Introduction

1. Alfred Rubin discusses the case in 1705 in which universal jurisdiction was claimed against pirates. He writes that the three main conditions for a sovereign’s legitimate claim to jurisdiction, according to the 1705 tribunal, are “in loco delicti [the place where a crime was committed] or in loco domicilii [the place where the criminals resided] or in loco originis [the place of their birth]” (Law of Piracy, 103–4).

2. For an excellent overview of this dazzling diversity of the pirate, see Schiedermair, “Piratenjagd.”

3. Great Britain as a political entity was created in 1707, so it is the correct entity to refer to for most discourses addressed in this study. For earlier discourses, I will refer to England and Scotland instead.

1. Augustine of Hippo

1. The influence of Alexander on pirate representations is well exemplified in representations of Captain Henry Avery, especially in Charles Johnson’s The Successful Pyrate (1713). In this play—written by an author who is not the same person as the author of the General History—archpirate Henry Avery is an impulsive, military-minded leader with conquest on his mind who is transformed into a legitimate king only at the moment when he begins to tame his own passions for the greater good of the pirate kingdom. This portrayal is contrasted with other contemporary characterizations of Avery as a pirate king that emphasize his resourceful, but ultimately petty, criminality (see Defoe, King of Pirates).

2. Montesquieu and others later interpret this to imply that all worldly kingdoms begin as pirate communities (Montesquieu, Spirit of Laws, 362–64; see also Kempe, Fluch der Weltmeere, 235), but it is more likely that Augustine is simply suggesting that a certain amount of injustice is an inherent property of every worldly rule, large or small, imperial or piratical.

3. Brown speaks of “women and children” (States of Injury, 181). This phrase typically describes an undifferentiated collective that helps conceptualize either form of sovereign rule as a male prerogative. In this study, I occasionally use the term “women-and-children” to indicate the phrase’s function as a gendered synonym for “innocents.”

2. Charles Johnson

1. The edition I use of A General History of the Pyrates attributes the book to a different author than I do. As mentioned, the General History was first published under the name Captain Charles Johnson, a pseudonym. The authorship question, especially with respect to the possibility of Daniel Defoe, has been debated for decades (see especially Furbank and Owens, Defoe De-Attributions; J. Moore, Checklist). In this study, I speak of Johnson as the author, while Manuel Schonhorn’s edition of 1999 claims that the
Notes to Chapter 2

General History was written by Daniel Defoe, listing him as the author on the title page. Schonhorn explains and defends this choice in the editor’s introduction (introduction). I prefer to use the pseudonym because the authorship debate is ongoing, and because my own argument does not depend on the identity of the author.

2. This is not to say that a reading that reproduced Augustine's meaning no longer existed. Following this more traditional strand of pirate discourse, Cotton Mather characterized Samuel Bellamy’s crew as predatory “Barbarous Wretches” (“Instructions to LIVING,” 4:132) and used the Augustinian anecdote in an antipiracy sermon: “Be sure, the PIRATE at Sea, and so the Robber on Shore, is one who seeks to get Riches and not by Right. And here it may be complained, That while the Laws reach the lesser Pirates & Robbers, there are, as one of them too truly told the Execrable Alexander, much Greater Ones, whom no Humane Laws presume to meddle withal: Monsters, whom we dignify with the Title of Hero’s: [sic] Conquerors and Emperors, but yet no other than a more splendid sort of Highway-men” (ibid., 4:146). Mather’s vilification of Alexander the Great is reproduced in other eighteenth-century writing, thus indicating that the notion of pure conquest remained widely condemned throughout the spectrum of commentators (see, for example, Addison, “No. 31”; Swift, Gulliver, 214). The traditional strand of discourse notably relies on characterizations of the pirate-emperor as passionate, ferocious, and shortsighted.

3. The two “primary compilations” in this quote refer to Johnson’s General History (both volumes) and Alexandre Exquemelin’s earlier The Buccaneers of America (1678).

