



Proceedings of the 2023 Rebellious Lawyering Conference Notes on Law & Liberation

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POEM & INTERVIEW

People the We

Helal's work addresses "the worm of white supremacy" with playful inversions of language interrogating how blackness, gender, citizenship, legal status, illness, and the body function under capitalism.

Marwa Helal*

Census[±]

Census. In the summer of 2000, there was a knock on our front door. Then the doorbell rang. My father answered it, "Hel-lo."

"Hi, I'm from the Census Bureau—do you have a few moments to answer a few follow-up questions about your Census form?"

"Shoor."

She looked down at her clipboard. "Well, Sir, it looks like you checked a few boxes for race, although it says there are only five people in your household."

"Yess?"

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[±] Editors' Note: Footnotes have been maintained in the citation style of the original poem.

“How is that possible?”

Previously, my father had checked the form: White Non-Hispanic, African, African-American, Multiracial, and Other.

“Hang on, please. Just one second.” He loudly called out, “yaa Aaazza, Maarrwaa, Haaatem, Yaassserrr...” We gathered at the entrance in the order he had called us. “Look at my family and tell me what you see.” A Biology professor, my father enjoyed challenging his students in the same way. She looked over our faces, each of us a different shade ranging from my mother’s ivory skin to my father’s dark summer brown—my brothers and me the gradients between.

My father went on with his lesson (she may as well have come over to ask about the binomial nomenclature of some plants in the yard). “We are from Egypt.” A fan of the Socratic method, he went on. “Do you know where Egypt is?”

“Africa?” She replied hesitantly.

“Would this qualify us as African-American?” He didn’t wait for her answer this time. “We get mistaken for just about everything around here and not one of us is the same color as the other. So,” he paused. “I checked everything that applied...”

By 1924, there were about 200,000 Arabs living in the United States¹ and by 2000, at least 3.5 million Americans were of Arab descent.²

It is 2010. A census form arrives in the mail.

I check OTHER and write-in: A-R-A-B.

In 2016, Obama wants to add a new racial category and has chosen an acronym to describe a group of people: MENA (Middle Eastern and North African).³

I note the absence of the word “Arab.”

Still, they do not sense us.⁴

¹ “Arab-American History.” 2010. Arab-American National Museum. N.p., Web. 29 Apr 2010.

² “Arab-American Demographics.” 2010. Arab American Institute. N.p., Web. 16 May 2010.

³ “...as it’s called by population scholars — is broader in concept than Arab (an ethnicity) or Muslim (a religion). It would include anyone from a region of the world stretching from Morocco to Iran, and including Syrian and Coptic Christians, I[----]li Jews and other religious minorities.” excerpt: “White House wants to add new racial category for Middle Eastern people,” Korte, Gregory, USA Today. N.p., Web. 30 Sept 2016.

⁴ “US Census fails to add MENA category: Arabs to remain ‘white’ in count.” 2018. N.p., Web. 27 Jan 2018.

beast of no omissions

i say it with the arrogance of a thoroughbred
when i say
i have seen the earth
how it is held together
with its fences and caution tape
always under
construction
going out
of business
the percentage off
increasing with each passing
week
my diminishing
return was as inevitable as my americaness
as my willingness to incur
more debt

i return
a triathlete of sea, land, and sky
i dye my hair so we can grow old again
i age and learn to love
the bit
for at night it gives me something to grind against

starting celery

what is the starting celery
for how lung^{you} have loved me?
he would say شراب
when he really meant shutup
and on what neural network does
your language runon?
trust i^{s/n} the mos thigh

Interview with Josh Aiken '24

Note: The original transcript has been edited for length and clarity

In your book, *Ante body*, in a poem called "WHO REAL?" you write:

‡america in survive will who

‡real who

‡free who

This immediately reminds me of the musician Gil Scott-Heron's infamous poem from 1970, and his phrase: "freedom: free doom"⁵ What are you getting at in speaking about who is real and who is free?

