

GARRETT EPPS*

The Arc of a Chameleon Bends Toward Justice: Remembering Keith Aoki

In late August 1993, as I was pretending to write a paper about stare decisis or something equally gripping, a new colleague came to my office door at the University of Oregon Law School. Anticipating some new-guy question like, “Where is the men’s room again?” or “Why is the Coke machine always broken?”, I arched an eyebrow and pasted on my face a classic academic’s smile of amiable but decidedly limited interest. I was unprepared for the question that followed.

“Have you ever heard of the Church of Jack Lord?”

I had to confess I had not. Keith Aoki (for it was he) then proceeded to spin a tale (based, I later found out, on a skit in the obscure Michael O’Donoghue comedy movie *Mondo Video*) about an island cult that worships the star of *Hawaii 5-0*. Their sacred greeting, he claimed, was “Book ‘em, Danno.”

I would have expressed some skepticism about the existence of this cult, but there was no time: Aoki was off on one of his trademark monologues, which had roughly the internal structure of jazz improvisations by Thelonious Monk. Over the next hour, we covered the concept of self-similarity in chaos theory as related to student course evaluations, the shortcomings of Harvard Law School, the madness of life at a major law firm, the spiritual implications of molecular biology, the history of punk rock, techniques of performance art, the division of labor at Marvel Comics, and, of course, the foibles of the Dean.

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In my memory, Aoki remained solidly planted in my doorway throughout the hour, scorning to sit, as if he did not plan to stay. He did not seem like a skittish bird on a perch so much as like a Loonie Tunes Tasmanian Devil, who might at any moment disappear with joyful shouts in a tornado of motion, leaving behind a swirl of new concepts, obscure cultural references, and indecipherable legal footnotes.

It was my introduction to Keith Aoki, the most stimulating colleague I have ever had and ever expect to have. Not that we had not met before; but my true introduction to Keith's protean identities came by way of Jack Lord.

In June 2010, Keith published one of his last pieces of writing, an op-ed in the *San Francisco Chronicle* entitled "Arizona—Pick on Someone Your Own Size."¹ Writing as if between clenched teeth, he reviewed the attempts by Arizona Senate President Russell Pearce (since mercifully recalled from office by his constituents) to pass legislation aimed at American-born children of undocumented immigrants. Pearce's bill purported to strip by state law from these innocent American children the citizenship that is their birthright, guaranteed by the U.S. Constitution. "So Arizona, I have a question for you," he concluded. "Have you no decency?"

When I emailed to congratulate him, he answered: "the stuff in Arizona breaks my heart, it's what went on with the Japanese in California before World War II, plus my dad was interned at Gila River for three years."²

Keith and I had discussed the Japanese internment cases many times, but never before had he referred directly to his own family's experience. I don't know whether, at the time he wrote his essay for the *Chronicle*, he knew that he was sick with the disease that killed him less than a year later. But it is clear that, as any father does, he was thinking as he wrote it of the world he would sooner or later leave behind for his twin daughters.

Thus the arc of a career; thus the arc of a life: brilliant, mercurial, funny, versatile—artist, composer, songwriter, musician, activist, scholar—he seemed at times to change shape as often as Captain Kangaroo's Tom Terrific, who could be what he wanted to be 'cause

¹ Keith Aoki, Op-Ed, *Arizona—Pick on Someone Your Own Size*, S.F. CHRON., June 17, 2010, at A-16, available at http://articles.sfgate.com/2010-06-17/opinion/21913844_1_anchor-babies-family-values-immigrants.

² E-mail from Keith Aoki to author (June 17, 2010) (on file with author).

he was so clever. His cartoon avatar was “Normative Chameleon,” depicted as a skeleton without any ethnic features. His writing, too, covered a terrifyingly eclectic span of subjects: software piracy, copyright and fair use, the Alien Land Laws, genetically modified seeds, and critical race theory. But as we look over his too-short story and his stunning body of work, we can see that this chameleon was always moved by and moving toward an identity that combined the history of his country with that of his family and made of them a powerful lens to pierce hypocrisy and pretention. Beneath the humor and post-modern exuberance was a hard core of decency and the anger only a good man can feel.