4. The idea of an imperial evolution toward civilization is illustrated by the retrospective structuring of the Golden Age as a three-generation era in many scholarly contributions on the Golden Age (see, for example, Baer, British Isles; Rediker, Villains). Historians who include the buccaneers as a separate generation of the Golden Age portray them as pioneers who end the Spanish supremacy in the Americas. I exclude the buccaneers and work with only two generations, following scholars such as Peter Earle and Hans Turley (Earle, Pirate Wars; Turley, Rum, Sodomy and the Lash). The first generation of the Golden Age is one of political and legal restructuring, but also the high point of a pirate kingdom imaginary; in the second generation, then, the pirates are relics whose communities shrink from pirate kingdoms to mere ships, as they have nothing more to expect from their existence than “a merry life and a short one” (C. Johnson, General History, 244).

5. Five years after the publication of the General History’s second volume, Fielding uses the Augustinian anecdote even more broadly, replacing the figure of the pirate with that of the thief. As in Johnson, it is the figure of the criminal who evokes the Augustinian constellation in a monologue. The notion of externalized subregimes (who, in Fielding, can even consist of only one person) and the inversion of the rich and the criminal, who differ only in organizational complexity, are reproduced and formulated even more sharply than in the General History: “Now we come to the second part of this division, viz., of those who employ hands for their own use only; and this is that noble and great part who are generally distinguished into conquerors, absolute princes, statesmen, and prigs [thieves]. Now all these differ from each other in greatness only—they employ MORE or FEWER hands. And Alexander the Great was only GREATER than a captain of one of the Tartarian or Arabian hordes, as he was at the head of a larger number. In what then is a single prig inferior to any other great man, but because he employs his own hands only; for he is not on that account to be levelled with the base and vulgar, because he employs his hands for his own use only” (Fielding, Jonathan Wild, 3:7).
3. Charles Ellms

1. The 1830s and 1840s were generally a time of extensive American translation and republishing of European writing, a practice that was also labeled piracy at the time. American laws did not recognize any copyright protection for foreign authors, so especially British texts were routinely republished and sold in the United States, generating considerable profits for booksellers (Knighton, “Wreck,” 80).

2. It is notable that the League of Nations, which approached the slave trade with the prime purpose of protecting humanity as such, accordingly changed the maritime restriction in the prevailing definitions of the slave trade with the 1921 International Convention for the Suppression of the Traffic in Women and Children. In the same year, the League of Nations sponsored an international conference on white slave trafficking, thus explicitly broadening the perspective on the slave trade beyond the territorial legacy of the African slave trade (Berqôvîc, Motherhood, 75).

Part 2. Race, Space, and the Formation of the Hostis Humani Generis Constellation

1. The term “corsair” is often used to refer to pirates of the Mediterranean, but these entities are legally equivalent to the European privateer in most respects. I maintain the differentiation between corsair and privateer in this part of the book to indicate whether the entity in question belongs to a European or a Barbary state, not to suggest a qualitative difference between them.

4. Piratae and Praedones

1. The importance of the Barbary States for Europe was ignored by the vast majority of Western historians after the mid-nineteenth century until comparatively recently, when the 9/11 attacks spurred a search for historical models of faith-based antagonism, especially in US discourse (see, for example, Wheelan, Jefferson’s War). This move toward a rediscovery of the Mediterranean realm was further reinforced after the first US ship fell into the hands of Somali pirates in 2009, thus evoking a popular historical parallel to that of Barbary piracy (see, for example, Phillips, A Captain’s Duty). These developments were accompanied by a more general analytical interest in the provincialization of Europe and the United States (Bender, Among Nations; Chakrabarty, Provincializing Europe; Edwards and Gaonkar, American Studies).

2. In literary and cultural studies, a corresponding discussion of the Mediterranean-Atlantic link has emerged only comparatively recently, and that discussion has largely focused on the analysis of the captivity narrative. Gordon Sayre calls the increasingly pronounced analytical focus on the link between the Atlantic and the Mediterranean regions “the transnational turn in captivity studies” (“Renegades”). Important early work on a reciprocal transfer of culture in this context has been done by scholars such as Paul Baepler (“Barbary Captivity” and introduction), Linda Colley (Captives), and Nabil Matar (Turks). In a subsequent step, scholars such as Timothy Marr (American Islamism) and Lawrence Peskin (Captives and Countrymen) have begun to expand the conversation to include narrative formations besides the captivity narrative.

