THE GHOST OF TOM JOAD: PROPERTY, GUNS, AND THE LAW

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The Grapes of Wrath: The Protest Novel as Political Theory

By the late 1930s, California politics were violently exploding over poverty, property ownership, race, and agriculture. In 1934, Upton Sinclair captured the Democratic nomination for Governor by running on a socialist platform centered on a proposal to End Poverty in California (EPIC). Sinclair lost in the general election. John Steinbeck, reporting for the *San Francisco News* in 1936, researched migratory labor and witnessed the violent aggression of the owners of large-scale farms, especially the Associated Farmers of California (AFC). His seven passionate articles, the "Harvest Gypsies" (published in October 1936) highlighted the relationship between the desperate conditions of migrant labor in California and the policies and practices of the AFC. The AFC (representing growers and their financial backers) lobbied to criminalize picketing and used guns to keep workers in line in the fields. *The Nation* called the Associated Farmers "organized terrorism in agriculture." Steinbeck's articles were collected into a pamphlet, *Their Blood is Strong*, that included twenty-two photographs by Dorothea Lange and sold 10,000 copies.[1] Steinbeck drew upon his research and journalism to create the Joad family's journey in *The Grapes of Wrath*, published in 1939. That same year, Carey McWilliams's *Factories in the Fields* traced the exploitation of labor in California to the rise of "large-scale, intensive, diversified, mechanized" corporate agriculture. McWilliams argued that seventy years of the "exploitation of minority racial and other groups" helped explain how "a powerful clique of landowners" used terror, violence, and intimidation to exploit migratory workers and he placed race at the center of his analysis.[2] The United States had not entered the war but German troops stood at the Polish border, the Soviets and Japanese fought in Mongolia, and Franco consolidated power in Spain. The American economy had incompletely recovered from the Depression and the 17% unemployment rate and depressed stock values challenged Franklin Roosevelt's administration to address the economy as well as the war.[3]

[1] James R. Swenson, "Focusing on the Migrant: The Contextualization of Dorothea Lange's Photographs of the John Steinbeck Committee" and Rick Wartzman, "Prologue: John Steinbeck in the 1930s: Living Under the Gun," 1-7 in *A Political Companion to John Steinbeck*, edited by Cyrus Ernesto Zirakzadeh and Simon Stow (Lexington: University of Kentucky, 2013). Robert DeMott, "Introduction" in *The Grapes of Wrath*, John Steinbeck (New York: Penguin Classics, 2006), xxix. The articles were later published as a book, *The Harvest Gypsies*: *On the Road to the Grapes of Wrath*, introduction by Charles Wollenberg (Berkeley: Heyday Books, 1988).

[2] Carey McWilliams, *Factories in the Field: The Story of Migratory Farm Labor in California*, forward by Douglas C. Sackman (Berkeley, Los Angeles, and London: University of California Press, 1999). McWilliams published articles in the *Pacific Weekly* and *The Nation* from 1935-1936. McWilliams notes that his manuscript was forwarded to publishers before the publication of *Grapes of Wrath* which accounts for the lack of reference to the novel, 5, 7-10.

[3] Wartzman, *Obscene Extreme*, 2.

In *The Grapes of Wrath*, Steinbeck argues that corporate ownership of agriculture depresses wages such that workers – particularly white, male, displaced American citizens fleeing the impact of the Dust Bowl – cannot earn a living wage or keep themselves or relatives alive.[4] Steinbeck shows how the degradation of the dispossessed is assisted by laws that criminalize their movements and law enforcement that brutally intimidates their speech and collective action. Using the American protest novel as his form, Steinbeck aspires to remake the United States by offering an alternative roadmap for a "partially achieved nation."[5] As Ralph Ellison notes, "American fiction has played a special role in the development of the American blueprints and mockups of emerging realities."[6] Likewise, Frederick Douglas saw the value of interrogating the gap between ideals and realities: "Poets, prophets, and reformers are all picture-makers, and this ability is the secret of their power and achievements...they see what ought to be by the reflection of what is, and endeavor to remove the contradiction."[7] This is Steinbeck's project and his protest novel has been compared to Harriet Beecher Stowe's *Uncle Tom's Cabin* and Upton Sinclair's *The Jungle* as novels that have been central to the development of American ideals and discourse.[8]