I think it's an American (read: empire) responsibility to question what it means when we refer to "freedom." I think my Aries hero Gil Scott-Heron was as right as he is efficient. Often one person's freedom is another's doom. Or it can be read in another way: what if we freed our doom? I imagine it could be incredibly productive to confront our many histories of doom. Professor Scott-Heron tells us in that same tune, doing otherwise is "living...upside down."⁶

I'm still defining what freedom is to me and it's a privilege I don't take for granted. In my curiosity, there is this underlying and more important question, which is on whose backs are we pursuing said freedom? And in obtaining said freedom (a telling typo just occurred: greedom) what do we then do with it? What am I not dealing with in my so-called freedom? What work am I avoiding? And can that freedom be genuine (real) if we don't consider these questions? Real as in lasting? Real as in a ripple effect where everyone has the right to really live their dream and destiny. Who is free here? You can't really be free if you're not real. Who will survive in America?⁷ Will America survive? Such a young country. Freedom to me looks a lot like Tahrir Square. "No fear," as Nina Simone said.⁸ It means being willing to risk it all everyday. It means the work *is* freedom. It's generosity and humanity. It's faith. It's the fire in your bellyyyy. A successful revolution is waking up with the fire to live another day.

Can you tell us more about how your work—especially *Ante body*—is concerned with migration and the body? Based on the title alone, a reader is primed to think of antibodies, as they work in the immune system of human bodies: antibodies identify and neutralize foreign objects.

Both *Ante body* and *Invasive species* center the intersections of race and migration. While *Invasive species* is a migration story, *Ante body* explores more of the interiority and impacts of migration on the person as well as how the body might respond or react to the new environment, especially its systems and institutions. The speaker is also pointing to many inescapable unjust conditions, regardless of migration.

⁵ GIL SCOTT-HERON, *Comment #1*, on SMALL TALK AT 125TH AND LENOX (Flying Dutchman Records 1970).

⁶ *Id.*

⁷ This phrase continues the riff on Heron's poem. *Id.*

⁸ *Nina: A Historical Perspective* (Peter Rodis 1970)

Something that I see in your work is a relationship between calling in these massive systems and long historical projects, and finding ways to pull the reader in to think about their own responsibility. So maybe we can talk about your Census poem, which we've included in our *Proceedings*, because I don't come away from that poem feeling like I need to be mad at that particular census taker, or that I necessarily need to be mad at Obama. Sort of, but I come away much more concerned with what are these categories doing? And to whom? I'm interested in how rather than talking about individuals to blame or a convenient story of placing all the guilt and responsibility on a person or a time period, you draw the reader in to their own relationship with what's taking place.

Yeah, it's a great question. I mean, as a writer I have a question—not to answer your question with a question, I am glad you don't feel angry. But I wonder, is it curiosity? Is it confusion? What actually is the reader feeling? And I do wonder if another Egyptian reader would even be having the same experience, right. I think some other Egyptian reader might be like, *Yo, what is she talking about? Like, Obama's awesome, or whatever. Like, I love this [acronym], yes, MENA—Middle East and North Africa, let's go!* You know? And I just also wonder if people really understand the position that I have—the trap of being a writer is you know, language fails. And...writing is a kind of exploring this failure, that we're all complicit in every day.

You know, I was there when this happened. I also have the advantage of asking my dad, what was going on when you were filling this out? Right? And he's like: *Well, this brother was born here. And he has very black features. And this is how I predict you will be read and identify.* This is how you will be treated. In Egypt, you know, identities' just different. We have Nubians and we have Black folks, we have refugees, we have Syrians . . . Sorry, I'm totally just traveling, but like, this is my process. This is the process of figuring out, now there's this catastrophe, so how are people going to shift and migrate?

Specifically speaking to the Census piece, literally watching people be erased through language—language matters. But do I feel more or less represented by checking a Middle East/North Africa box, rather than an Arab box? Which will never exist, because if we actually look at the definition of Arab, guess what, everybody's Arab. Like what does it mean? It means people who are of all of these different places mixing.