3. In addition, not all inherently illegitimate sovereigns in early modernity were nonwhite, non-European, or non-Christian. A particularly important, and somewhat singular, English example is provided by Matthew Tindal in 1694. King James II, then in exile, had issued privateering commissions to conquer his own former realm, but his privateers
Notes to Chapter 5

4. Of course, it is conceivable that a pirata has never aspired to gain this status, as in cases of mutiny that led to the establishment of pirate crews (Rediker, Villains, 46–47). What is important here is that even such a mutineer’s legal status as a pirate is measured by the contractual relationship between sovereign and privateer: regardless of the particulars of an individual case, the pirata is defined by his failure to comply with the standards of a privateer.

5. John Locke, William Blackstone, and the Invader in the State of Nature

1. There are also overlaps with Hobbes’s state of nature, such as: “And therefore till there be security amongst men for the keeping of the law of nature one towards another, men are still in the estate of war, and nothing is unlawful to any man that tendeth to his own safety or commodity” (Elements of Law, 103).

2. The virtual extinction of Native Americans and the systematic marginalization of Native American sovereign rights do not allow a characterization that strays very far from that of conquest. As Dieter Dörr has pointed out, the annexation of Native American land has, for the most part, been a history of contracts. This would speak for its legitimacy and legality. However, he continues to argue that it is also a history of broken contracts, all of which were broken by representatives of European empires (Dörr, “Savages”). Especially in the later stages of colonialism, many contracts made with Native Americans appear to be mere legalist attempts to avoid the appearance of illegitimate conquest (Fisch, Europäische Expansion, 332–45; Washburn, Red Man’s Land, 47–49).

3. As yet another example of their intimate connection in modern legal discourse, Vattel presents Native American nations and the Barbary States as two varieties of the same legal situation. The Barbary States are mentioned as the core example through the reference to “some modern Tartars” and the equally straightforward evocation of a combination of fertile hinterlands and predatory ports, which were a constitutive feature of the Barbary States’ infrastructure (Earle, Corsairs of Malta, 23–24).

4. The Native American case was generally used as an example in European law and philosophy, and after Vattel, the land-use argument for the American case was used systematically to legitimate the dispossession of newly discovered peoples around the world (Rouleau, “Maritime Destiny,” 391–92).

5. The progressivist approach strongly relied on the conversion to Christianity as a civilizing factor. The increasingly obvious failure of the Christian missionary movement in America was an additional reason why the essentialist approach to civilization had achieved dominance by the end of the eighteenth century (Slotkin, Regeneration, 73). Such failure was usually intertwined with the abuse of established friendly relations by settlers who arrived later and aggressively pushed westward, as the example of Pennsylvania Quakers aptly demonstrates (Pearce, Savagism, 35–41).

6. This is not to say that the female position mentioned here should remain without consequence for the interpretation of the hostis humani generis constellation. Indeed, this
position assumes central importance for the more sophisticated theoretical development of the constellation. In part 3, I discuss this aspect in greater detail in my analysis of what I call the pure woman paradox.

6. Hostis Humani Generis and the American Historical Novel

1. Huron impotence and inferiority in respect to whites are still implied in the novel. For instance, an entire tribe of Huron warriors manages to take only the scalp of Hutter, the oldest and weakest of the white men, and even accomplishes that only by virtue of trickery. Likewise, when they finally capture the protagonist, they fail to continue beyond the symbolic stage of torture (DS, 2:1004).

2. There is a hint that Glimmerglass is identical to Lake Otsego in the first Leatherstocking novel, *The Pioneers* (1823). In the last chapter of *The Deerslayer*, Cooper writes: “Chingachgook and his friend . . . held their way towards the Mohawk in silence, however, to rush into new adventures, as stirring and as remarkable as those which had attended their opening careers, on this lovely lake. At a later day, they returned to the place, where the Indian found a grave” (DS, 2:1029). Since Chingachgook dies as an old man in *The Pioneers*, the passage is likely an intertextual reference meant to close the circle between the books in the series—the town of Templeton in *The Pioneers* is also located on a beautiful lake in the New York territory. In *The Pioneers*, the wilderness had undergone the classic development of having been claimed by landowners and then been cultivated in an increasingly sophisticated infrastructure. The intertextual reference substantiates the notion of the civilizing process of Templeton as the necessary future of the Glimmerglass territory as land that is sea-like and thus ownerless in the beginning, but that differs from land in that it can be cultivated in a European spirit. It is also interesting to refer to *The Pioneers* at this point in *The Deerslayer* because the earlier novel establishes an explicit link between villains who are driven further west and their role as establishers of white infrastructure (Cooper, *Pioneers*, 1:454–55).

