalty, or suppressive voter eligibility requirements. Domestically, the dawn of the twenty-first century has witnessed a new technocracy of racial

inequality, with unprecedented levels of African American incarceration and the rise of a private penal-industrial complex that is virtually a small nation-state in itself. Waligora-Davis's claim that there is a domestic/ international symmetry in the U.S.'s exertion of power where race is concerned also continues to hold true as well. Internationally, as part of the war on terror, the U.S. has occupied two nations that are perceived, for reasons of both ethnicity and religion, as "other" and not subject to the same standards of decency and justice that prevailed in our military interventions in a European setting like Bosnia. Whatever one's opinion of the future of Iraq or Afghanistan, the shocking carnage at Falluja, the broken bodies of families struck by Predator drones, and the atrocities of Abu-Ghraib (whose photographic documentation bears an uncanny resemblance to lynching memorabilia) suggest that the U.S. has, unfortunately, succeeded in exporting some of the darkest aspects of its domestic democracy as it engages in nation building abroad.