The Grapes of Wrath is a political treatise and Steinbeck employed literary techniques to move his 1930s reader to act politically. Like others writing in the protest novel tradition, Steinbeck "demands active empathy rather than passive sympathy." He depicts violence to jolt " the readers out of any complacency."[9] To achieve this "perspective taking" followed by "active participation," Steinbeck encourages the reader to imaginatively identify with the Joad family's vantage point "followed by the stimulation of moral action."[10] His inter-chapters (located between the Joad family narratives) were

[4] Most of the white migrants that Steinbeck focuses upon came from Oklahoma, Arkansas, Texas, and Missouri. The Joads are from Oklahoma.
[5] Trodd, "Star Signals," 53 and Trodd, "Poets To Come: Walt Whitman in the American Protest Literature Tradition," *MSR* 19/20: April 2008, p. 1.
[6] Ellison, cited by Trodd, 53. Ralph Ellison, "The Novel as a Function of American Democracy" (1967), *The Collected Essays of Ralph Ellison* (New York: Modern Library, 2003), 767; Ellison, *Juneteenth* (New York: Vintage, 1999), 17. For one example of a protest writer explicitly "asking America to *be* America," see James Baldwin, "My Dungeon Shook" (1962), *The Fire Next Time* (New York: Vintage, 1993), 10: "we can make America what America must become."
[7] Frederick Douglass 1864 cited by Trodd 64. On the importance of looking beyond treatises to understand political theory, see Andrew Murphy, Gregory Zucker, and Susan Liebell, "Popish Plots, Playing Cards, and Political Theory," in *Against Popery and Slavery: Anti-Catholicism and Liberty in the British-American World, c. 1530-1830* edited by Evan Haefeli, University of Virginia Press, forthcoming 2020; *Ballads and Broadsides in Britain, 1500-1800*, ed. Patricia Fumerton (Surrey: Ashgate, 2009); Andrew Murphy, "Trial Transcript as Political Theory: Principles and Performance in the Penn-Mead Case," *Political Theory* 41: 6 (2013): 775-808; Elizabeth Wingrove, "Sovereign Address," *Political Theory* 40: 2 (2012): 135-164; *Printed Images in Early Modern Britain, ed. Michael Hunter* (Ashgate: Farnham and Burlington, 2010); and Quentin Skinner on the frontispiece to *Leviathan* in *Hobbes and Republican Liberty* (Cambridge, 2008), 186-196.
[8] Trodd, "Star Signals," 55 and Wartzman, 2-3.
[9] Trodd, "Star Signals," 57, 61.
[10] C. Daniel Batson cited by Trodd, "Star Signals," 57.

intended to "hit the reader below the belt."[11] His "participatory parables" demanded "that the reader, or the viewer, do something to alleviate the conditions depicted by the artist's work."[12] Understanding language as a weapon, Steinbeck uses shock value – "literary terrorism"[13] – to create active empathy for the migrants. He believes his fiction can move readers to push for the reform of the political and economic systems that empowered the corporate growers at the expense of the workers.

The Grapes of Wrath was the only protest novel of the 1930s to reach a mass audience.[14] Selling 428,900 copies in the first year, it soared to the best-seller list.[15] Darryl Zanuck quickly began a film adaptation with Henry Fonda as Tom Joad. By 1940, Woody Guthrie recorded his *Ballad of Tom Joad*.[16] Eleanor Roosevelt called her reading of the novel an "unforgettable experience."[17] In a January 1940 radio address, President Franklin D. Roosevelt told Americans that he had read a book called *Grapes of Wrath*…that there were 500,000 "Americans living in the book's covers" and "I would like to see the California Columbia Basin devoted to [their] care."[18] Unions and pro-migrant groups took advantage of the popularity of the book to organize for their causes. They held *Grapes of Wrath* parties and even hired actors to play the Joads on tour (using the money to support the United Cannery, Agricultural, Packing and Allied Workers of America). The Joads were referenced in articles and speeches "as if they were real" and people even wore Joad caps.[19]

In the 1930s and early 1940s, Steinbeck was viewed as a "dangerous writer" because he threatened "capital, communists, school boards, and library patrons."[20] Simon Stow emphasizes that although Steinbeck loathed capitalism's excesses, he did not embrace communism and exhibited a commitment to American military engagement. The attack on the novel came from both the right and the