Part 3. The American Civilization Thesis

1. This differentiation of nation-states into legitimate and illegitimate ones echoes the logic of the older discursive tradition of normalcy and deviance that had begun in the 1800s. In this tradition, defining elements of the human being are externalized to enable the formulation of internally coherent humans who may be conceptualized as normal and contrasted with deviants. A very similar logic of externalization is at work here on the level of nation-states. However, only with the narrative combination of artificially compartmentalized properties does a discussion of the whole spectrum of violence become possible. The conceptualization of the normal requires the simultaneous conceptualization of the deviant: by definition, the normal cannot stand by itself (Glaubitz, *Mensch*, 14). The problematic implications of such compartmentalization in the context of legitimate violence will be discussed in depth in part 4.

7. The Frontier Thesis as a Third Model of Civilization

1. My characterization of institutions at this point is already colored by the premises of the frontier model, and certainly the institutions that characterize the United States today cannot be compared to those of Turner’s time. In this book, the term “institution”
is arguably a category that includes a whole cluster of different entities. According to Mark McGurl, it is an “observable characteristic” of institutions “that they are understood relationally and analogically, with habitual disrespect for the distinction between public and private spheres or between ‘repressive state apparatuses’ (the army and police) and ‘ideological state apparatuses’ (schools and the media) as canonically defined by Louis Althusser.” Furthermore, McGurl draws attention to the “spectrum between the institution proper and the institution as established practice” that the term relates to (“Understanding Iowa,” 7).

2. Rousseau famously criticized Hobbes’s model because it did not include people whose nature corresponded to the state of nature, but merely imagined civilized people in savage circumstances (Rousseau, *Inequality*, liv). However, the existence of civilized people in savage circumstances is a notion that Turner explicitly assumes in his frontier thesis when he argues that European civilization is a phase prior to American civilization. I therefore continue to refer to Hobbes’s state of nature and assume it to be the basic model of the state of nature that informs the frontier thesis.

3. For instance, Nathaniel Hawthorne writes in *The Scarlet Letter*: “The age had not so much refinement that any sense of impropriety restrained the wearers of petticoat and farthingale from stepping forth into the public ways and wedging their not unsubstantial persons, if occasion were, into the throng nearest to the scaffold at an execution. Morally, as well as materially, there was a coarser fibre in those wives and maidens of old English birth and breeding than in their fair descendants, separated from them by a series of six or seven generations; for, throughout that chain of ancestry, every successive mother has transmitted to her child a fainter bloom, a more delicate and briefer beauty, and a slighter physical frame, if not a character of less force and solidity, than her own” (*Scarlet Letter*, 43). For Hawthorne, the softening of these women is very decidedly a form of Americanization. He uses the same coarseness identified by Turner as authentically American to suggest these women’s English origin. The women are coarse not because of the wilderness, but because they are the contemporaries and countrywomen of “the manlike Elizabeth,” steeled by “the beef and ale of their native land, with a moral diet not a whit more refined” (ibid.).

8. The Democratic Frontiersman and the Totalitarian Leviathan

1. It is notable that Drucker does not yet consider socialism totalitarian but simply distinguishes socialism from capitalism as an economic regime (*Economic Man*, 227). Only fascism is inherently illegitimate, in Drucker’s view. Both socialist and capitalist societies thus have the potential to form a free and equal society. George Orwell would later contradict this assessment, reasoning that the political formations of socialism rendered it extremely vulnerable to illegitimate minority rule in a totalitarian sense. He suggests that the problem of socialism lies in the sense of collective ownership, as the power over the distribution of resources is concentrated in the hands of a few, who may claim to act the interest of all but will inevitably attempt to further their own objectives instead (*Nineteen Eighty-Four*, 159–60 and 203). I will discuss these later concepts of totalitarianism in more detail in part 4.