One of the things that I appreciate about the piece that goes to what you're saying is that at the present for Arab folks, [a frequent outcome] is to be subsumed into White. There is such investment in not naming Arab people, because it would come with the implications of what that label is used for by the American state. As opposed to the categories that are useful for maintaining empire and maintaining racial hierarchy. . . . [A] particular type of racial and legal reformism can do the work of obscuring the violence, the project of American Empire especially in the aftermath of 911 and the war on terror.

There's so much to explore in what you just said, and I'm not really sure where to start unraveling it. That's also the fun of this work, that you could spend a lifetime taking these pieces apart, putting them back together, until you can see some sense, but it's like what Toni Morrison said, you don't

have a linguist [for the language you speak].⁹ And so you spend a lifetime, 20 years, I can't remember the exact quote, working to prove you have the language, that you have lineage or ancestry, a claim to things, so to speak.¹⁰ That's the worm that's always eating our brains. But identity is very important, and that's why Empire has made it a tool of division.

But actually, identity is very important for connecting and having codes, the codes of a culture that we all agree to. And America is very easy in that sense where there are certain codes of reliability, right? You can go to the store, find several flavors of toothpaste, these kinds of things that are also an invention of Empire, good brands, for the most part, you know it's not tampered with, has some kind of FDA approval and, you know that the cashier is going to be cordial. You've learned that the question, "How are you?" is another extension of capitalism. Nobody really wants a real answer, but like with poetry, they are very pleasantly surprised when you give a real answer that doesn't comply with the rules.

And those rules being the rules of the death machine, the death machine that is white supremacy, the worm that's eating at all of our brains. So we're writing a poem now, right? About a worm. And that worm can be the invasive species. Right? Or it can be something that you're not aware of. So you get to make that choice. And so I hope a reader chooses to really stick with a poem like census, and is like, *Oh, my God, I don't know what is going on. This place is crazy. Why is this lady even knocking on their door?*

One of the things I was thinking about in your work is this notion of responsibility or accountability, or liability, for global systems or structures of oppression. And I was thinking about how one of the things that I learned in my first year of law school was the use of passive voice in legal writing. Previously, I had learned that using the passive voice to describe oppression—or maybe anything—is one the most political things that is done with language. When we talk about things just happening, we obscure the actor who causes the violence. In legal writing, generally, you want to use active language and you want things to be concise and clear. But the times that you don't want to do that are when you are trying to shield your client from responsibility: you're trying to hide your client, using passive voice.

You know, I used to be a journalist. What that means is, I've read a lot of passive voice. And [as a poet] I've also learned how to change that passive voice into active voice. So you're seeing the reporter become the poet, right? In a lot of these works. . . So here it's like, what if poets were setting the agenda? What does that look like? You know, Camonghne Felix is working on a book right now called *Let the Poets Govern*.¹¹ I'm really, really curious to see what that book says, because I'm interested in a world where it's not government, but people [that] are setting the agenda. And I

⁹ Helal is possibly referring to Morrison's statement that criticism of her work is "like having a linguist who doesn't understand your language tell you what you're saying." Thomas LeClair, *The Language Must Not Sweat: A Conversation with Toni Morrison*, NEW REPUBLIC (March 21, 1981), <https://newrepublic.com/article/95923/the-language-must-not-sweat>.

¹⁰ "The very serious function of racism . . . is distraction. It keeps you from doing your work. It keeps you explaining, over and over again, your reason for being. Somebody says you have no language and so you spend 20 years proving that you do. Somebody says your head isn't shaped properly so you have scientists working on the fact that it is. Somebody says that you have no art so you dredge that up. Somebody says that you have no kingdoms and so you dredge that up. None of that is necessary." Toni Morrison, *A Humanist View*, Address at Portland State University (May 30, 1975), <https://pdxscholar.library.pdx.edu/cgi/viewcontent.cgi?article=1089&context=orspeakers>.