11 1953 Steinbeck 1953 letter cited by Trodd, "Star Signals,"57.
12 Simon Stow, "The Dangerous Ambivalence of John Steinbeck," 8-16, 13, citing Marijan Osborn, "Participatory Parables: Cinema, Social Action, and Steinbeck's Mexican Dilemma," 227-246 in *A Political Companion to John Steinbeck*, edited by Cyrus Ernesto Zirakzadeh and Simon Stow (Lexington: University of Kentucky, 2013),
13 "Literary terrorism" from John Seelye, "Come Back to the Boxcar, Leslie Honey: Or, Don't Cry for Me, Madonna, Just Pass the Milk: Steinbeck and Sentimentality" in *Beyond Boundaries: Rereading John* Steinbeck, Susan Shillinglaw and Kevin Hearle, eds. Tuscaloosa: University of Alabama Press, 2002, 11-33), cited by Trodd 61.
14 Trodd, "Star Signals,"50.
15 Zoe Trodd, "Star Signals: John Steinbeck in the American Protest Literature Tradition," *A Political Companion to John Steinbeck*, edited by Cyrus Ernesto Zirakzadeh and Simon Stow (Lexington: University of Kentucky, 2013), 49-76, 50.
16 Guthrie singing live: https://www.youtube.com/watch?v=uMZ04AlFMk0&feature=youtu.be
17 Wartzman, *Obscene in the Extreme*, 5.
18 Zirakzadeh, "Revolutionary Conservative, Conservative Revolutionary," 20 and Trodd, "Star Signals," 50. [See also the Wyatt essays]. The 400,000-500,000 migrants mostly came from Oklahoma, Arkansas, Texas, and Missouri. Walzman, *Obscene Extreme*, 3.
19 Wartzman, *Obscene in the Extreme*, 6.
20 Stow, "Introduction," *A Political Companion to John Steinbeck*, edited by Cyrus Ernesto Zirakzadeh and Simon Stow (Lexington: University of Kentucky, 2013), 8-18, 8.

left. Steinbeck's politics are complex. He argues that the ability of the national government to provide relief (in the spirit of FDR's New Deal) is thwarted by corporate capitalism. Although he flirts with the language of Sinclair's socialist populism (for example, looking to a time when the tractor is not mine but ours), he never explicitly favors the overthrow of capitalism.[21]

Believing that the novel could substantively affect contemporary politics, local officials sought to suppress access to the book.[22] Local officials in California, Oklahoma, Missouri, and Kansas denounced *Grapes of Wrath* for fueling class hatred and "undermining…respect for private property and property owners."[23] The book was banned by libraries in Kansas City for vulgarity and portraying "life in such a bestial way." The libraries in Buffalo, New York refused to acquire the book while libraries in Trenton, San Francisco, California, and Detroit consigned the novel to their "closed shelves." The East St. Louis, Illinois library board voted to burn their three copies. Aboard the *U.S.S. Tennessee*, the chaplain removed the novel from the ship's library despite the fifty requests onboard to be on the waitlist. For a short time, the U.S. Postal Service "barred the novel from the mails."[24] In California, the Kern County Board of Supervisors passed a resolution to ban the novel from their schools and libraries and call for Twentieth Century-Fox to stop production of their film version. The Board claimed that *The Grapes of Wrath* offensively and falsely portrayed "many of our fine people [as] …ignorant, profane and blasphemous." In particular, the Kern Board believed that Steinbeck portrayed "public officials, law enforcement officers and civil administrators, businessmen, farmers and ordinary citizens as inhumane vigilantes, breathing class hatred and divested of sympathy or human decency…"[25] They read the book accurately on this score. *Grapes of Wrath* remains one of the most commonly read (and banned) books in American public schools and libraries.[26]