9. Free Agency and the Pure Woman Paradox

1. At least that logic works if one grants these natural innocents the capacity to be reasonable. This is not necessarily the case in legal practice. This problem has been addressed,
for instance, in scholarly discussions of the “reasonable person standard” (see Collier, Maurer, and Suarez-Navaz, “Sanctioned Identities”; Hayden, “Cultural Norms”).

2. This reformulation is stabilized by a construction of totalitarianism as a barbarous order that is rendered illegitimate because it continues to rule through the oppression of subjects and strongly emphasizes the “natural” innocence of populations (Heater, *Theory*, 70).

3. In the text, the charge of illegitimacy against the American court system is invalidated by the constant narrative affirmation of the court and its proceedings, in combination with the more subtle characterization of Wansley as a liar. The court is presented as just and impartial, for example by twice urging Wansley to add to his testimony if he so desires. The procedure continues only when Wansley says that he is finished. Finally, in the court’s explanation for upholding his death sentence, it addresses the charges of racism head on and answers them plainly (even though it circumvents addressing the charge of judicial bias). At the same time, Ellms clearly portrays Wansley as a suspicious character throughout the court scene. For instance, Wansley describes asking the conspirators very specific logistical questions about the deed but always presents these questions as “jokes”—a strategy that suggests a thinly veiled lie that the court is able to see through when it passes the sentence over him (Ellms, *Own Book*, 65).

4. In addition the pure woman pirata’s affirmation of democracy, which is indicated in the rise from innocence to agency and in the emphasis on the individual, the more traditional characterization of the pirata as a maritime entity may also serve as a substantiating reference in economic terms. As the economic regime of socialism is incorporated into the construction of totalitarianism, capitalism is increasingly naturalized as an expression of civilization. It is helpful to remember here that the classic maritime pirata is conventionally conceptualized as an individualistic economic man who prefers to “balance Creditor” on the side of his own greatest advancement (C. Johnson, *General History*, 244), which locates him squarely in the ideological fold of capitalism (see also Policante, *Pirate Myth*).

10. *The Foundational Pirata in Richard Wright’s Native Son*

1. In an argument that expands on Wright’s observations, bell hooks has observed that African American men have historically responded to their oppression by assuming traditional representative agency over African American women and children, thus claiming a role as legitimate free agents. Rather than helping these men to rise from their latent position of innocence, however, their establishment of a traditional “rule” over their families reinforced the legitimacy of their own oppression, since they themselves reproduced rather than challenged its general underlying logic (hooks, “Seduced,” 110).

2. The special status of the Daltons is emphasized by the fact that during the trial, the families of Thomas’s other two victims (most notably, that of his African American victim, Mears) are not introduced in the narrative or even mentioned by any other character, while the Daltons are granted substantial narrative space. Their emotional response to the murder of their daughter as an act beyond understanding is directly linked to their belittling of oppressive relations in the rest of the text; their grieving disbelief, in other words, is constructed as damning evidence against them (NS, 324–25 and 354–58).

3. At the same time, it is notable that Mr. Dalton understands, at least on some underlying level, the illegitimacy of his own role as an oppressor of African Americans. For example, after he learns that Thomas is one of his own overcharged tenants in the Black
Belt, Dalton voluntarily offers to pay him a larger salary to compensate for overcharging for the family apartment (NS, 79–81). There is no aspect in the scene other than the revelation of Thomas’s living conditions that could spur such a willingness to raise Thomas’s salary. Like Henry March in *The Deerslayer*, Mr. Dalton seems to possess a much-neglected conscience.

4. According to 18 U.S.C. § 241, “conspiracy against rights,” it is unlawful for two or more persons [to] conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States.” This US statute has mainly been used in the case of hate crimes or more generally oppressive acts—especially when they are committed by institutional agents of the state who have sworn to uphold the equality of rights.