¹¹ See *Camonghne Felix*, PEN AMERICA 100, <https://pen.org/user/camonghne-felix>.

feel like we've had moments of that during the pandemic, where mutual aid organizing was on the rise, as well as more people talking about abolition, openly organizing, we saw a lot of books on abolition get really, really popular. I don't know. It's exciting. It's exciting to see people take power away. I mean, I shouldn't even say away, I should just say back right? Take power back from these institutions.

I can't help but think about Zora Neale Hurston and renewed attention about the power of her language, dialect and voice. Her being an anthropologist of vernacular and folklore, it feels clear the political nature of deviating from standard American English is profound: that nuance, insight, and meaning often flourish in speech that's considered broken. Beyond the idea that languages are thrust upon us and some people borrow and meld words, I'm curious about metabolization of linguistic influences: what shapes someone's ability to metabolize and then use language in new ways? You learned English and Egyptian Arabic at the same time and so I'm wondering: what did that look like for you in terms of language, growing up, and how it was treated?

Yeah, I mean, it's a really great question . . . Your question reminds me of James Baldwin's essay, "*If Black English Isn't a Language, Then Tell Me, What Is?*", which is this timeless reminder that Black people are still making language.¹² And so there is something about AAVE that is very similar to Egyptian Arabic or a patois, or Creole, where it's like, here are our rules. And we're just pulling that other language into our rules. And there's something very powerful about that. It's kind of like you studying the law, because okay, here we go: now, the worm is pulling in the other direction, right? Maybe it's actually rebuilding some connections, rather than eating away at them. . . .

But to answer your question what that experience was like, was like, really fun. There's no difference at first—you slip up, you start speaking Arabic, at school. I'd be a little embarrassed, but more *Oh, you forgot*, where it's like, language is displacement, but I'm not yet aware that I'm in America, I don't even know what America is. Which is amazing too, if you think about it.

But then there was like a period of mutism when I was like, *dude, these people are talking. And I don't understand what they're saying. And so I'm just not going to say anything*. So it's hard to say if America started when I started going to Headstart, once that that boundary of home and other places, or other adults, caring for you, begins. And there's something very specific about Headstart. In Columbus, Ohio, guess who's in there? Immigrant refugees and black folks. So here we are, you know, this is America.

You can imagine, just the journey there. What's going on in the classroom? Did I feel loved by my teachers? Hell, yes. I think this is the most important thing. My teachers were all Black folks. And, you know, as my parents did the thing that upwardly mobile immigrants do, I saw less and less Black folks, and I was just more and more heartbroken. And then I was like, *this is America*. You're learning, you're learning as you move through the country.

I've been a reporter for a really long time, language is the strongest tool in my body. And I also noticed that you can affect people with words—this is actually the most powerful gift the poet has or writer has. But when my younger brother started going to elementary school with me, that's when I started speaking English, almost full time. Because it was me and his language now, and then we talked to each other in English once we were home, and my parents were like, *What's going on?*

¹² James Baldwin, *If Black English Isn't a Language, Then Tell Me, What Is?*, N.Y. TIMES (July 29, 1979).

My dad, who was studying at Ohio State at the time, took us to pick something up from his advisor one day. And I think at this point, I'm in first grade, and he says to his advisor, "Can you believe she's forgetting her Arabic?"

First of all, have you forgot what it's like to have a six year old brain? The shit is intact. I understand everything you're saying. And I understand the connotations. You know, I had this very adult defensiveness and—you don't know who I am. You're my dad. And you're just saying things about me? This is also how adults project onto children and describe their reality. And it's like, no, no, no, no, no. Even in your own family, you have to kind of like, self govern. To declare *Excuse me, sir, I can understand you. And don't say that to people. Because my Arabic is well and good. Thank you very much. And I will use it when I want to.*

There's just so much insight and wisdom in what you just narrated in terms of our entry points into society or entry points into understanding how adults work and what they do, and the various ways that we're being prepared to engage, or were told what we are or what we're not able to do. And what does it mean to have at a young age, a sense around language that despite what you're being told, that no—I've got something going on with language that is different, but quite intact. My six year old brain got it.