[21] See Cyrus Ernesto Zirakzadeh, "Revolutionary Conservative, Conservative Revolutionary? John Steinbeck and *The Grapes of Wrath*," in *A Political Companion to John Steinbeck*, edited by Cyrus Ernesto Zirakzadeh and Simon Stow (Lexington: University of Kentucky, 2013), 19-48.
[22] Rick Wartzman's *Obscene in the Extreme: The Burning and Banning of John Steinbeck's The Grapes of Wrath* (New York: Public Affairs, 2008).
[23] Zoe Trodd, "Star Signals: John Steinbeck in the American Protest Literature Tradition," *A Political Companion to John Steinbeck*, edited by Cyrus Ernesto Zirakzadeh and Simon Stow (Lexington: University of Kentucky, 2013), 49-76, 20.
[24] Wartzman, *Obscene in the Extreme*, 10.
[25] Wartzman, *Obscene in the Extreme*, 8-9. The case of Kern is complex because town officials were proud of their record of supporting migrants and resented Steinbeck's depiction of local towns as heartless and unsupportive.
[26] Cyrus Ernesto Zirakzadeh, "Revolutionary Conservative, Conservative Revolutionary? John Steinbeck and *The Grapes of Wrath*," in *A Political Companion to John Steinbeck*, edited by Cyrus Ernesto Zirakzadeh and Simon Stow (Lexington: University of Kentucky, 2013), 19-48, 21. "Tom Joad is still dangerous, or at least frightening, to those counties and schools and school boards that still flirt with banning *The Grapes of Wrath* from classrooms," Trodd, 68 citing Simon and Deverell 2000.

Before and after publication, Steinbeck feared for his life. He wrote to a friend, "No word of this [government feeding of starving families being thwarted by "fascist group" of utilities, banks, and growers] outside because when I have finished my job the jolly old associated farmers will be after my scalp again."[27] Rick Wartzman claims that Steinbeck carried the gun in the 1930s because he feared attacks based on his politics.[28] Steinbeck applied for a pistol license in New York state in 1942 and it is possible that he previously had a license in 1938 while he was writing *Grapes of Wrath*.[29] Steve Hauk recounts a story (second hand) that Steinbeck was directly attacked for his writing: "Two men leaped out, and one thrust a gun into Steinbeck's chest. The assailant told Steinbeck that "he better stop writing what he was writing -- or else."[30] Wartzman suggests the *fatwa* against Salman Rushdie is an apt parallel to the hostility Steinbeck faced in the 1930s.[31]

As Steinbeck targets the politics of post-depression California, *The Grapes of Wrath* links citizenship, power, property, law, and guns. As contemporary Americans grapple with divided politics, challenges to the legitimacy of capitalism, excessive inequality, mistreatment of displaced people, and, in particular, the challenges posed by gun violence, the novel provides a vital political text. In Steinbeck's America, the shift from family to corporate ownership of farmland decreases the autonomy, economic power, and political capacity of the citizenry. Contemporary gun narratives often claim that individual ownership of guns thwarts tyrannical government and injustice as "citizen protectors" use guns as tools to defeat powerful oppression. Yet *The Grapes of Wrath* tells a very different story about individual gun ownership. Despite almost universal ownership of guns among male farmers, guns are rendered impotent and irrelevant for protest. Instead, guns are the instruments of power that sustain corporate agriculture by intimidating workers, discouraging unionization, and enforcing laws that limit the movement, health, survival, and dignity of the dispossessed migrants. In the context of corporate agriculture and large-scale property ownership, privately and publicly deployed guns erode the legitimacy of the police, rule of law, and government -- triggering collective rebellion.

The Politics of Property Ownership: Food, Autonomy, and Male Power

Steinbeck's novel interrogates how changes to the property regime deprive citizens of their dignity and power because autonomy – economic, moral, and political – is tied to a particular form of property ownership that corporate farming has destroyed. Through the recollections of the Joad family,

[27] Zirakzadeh, "Revolutionary Conservative, Conservative Revolutionary," 28.
[28] Rick Wartzman, "John Steinbeck in the 1930s: Living Under the Gun," 1-7, 1.
[29] Steve Hauk, "Steinbeck Armed: (A Colt Revolver) With the Truth," *The Steinbeck Review*, Vol. 5, No. 1 (Spring 2008), pp. 90-96.
[30] Wartzman, 2, citing Hauk.
[31] Wartzman, 2. Interesting parallel to recent German killed over immigration policy: https://www.nytimes.com/2019/07/07/world/europe/germany-murder-far-right-neo-nazi-luebcke.html

Steinbeck defines a form of property ownership that has already been razed at the opening of the novel: individual ownership of a family farm. White men labor on land that they own to produce food that they feed "their" families and sell for profit. Men are defined by their ability to labor on land that produces food – particularly food that sustains children. The novel links labor, dignity, patriarchy, and family. The farmers face the vagaries of weather and crop success. Using their bodies, effort, and technology that they directly control (e.g. tractors and fertilizer) they produce a life of financial, political, and personal autonomy. They are agents who make laws for themselves and Steinbeck dramatically depicts how the families of these male farmers deliberate (99-101). In order to make decisions and rule for their extended clan, the Joad family gathers in a circle with geographic assignments that reflect a power hierarchy that privileges age and maleness. Later in the novel, making laws for themselves will define the citizens who retain wholeness (194-195).