5. This is further indicated by the novel’s citation of the wealth versus courage construction discussed in chapter 1 of this book. The use of this construction underlines Wright’s suggestion that violence is a necessary language of politics: “When men of wealth urge the use and show of force, quick death, swift revenge, then it is to protect a little spot of private security against the resentful millions from whom they have filched it, the resentful millions in whose militant hearts the dream and hope of security still lives” (NS, 430).

**Part 4. “It Is Underneath Us”**

1. Some of the secondary literature on *Mother Night* gives 1961 as the date of the novel’s first publication, and some uses 1962. For example, Charles Shields and Philip Tew suggest it was first published in the fall of 1961 (Shields, *And So It Goes*, 173; Tew, “*Mother Night,*” 11). In an e-mail message to me on September 16, 2015, Shields explained that the 1961 date is when the publisher purchased the novel from Vonnegut, but that printed copies of *Mother Night* may not have reached the bookstores until 1962. Betty Hudgens, who compiled a list of Vonnegut’s first editions, lists the spring of 1962 as the date when *Mother Night* was first published (*Checklist*, 11). Donald Morse substantiates that *Mother Night* was “published as an original paperback in 1962 but with a 1961 copyright date” (*Novels of Vonnegut*, 35). In this book, I therefore use 1962 as the date of the novel’s first publication.

2. In the context of the Jerusalem trial and the legitimation of Eichmann’s status as a committer of crimes against humanity who may be hunted down anywhere on the globe, the legal notion of “universal jurisdiction plus” was important in establishing the notion of universal jurisdiction against committers of crimes against humanity (Addis, “International Community,” 135–36). The “plus” refers to the notion that crimes against Jews were to be considered particularly grave crimes against humanity. The notion of universal jurisdiction plus is favorably mentioned in the novel (see MN, 50).

**11. The Institutional Frontier**

1. In his construction of the invader, Locke considers legitimate violence that punishes “a trespass against the whole Species, and the Peace and Safety of it, provided by the State of Nature” (“Second Treatise,” 272). Locke specifically allows violence to be committed against such a perpetrator by outsiders who assist his victim: “any other Person who finds it just, may also joyn with him that is injur’d, and assist him in recovering from the Offender, so much as may make satisfaction for the harm he has suffer’d” (ibid.,
Notes to Chapter 11

273). When the legal fiction was first interpreted along these lines in the early nineteenth century, only a comparatively narrow implementation of it was possible, due to the traditions of piracy law that interpreted universal crimes as random attacks. The enemy of all humankind, in the classic piracy law tradition, referred to a perpetrator who attacked others without any claim to legitimacy. The enemy of all humankind was thus associated with a random readiness to harm the virtuous and the innocent as well as the wicked and guilty. Because of this conceptualization of the enemy of all humankind as an unthinking and vicious beast, violent responses to such an antagonist depended on his attacking first, rather than on the general fact of his warfare with humankind via oppression, enslavement, and mistreatment—which were, arguably, much starker evidence of a contempt for the “Dignity of Man.”

2. The fact that the barbarian is a nation-state among others, and thus enters into a kinship with civilized nation-states such as the United States, is a seeming paradox that in fact has a long tradition in claims of legitimate violence in the context of piracy. For example, in the passage by Hugo Grotius from which this book’s terminology of pirata and praedo is taken, the most problematic case of illegitimate seizure is not that of the praedo, the pirata, or the robber, “but a fourth type, which can scarcely be detected save through conjectural inferences. It is the type of seizure that occurs when, in the course of a just war or a war believed to be just, someone grasps at profit in a way which indicates that he has been mindful only of profit for its own sake and not of the true objective of the war, namely, the attainments of rights” (Grotius, Prize and Booty, 448). If we replace “seizure” with “violence” and “profit” with “rule,” we begin to see how the history of hostis humani generis could easily provide a way to conceptualize the fellow (first imperial, then national) sovereign as barbarous.