Then going back to Egypt, at age 9 or 10. . . The shock of *Whoa, we came back? This is awesome.* That was partly excitement, but also *Oh, my God, are we gonna live here now?* I don't really understand that part. And so all the adults, again, are assuming that I don't understand. And this is actually how you learn to be a spy, is to be a child.

Yes, yes.

So my aunties, I overhear them talking about the ways my mom has changed. And I'm like, *Oh, interesting. Tell my mom this stuff.* It's a mess. I'm just learning a lot about the power of language. And the power of the things that you don't want to tell people. Or the things said about people. Even when the people is just you, or your mom, or whoever. And what it looks like, for people to love you when you're not speaking too. When you are this mute child that's like, I don't know what's going on. But y'all are feeding me.

You know that there's some existence there, just love.

Yeah. And I think that's kind of how I learn language.

It's making me think about Darlene Clark Hine's work talking about cultures of dissemblance.¹³ There's a poem about Billie Holiday by Rita Dove,¹⁴ she writes, "If you can't be free, be a mystery." And then brilliant scholar Farah Jasmine Griffin took that as the title of her work.¹⁵ Talking about black women's experience of like,

¹³ Darlene Clark Hine, *Rape and the Inner Lives of Black Women in the Middle West: Preliminary Thoughts on the Culture of Dissemblance*, 14 SIGNS: J. OF WOMEN IN CULTURE & SOC'Y 915 (1989).

¹⁴ Rita Dove, *Canary*, in GRACE NOTES (1989).

¹⁵ FARAH JASMINE GRIFFIN, IF YOU CAN'T BE FREE BE A MYSTERY: IN SEARCH OF BILLIE HOLIDAY 157 (2002).

what does it mean to have things inside that some people know and others don't know? And Griffin writes, “Choosing to be a mystery is one way to maintain a semblance of control, to keep your inner self to yourself. This is an act of agency for the unfree mystery is the thing we do not know, cannot solve.”

Yeah, I mean, it's also the part of us that comes from source. It's that unknown, unknowable force that moves us all, and moves everything, you know. And so, it's kind of heartbreaking that words can impact or influence or dim—negatively influence is the connotation here—dim someone's interiority or force. And so, you know, I did tell my mom, *Auntie said this to other Auntie, I don't really know what it means, but it sounds concerning.* . . . And she's like, *What?* And I was like, *I don't know, I'm just the messenger, [I] actually have no idea.*

You know, gender is definitely part of this, the way it is almost always an elder or a man who is narrating this person's existence. I knew not to interrupt my father when he was talking to, you know, his elder, his teacher. So I've held that, but it is a force in my poetics. Oh, yes. You're not going to speak for me. You're not going to narrate my existence. In fact, I'm just gonna narrate everything around me, and y'all are gonna have to figure this out. Because this place is crazy.

In the book, across two adjacent pages, are the words “PEOPLE THE WE.” This inversion of the Constitution's preamble feels instructive in terms of reading your work: what do you mean when you talk about “the we”? In Constitutional law, the preamble is not seen as conferring powers to any of the branches of government, but “the people” is typically interpreted to mean “citizens and nationals” and the preface is often framed as containing the “spirit” of the Constitution—for you, what does this “spirit” entail?



I love this question. I want to share that this piece of art was made by Betelhem Makonnen and Adrian Aguilera in conversation with the OG “poem to be read from right to left,” which is a form poem I created during my first year of Cave Canem fellowship in 2016. I was asking these questions of freedom and authenticity and the relationship between the two when their art appeared in my inbox during the first wave of the pandemic.