Land ownership supports full citizenship for men. Their children enjoy the benefit of public schools. Men agree to mortgages with banks that they assume support individual land ownership. They pay taxes with the understanding that the law, law enforcement, and makers of law support individual property-ownership for white men. They bury their dead on their own land with what appear to be reasonable guidelines from the state. As opposed to the displacement that they will experience, their home is the land.[32]

Steinbeck and his protagonists assume that this form of property ownership is fair. The family farm leaves enough property for other white males to labor upon (equal access for others defines equality of opportunity). Land of comparable quality is available to others (enough and as good for others defines equality of resources). Little (if anything) is left to spoil because the land-owning farmers use or sell what they produce. In addition, the farmers pay taxes to cover the needs of the poor and expect government to provide some sort of safety net. Although he makes no reference to Locke's *Two Treatises of Government*, Steinbeck's portrait maps neatly onto Locke's prerequisites for individual property ownership: enough and as good left for others; limits on spoilage; sufficient care for the poor so they are sustained and not enslaved.[33] Also similar to Locke, Steinbeck believes that individual property ownership derives legitimacy when it provides more food for more people.

In *The Grapes of Wrath*, property and guns are intertwined. Men use guns to hunt, shoot animal pests like skunks or snakes that interfere with their farming, and provide protection in places where

[32] Later, characters will reflect on a time when the land was different (not something that you came and worked on with a dead tractor) "his home is not the land" (116).
[33] Locke, *Second Treatise* Chapter V, "Of Property," particularly § 33 (Enough and As Good), §31 (Spoilage) and *First Treatise*, §41 (Sufficiency/provision for the poor). On Locke's three prerequisites for individual property ownership, see Susan Liebell, "The Text and Context of "Enough and as Good": John Locke as the Foundation of an Environmental Liberalism," *Polity* 43, no. 2 (April 2011): 210-241.

organized police forces cannot mobilize quickly. Characters recall that guns enabled their white ancestors to push Native Americans off the land and establish individual property ownership in the West (34).[34] In the world of the novel, guns are sometimes used to settle grievances, even among family members (44, 75, 93), and, once, a woman fires a shotgun at her husband (78). For male farmers, guns are extensions of themselves that have been grown since boyhood (236) and the Joads often reflect on times when they used guns to defend themselves – "Grampa's way was t' come out a-shootin" rather than to hide" (140, see also 46) – rather than being hunted (68). As unnamed migrants in inter-chapter 9 pack up to migrate, they list what they will take – tents, kerosene, clothes, stove: "And – the rifle? Wouldn't go out naked of a rifle. When shoes and clothes and food, when even hope is gone, we'll have the rifle. When grampa came – did I tell you? – he had pepper and salt and a rifle. Nothing else. That goes" (88).[35] Under this yeoman form of property ownership, guns can be used to work the land, settle grievances, or defend individual and loved ones.[36] Guns symbolize power, individual control, and male autonomy.

Although Steinbeck's story features strong female characters (especially Ma Joad), the family farm property regime depicted in *Grapes of Wrath* is patriarchal. Men labor and own land. They deliberate and reach decisions for "their" families (4, 31-37, 93, 96-97, 168).[37] On the family farms, women labor but their work is unpaid and they do not own the land. Women stand on the outside of the circle when the family gathers to make decisions. Oklahoma was the twenty-first state to grant women's suffrage in 1918[38] but the rules of coverture, consortium, and chastisement would still have controlled Oklahoma well beyond the 1930s. Under the rules of coverture, women could not sue or be sued, control the wages they earn, own or control real estate and personal property, freely enter into contracts, defend a

[34] The relationship between guns, property, and Native Americans is complex (and beyond the scope of tis paper). But 326 complicates Steinbeck's views – and the ease with which whites *should* remove Native Americans. The conflict between liberal property rights and acquisition of property in the American colonies has been interrogated extensively. See, for example, James Tully, "Rediscovering America: the Two treatises and aboriginal rights" (1993).