3. The characterization of the German population as an innocent victim of totalitarianism obviously does not reflect a consensus in the theoretical debate on totalitarianism. Historians of Central and Eastern Europe, for example, have almost completely abandoned the terminology of totalitarianism, precisely because it implies generalizations that are too sweeping to be helpful. However, the ontological separation between the regime and those represented by it is indicated in all characterizations of the totalitarian regime as illegitimate. Totalitarianism can be an inherently illegitimate order only if it runs counter to the humanity of those ruled by it, and it is in this sense that the regime victimizes the population. Even scholars who see the population as complicit tend to agree with this. For a more nuanced picture, see, for example, Giesen, “Trauma of Perpetrators”; Ó Dochartaigh and Schönfeld, Representing the “Good German”; Trutkowski, “Concepts of Totalitarianism.”

4. In this study, the terms are not used in their medical sense either; I follow Vonnegut’s choices regarding these terms’ function in text. Scholars disagree about whether it is generally helpful to use medical terms such as “schizophrenia” and “paranoia” allegorically (see, for example, Cvetkovich, Depression; Mitchell and Snyder, Narrative Prosthesis). I thank Christina Maria Koch for drawing my attention to this debate.

5. Another feature of the Vietnam War that underlines its situatedness in essentialist rhetoric in the United States was a narrative emphasis on the role of Vietnamese allies. They were originally constructed as people of great integrity who decided to transform themselves from innocents not into praedones but into foundational piratae who wanted freedom for themselves and their country, and who thus assisted the cause against their inherently illegitimate communist countrymen (Slotkin, “Unit Pride”). These Vietnamese
allies were later used to reconceptualize the American intervention as illegitimate. In these alternative discourses, Vietnamese allies were constructed as renegades in the traditional Barbary sense—namely, as dishonorable cutthroats—who stood in opposition to their more virtuous Vietnamese counterparts, who represented stout and honorable resistance to American invasion (Neu, “Vietnam and Transformation,” 15).

6. Official attempts to adapt to the irrelevance of territorial advancement while remaining within discourses of legitimacy led to contradictory and sometimes conflicting measures and criteria of “success” (Dougherty, Limited War, 75–76). New measures to indicate the progress of the war were introduced, most notably statistics and neutralization quotas, a measurement originally designed to make the conflicting developments in Vietnam consistent and transparent. In practice, however, the concentration on statistics fostered abuse and created “a dream world of destruction” that did not just allow but implicitly encouraged American soldiers to kill women-and-children rather than enemy soldiers (Glover, Humanity, 60).

12. Who Is Innocent?
1. For instance, Antonio Cassese quotes an unspecified American (probably Jeane J. Kirkpatrick) speaking in a meeting of the UN Security Council whose evocation of Blackstone could not be plainer: “The terrorist has put himself beyond the pale of civilized humanity. He should be shunned by all. . . . Every terrorist attack is an attack on the world community. Every justification offered for terrorism undermines the rule of law. Every concession to the terrorist diminishes our humanity” (quoted in Cassese, Politics, 70). Mikkel Thorup attributes this passage to Reagan (Intellectual History, 166), but he does not provide any references to support this attribution other than Cassese’s study. Cassese, however, does not identify the speaker, and it is doubtful from the context of the passage that he means Reagan. He quotes Reagan several times in the chapter that contains this quote and explicitly distinguishes him from the American representative who speaks here. It is more likely that Cassese was quoting the US ambassador to the United Nations at the time. In 1985, first Kirkpatrick and then Vernon A. Walters held this position. Since Kirkpatrick vocally and explicitly supported the agenda of conceptualizing terrorists as hostes humani generis (Kirkpatrick, “Totalitarian Confusion”), and since Cassese explicitly mentions that the speech was delivered some time before the Achille Lauro incident (Politics, 69), I consider it likely that she is the person quoted here.