I collaborated with Keith on a number of cartoon projects over the years: a comic depiction of the quest of law scholars to find something to say amid the “fearful proliferation of meaning” and the disapproval of their academic colleagues;³ the conditions for immigrants held in the post-9/11 roundup of terror suspects;⁴ the application of torture not only to suspects but also to the Constitution itself;⁵ and the inept and vindictive persecution of Brandon Mayfield by the Justice Department and Attorney General John Ashcroft, depicted as “Clueless Fostick.”⁶ These projects display Keith’s line-perfect ability to assimilate, parody, and extend the graphic-art style of earlier artists—Keith’s own friend and mentor Art Spiegelman in the detention piece; Rube Goldberg in the Constitution-torturing cartoon; and Al Capp’s Fearless Fostick in the Brandon Mayfield strip. There was no visual style Keith could not internalize and reproduce, usually overnight.

But it fits the postmodern-hall-of-mirrors aspect of Keith’s life and the dizzying nature of our collaboration that the best-known joint work we produced—the one that has attracted most attention and is closest to ubiquitous on the Internet—was never “actually” written or published. *The Accidental Law Student: A Graphic Introduction to*

³ Keith Aoki & Garrett Epps, *Dead Lines, Break Downs, and Troubling the Legal Subject or “Anything You Can Do, I Can Do Meta,”* 73 OR. L. REV. 551 (1994).

⁴ Keith Aoki & Garrett Epps, “. . . the evidence indicates a pattern of abuse . . .,” NATION, July 21/28, 2003, at 7.

⁵ This piece, “John Ashcroft’s Constitution-Torturing Machine,” was originally run on a *Nation* website but has now, undoubtedly for copyright-related reasons Keith could explain if he were here, entirely disappeared from the Internet.

⁶ Anna Palmer, *Clueless in Portland*, AM. PROSPECT, July 30, 2004, <http://prospect.org/article/clueless-portland-0>.

Law School,⁷ like something from the work of one of Keith's favorites, Argentine writer Jorge Luis Borges, lives in the collective mind even though it doesn't exist. Several times a year I encounter strangers who not only remember it but claim to have read and enjoyed it. It is, fittingly enough, listed on Amazon as "Out of Print—Limited Availability," a statement that could be made about any unwritten work.

The Accidental Law Student was to be a graphic novel depicting the progress through law school of an imaginary student named Ingrid Fine. The structure was to be based on Dante's *Inferno*. I was to write the words and Keith would provide the art. Though both authors and the publisher were excited about it, it never came to pass, simply because my lagging pen could not keep up with the pace of Keith's brush—by the time I had written twenty pages of script, Keith had drawn the entire thing, visually evoking R. Crumb and Dante in equal measure. Unfortunately, having fallen behind, I could never quite put words to the images Keith had downloaded from his head. Somewhere in Keith's effects are these powerful pages depicting law school as a video game called *Inferno*. The episode convinced me of what Keith instinctively knew: heard melodies are sweet, but those unheard are sweeter. I am honored to be remembered with him for work that no one ever saw.

Just as that project lives on, lurking somehow just at the edge of sight, Keith himself has now passed into the fearful proliferation of meaning with which he enjoyed such a joyous relationship. His images are out there somewhere, all the time; his words live on in scholarship databases; his kind deeds to younger colleagues take shape in the careers that he helped create and shape.

At a Masonic funeral, the pallbearers lower the body into the grave and then intone, "His body to the earth; his memory in our hearts; his spirit to God."

That he is buried there can be no doubt; that he is remembered, scarcely less so. But what about the third part of that farewell? He was far from a religious man; Keith's spiritual beliefs might be summed up best in the credo, "Nothing is impossible." The universe to him was a site of infinite plasticity, like matter, distance, and time in his art. A true postmodernist would not rule out a place for spirits to assemble when their work on earth is done.

⁷ See AMAZON, <http://www.amazon.com/Accidental-Law-Student-Introduction-University/dp/0814706541> (last visited May 28, 2012).

And so we can imagine that Keith, having lived many lifetimes in forty-six years, may have arrived in time at the Gates of Horn and Ivory, to be challenged by St. Peter, or more likely Krazy Kat, for the profession of faith that would gain him entrance to the islands of the blessed.

And Keith, who, like Dylan Thomas's Mrs. Prothero,⁸ always knew just what to say, would have said the only words that open the portals of postmodern Paradise:

“Book ‘em, Danno.”

⁸ See DYLAN THOMAS, *A CHILD'S CHRISTMAS IN WALES* (Weathervane Press 2010) (1955).