[35] When Tom Joad is hiding his wounds from the police, he gets out the family gun: "394: "Tom heard the chocked, smothered cries. He bit his lower lip and studied the floor. And then he went to Pa's bed. Under the edge of the mattress the rifle lay, a lever-action Winchester .38, long and heavy. Tom picked it up and dropped the lever to see that a cartridge was in the chamber. He tested the hammer on half-cock. And then he went back to his mattress. He laid the rifle on the floor beside him, stock up and barrel pointing down. Rose of Sharon's voice thinned to a whimper. Tom lay down again and covered himself, covered his bruised cheek with the blanket and made a little tunnel to breathe through. He sighed, "Jesus, oh, Jesus!" (394).

[36] Zirakzadeh, "Revolutionary Conservative, Conservative Revolutionary," 38 uses the term and this allows us to connect Steinbeck's narrative to the 18th century Anti-Federalist call to expand the number of representatives in the House of Representatives so that "yeoman farmers" would sit as representatives, not only lawyers and bankers (in particular, see *Federal Farmer* and Melancton Smith's confrontation with Alexander Hamilton in the NYS Ratifying Convention).

[37] As the Joads lose their land and dignity, matriarchy displaces patriarchy – and is generally associated with wage earning (74, 168-169, 174).

[38] Bill Corbett, "Suffrage Amendment," *The Encyclopedia of Oklahoma History and Culture*, https://www.okhistory.org/publications/enc/entry.php?entry=SU002.

lawsuit, sit on juries, or design their wills. Common law consortium entitled a husband to companionship, cooperation, affection, and conjugal rights (i.e. sexual access). Marital rape was not a crime, and husbands could expect consent not only to sexual intercourse but to sexual monopoly.[39] Throughout the novel, family violence is normalized as characters of all genders and ages call for violence (from slapping to pointing a shotgun) to enforce the unspoken rules of family life.[40] Steinbeck does not interrogate the maleness – or whiteness – of this propertied autonomy. In order to demonstrate the impact of the corporate farm system on American democratic citizenship, Steinbeck presents the Joads as representative of the white migration that followed the Dust Bowl to. Most generously, Steinbeck strategically focuses on the injustice of white families being degraded through migration to encourage political action in the late 1930s by setting aside the central role of race in corporate California farming and wage depreciation. Less charitably, he narrows our understanding of political theory by focusing on white and male privilege. In interrogating the role of guns and citizenship, Steinbeck remains relevant as American guns are disproportionately owned by men (43% of men and 17% of women) and whites (using the terms of Gallup: 35% of non-Hispanic whites, 19% of blacks, 15% of Hispanics).[41]

Under the Gun: Dispossession and Degradation

Throughout *The Grapes of Wrath*, the romanticized past of yeoman autonomy serves as a reminder of what has been lost: a previous standard for citizenship and humanity (4, 34-37, 116, 198).[42] The Joads "was people with a farm" (188) and, once they are dispossessed, they "talked of land behind them" (198). They understand the link between property and autonomy – and that their degradation is rooted in the corporate ownership of farmland:

> And the tenant pondered more. "But let a man get property he doesn't see, or can't take time to get his fingers in, or can't be there to walk on it—why, then the property is the man. He can't do what he wants, he can't think what he wants. *The property is the man, stronger than he is*. And he is small, not big. Only his possessions are big—and he's the servant of his property. That is so, too (37, emphasis added).

[39] On the impact of coverture, consortium, and chastisement on American public law and liberalism through the 1990s, see Susan Liebell, "Sensitive Places: Originalism, Gender, and the Myth of Self-Defense in *District of Columbia* v. *Heller*." On coverture, see Stretton and Kesselring, *Married Women and the Law*, 8; "Introduction," *Feminist Legal Theory: Readings in Law and Gender* edited by Katharine T. Barlett and Rosanne Kennedy (Boulder, San Francisco, and Oxford: Westview Press 1991), 5; Basch, *Eyes of the Law*, 58; Wendy Williams, "The Equality Crisis: Some Reflections on Culture, Courts, and Feminism," 16 (15-34) in Barlett and Kennedy, *Feminist Legal Theory*.