2. For example, Sterling’s core assumption that terrorist groups are savage loose canons sponsored but not controlled by the state gave rise to the concept of New Terrorism that was first formulated in 1986 (Zalman, “What’s New”). The notion of New Terrorism spread throughout the 1990s (Juergensmeyer, Mind of God) and gained respectability particularly after 9/11 (see, for example, Stern, Name of God), even though its characteristically alarmist presuppositions had provoked severe scholarly criticism ever since its first formulation (see Crenshaw, “‘New’ versus ‘Old’ Terrorism”; Duyvesteyn, “How New”). However, the importance of Sterling’s influence is better traced in the less obvious legacies of her work across the political spectrum. For instance, scholars of all political backgrounds have adopted her temporal trajectory and story of origin in defining terrorism, which means adopting her basic criteria of what terrorism stands for (see Gage, “Terrorism,” 90; Hoffman, Inside Terrorism, 67).
3. Chomsky’s careful self-positioning in this respect may be due to previous charges against his earlier, politically comparable work, especially his criticism of Zionism in Israel. For instance, when Chomsky was charged by Hawzheen O Kareem with a form of “Jewish self-hatred” after having criticized Zionism (quoted in Barsky, *Chomsky Effect*, 54), Chomsky replied with the charge that “such criticisms reflect deeply held totalitarian values” (quoted in ibid.; see also 54–60).

13. *Mohsin Hamid’s The Reluctant Fundamentalist and the War on Terror*

1. Simultaneously, terrorism was established as the problem-defining example in definitions of “asymmetrical” warfare (see Pfanner, “Asymmetrical Warfare”). This strategy draws on the earlier introduction of crimes against humanity, whose introduction to law also depended on a radical reconceptualization of war (Martínez, *Slave Trade*, 156).

2. In the context of race, Mita Banerjee substantiates Reddy’s assessment by drawing attention to the fact that “Arabs” were considered white prior to 9/11 and were “re-raced” as the carriers of specifically Muslim difference in the aftermath of the attacks (*Race-ing the Century*, 441). This development has important consequences, Banerjee notes, because “if a face previously deemed white can slip into racial difference, delinquency is everywhere and nowhere” (ibid., 438; see also Naber, *Arab America*, 32–33). Even in traditionally racialized discourses, then, the national “we” was fundamentally renegotiated after 9/11.

3. Underwood Samson is probably a fictional version of the New York office of the McKinsey and Company valuation firm, where Hamid, like Changez, worked to pay off his student debts after studying in the United States.

4. There are extreme voices in the United States that directly strive to deny human rights to “enemy combatants,” figures defined in reference to the terrorist as hostis humani generis (Barnidge, *Non-State Actors*, 175). Critics of the War on Terror tend to single out such voices as their targets. These critics tend to focus on the victimization of the migrant, the refugee, and the planetary citizen as classic cases of innocents transformed into homines sacri who are wrongfully excluded from humanity, while sidestepping the problem of violence that is actually committed by alleged terrorists or enemy combatants (see, for example, Butler, “Indefinite Detention”; Greenberg, “Golem,” Heller-Roazen, *Enemy of All*; Kaplan, “Guantánamo”; Žižek, “Depraved Heroes”).

5. In the characterizations of these minor figures, *The Reluctant Fundamentalist* plays with essentialist readings of the terrorist as a renegade as they are epitomized, for instance, in the complementary notions of “homegrown terrorism” in Western states and of “foreign fighters,” Western citizens who operate as terrorists in the Third World (see, for example, Brooks, “Homegrown’ Terrorism”; Malet, *Foreign Fighters*).

6. Additional characteristics that suggest Changez’s position as a quasi Willsson are the ruthlessness underneath his amiable courtesy; his disregard of the law as a regulative framework; and his aforementioned personal representation of an in-between zone, which is established by his allegiance to the absent Erica.

**Conclusion**

1. In “C. L. R. James, Moby-Dick, and the Emergence of Transnational American Studies,” Donald Pease outlines some of the potential conditions of a transition from the innocent to the status of a representative of civilization. The main condition is that the
innocent is able to express himself in writing, and in a form that is also considered expressive of civilization (in Pease’s example, academic language). As Winfried Fluck cautions in Das kulturelle Imaginäre, however, the adoption of an accepted language of civilization is often restricted because many of these languages’ conventions already firmly rely on the categorical exclusion of the innocent’s own voice.

2. For example, Klein evokes the constellation in her introductory description of a personal epiphany that led to the formation of her book’s argument, which echoes the construction of Erlone’s epiphany in Native Son and allows Klein to assume the position of a scholarly representative of civilization in Noam Chomsky’s and Giorgio Agamben’s sense.