It felt like a revelation. How the art is smarter than us. Shows us what we didn't realize we needed to see. In the best case, it becomes a mirror for reflection. And this was a best case! How can I not

think about spirit and how that seems to be annihilated in most of our bureaucratic dealings. But here were these artists showing me what had survived. And it made the book a book, it was the missing puzzle piece for the shift from left to right to right to left. That to me is spirit. Collaboration, invention, our ongoing striving to update these stubbornly outdated systems. If they are not updated they will be wrecked (a la Baldwin) or there will be corruption, i.e. other systems put in place. Life finds a way.

I wanted to ask about language and the law, and especially I'm thinking about it in two contexts: in the context of 911, and in the context of US immigration policy more broadly—the use of language by the state and legal infrastructures to justify violence and cover or paper over structures that are designed to demean people. Earlier, I think you were talking about the inalienable aspects of a person, and in US immigration law we have kind of the terms and categories that are kind of forward facing now. The statutes are still describing people as aliens.

... It's all very funny, and I can answer it from so many different experiences. One—as somebody who monthly goes to the pharmacy to pick a medicine and depending on what's going on with my insurance, either feeling like a criminal or being treated like a criminal. And being on both sides of that understanding or that gaze, that perspective, and being like okay, well if I perform the role of criminal then they don't have to do it. Right. And that's an exit. That's one exit from the joke that is the written law. Right? What if I just say, hell yeah, I'm an alien. You have nothing to be afraid of. It's really like the reverse psychology of it. It's so basic, but it also just shows you how infantile white supremacy is.

...But...if I go in there, as the desperate displaced, begging for my medicine, they're gonna say, *well, we have some coupons that you can apply*. Still, not my insurance covering it. You know.

But I think [we can] distill it down to this: one day we will reach a point where we will all be laughing our asses off at this very long, dark period that they have dragged us through. You know, when they wake up, finally, they'll be like, *Oh, we did that to ourselves. Like, congratulations, yourself. Here we are*. Because we know the depth of our humanity, the language, the telepathy that we share, right? That's part of source connection—there's an inbuilt community here. I don't know where that's from. But as it saved my life, am I grateful for it? Yes. Do I wake up excited to live every day? Because I know it exists? Yes. And I'm not trying to be some motivational speaker. But that's why we're gonna be laughing. That's why we're already laughing.

They think they're doing us a favor by letting us into the academy, into the journals, into the museums, but where you all think you got this from? And that's the ante body. It's like, go back, keep going back keep further. Why are you even interested in studying linguistics? Or sociology? Where'd you get that? And then it's just laughter and like, truth is funny. Truth is so much fun. If I can teach anything, it is that even if you get caught in a lie, it's fun. And sometimes you want to get caught...

Ante body has a line that's like: I'm becoming a parrot and repeating men's lies. Like how annoying is that? So, first of all, I want to annoy men. Right? Like you [President Biden] said you said you were going to cancel student loans or whatever it is—imagine that there's a bird in your office that's just like repeating every lie that you told the media. Sometimes, you want the parrot repeating back that insanity.

When do you feel the most free?

I think a conversation like this, where I don't feel like I'm teaching. I actually want us to drop this responsibility of teaching, this labor, which I think is a very American produced, Empire produced labor that is put upon us—whether we're black, or queer, or women or Muslim, any of these kinds of identities where the burden is put back on us to represent a people. It's like I said at the beginning, another Egyptian reading this might not relate to anything that I've written. I actually love that possibility. That's one form of freedom. I think it's the freedom to be free of narrative. And to understand that.

What are you reading these days?

Optic Subwoof by Douglas Kearney¹⁶ and *or, on being the other woman* by Simone White.¹⁷ Both works of incredible generosity and care.

I am also really excited for my fellow fellow Quenton Baker's debut *ballast*¹⁸ to make its arrival. Definitely of interest to readers of this journal.

¹⁶ DOUGLAS KEARNEY, *OPTIC SUBWOOF* (2022).

¹⁷ SIMONE WHITE, *OR, ON BEING THE OTHER WOMAN* (2022).

¹⁸ QUENTON BAKER, *BALLAST* (2023). An interview with Baker is published in this collection.