[40] *Grapes of Wrath*, 95, 169, 268, 270, 276, 305, 312, 339, 353, 354, 356, 359, 400, 413-4. Ma, for example, assumes Connie's right to hit Rose of Sharon for being sullen and feeling sorry for herself.

[41] Lydia Saad, "What Percentage of Americans Own Guns?" *Gallup Poll*, 8/14/19, https://news.gallup.com/poll/264932/percentage-americans-own-guns.aspx.

[42] John Steinbeck, *The Grapes of Wrath* (New York: Penguin, 2006).

Steinbeck does not clarify how the corporate owners are weakened by agribusiness (the novel does not include a fleshed out character who represents corporate ownership). Instead, he demonstrates how the Oklahoma men who owned and intimately labored upon property in the form of a family farm have lost a sense of self, independence, and essential political rights associated with citizenship (e.g. free speech, assembly, and free travel.

Steinbeck devotes the majority of the novel to unpacking the transformations in the exercise of these rights, law, and law enforcement. He insists that rights, law enforcement, and property regimes are interrelated. Freedom is only possible under particular forms of property – and guns are central to understanding the changing power dynamics that weaken citizenship and economic fitness for the dispossessed migrants. Steinbeck argues that corporate ownership of agriculture destroys autonomy for men and delegitimates the authority of the police and the laws made by states and locates. The dispossessed men have rifles but their guns cannot provide self-defense for themselves or their families or serve to counter the power of corporate owners. As the novel progresses, Steinbeck demonstrates how guns not only empower the corporate owners but they corrupt the local and state governments that protect corporate interests, resulting in a lack of trust in law and law enforcement by the dispossessed migrants.

Behind the changing nature of property ownership (and its deleterious effects on democratic citizenship and independence) are local and state laws that constrain the movement and political rights of the dispossessed migrants. Sleeping outside (186, 236, 264) is defined as a "menace to health" by the Department of Health (264-266). Agricultural inspections can be used to interrogate and intimidate (225). The movement of the migrants is policed by border guards (201-202, 205) and local sheriffs explicitly declare that the aim of law enforcement is push migrants along: "If you're here tomorra this time I'll run you in. We don't want non of you settlin' down here" (213). When Ma picks up an iron skillet and accuses the sheriff of using his tin button and gun to scare women, the sheriff is clear that she is not in her "country" now: "You're in California, an' we don't want you goddam Okies settlin' down" (214, see also 120). The family discusses their options — including further resistance — because they are not used to being shoved around by cops (216) but they are aware that they will be jailed if they do not move (216-217). They wonder whether the rules against settling in an area are linked to the power of the franchise "keep us moving' so we can't vote" or the ability to obtain government relief (244).

Enforcement of these laws (e.g. restrictions on sleeping outside or camping) enables locals who are not part of the police to profit financially. Yet the ability to profit from the law is inextricably connected to the expectation that law enforcement will stand against the migrants: "The owner [of the campsite] drummed his knee with his fingers. "Deputy sheriff comes on by in the night. Might make it tough for ya. Got a law against sleepin' out in this State. Got a law about vagrants."" As Tom asserts, paying half a dollar removes the threat of the police in the night and the stigma of being declared "bums"

(186). The family struggles with the law of (literally) the land as they wonder who owns the dirt that the Hooverville occupies — who must Pa pay for the privilege of sleeping there? (242-243). As hunger, need, and fear grow, laws that are reasonable — like regulations regarding the burial of the dead — oppress the migrants. As their funds diminish, they must choose between eating and paying the fee to bury a grandparent according to the law (140). Early in their journey, they pay the state to bury Grandpa as a pauper rather than risk running out of money to get to California (140) while later they bury Rose of Sharon's dead fetus any way they can: "They's lots of things 'against the law that we can't he'p doin'" (447). The farther they move from their land ownership and the closer they move to desperation and starvation, the less the law seems to make sense. The laws of trespass appear to be excuses for extortion and violence. It does not feel like stealing to grow food on land that is owned by not developed – but that is not how the police see it (235-237). Stealing a tire is a crime but extorting $4 for a broken tire is "good business" (121). The burial fee that they cannot pay or the restrictions on growing food in a patch of weeds encourages the dispossessed to reevaluate the legitimacy of government itself.[43] As Zirakzadeh notes, their "need to survive provides sufficient motivation for those with self-reliant lifestyles to question authority and frontier-based norms provide a sufficiently strong cognitive and emotional foundation for imagining a new social order. On their own, the farmers have the ability to imagine and experiment with new institutions and norms."[44]

The dispossessed judge the laws against vagrancy to be particularly pernicious because they limit their ability to connect, communicate, and deliberate – particularly in ways that enable economic or political collective action. Sheriffs move the migrants out of town to thwart unionization (244). As soon as someone "opens his mouth" the sheriffs can "grab 'em an' stick 'im in jail. An' if they's another leader pops up, why, they stick 'im in jail." All this will be followed by a "little line in the paper" that reads "vagrant foun' dead" (247). The state police directly thwart labor organizing when they move (unknowing) scabs across a picket line. They assist owners by sorting through lists of known labor organizers or accessing license plate numbers (369, 381). The police are "armed with shotguns and wearing big silver stars" (368).

Although the laws of localities, states, and the federal government are mentioned throughout the novel, Steinbeck does not linger on the lawmakers. The reader does not see the machinations and greed of political bosses or legislators. Instead, Steinbeck's imagery and dialogue directs the reader to identify guns as tools for the deliberate brutality of law *enforcement*.

[43] Throughout the novel, the dispossessed question the legitimacy of state and local law but the federal government remains as a legitimate government with laws and rules aimed at the public good. Steinbeck is not always as specific as he might be about the national government. See below, page 20 and note 54 on FDR administration's destruction of livestock.

[44] Zirakzadeh, "Revolutionary Conservative, Conservative Revolutionary," 36-37.

Guns of Intimidation: Law Enforcement and Brutality

Throughout the novel, sheriffs and deputies deploy guns to enforce laws, incite violence, or intimidate the dispossessed. Violence law enforcement discourages unionization and limits the movement, health, survival, and dignity of the dispossessed migrants. Encouraging violence often justifies harsher laws and even more brutal enforcement. Guns provide the primary tool for the empowerment of the police and their deputies. To further enhance their power to intimidate, sheriffs "make a military appearance" by wearing tunics, Sam Browne belts, trench helmets, American legion caps, boots, khaki, epaulets, and military caps (279, 213, 367).

Steinbeck draws the reader — and the migrants — to the power of the gun whenever the police intimidate potential communication and deliberation among the dispossessed. Letting people talk is dangerous and to be prevented (383, 385). Tom Joad thinks to investigate the picketing (that he could not see when he was whisked into the orchard as a (unknowing) scab) but his father warns that he should not investigate because the police and guards (possibly private) are armed with shotguns (377).[45] Tom later observes that he has "never seen so many guys with guns" (383). While walking around, Tom is confronted by a private guard and "Tom could see the gun in his hand." Tom asserts that he is taking a walk and asks "Any law against it?" (380). There is no law but even these private — armed — guards can force migrants to stay in their tents so they are unable to get information, collectively discuss, or act. The gun is juxtaposed with the rhetoric of suppression: "The second guard rested his gun butt on the ground. It's them gov'ment camps…I bet that fella been in a gov'ment camp" (377).[46] There is a general fear of the police (251, 261, 403) such that decisions are made (in terms of going for a walk or heading down a particular road) based on the likelihood of encountering what are assumed to be hostile officers of the law (403) and the police are almost always depicted as armed so that they can intimidate or control the workers and migrants (236, 284).

Law enforcement's irresponsible and aggressive use of guns to impede unionization leads the reader to doubt whether the police protect the citizenry or corporate interests. When a contractor negotiates with potential pickers, he shouts for Joe who appears with a "heavy pistol holster hung on a cartridge belt around his waist" and a deputy sheriff's star. The holster slides "back and forth on this hip"

[45] Often, it is unclear whether the men with guns are official deputies or hired guards. For example, "deputies an' them fellas with the little caps" (288) or there is a mix of armed guards (private) and sheriffs (public) who are reinforcing the needs of the owners (380)

[46] The *state* police are connected to wiping out the federal camps and assumed to "having it in hand" (378). The camps are the only place in the novel that provides humanitarian aid to the migrants and treats them with dignity.

and when the conversation heats up, Joe orders one of the workers into the car as he unhooks the strap that covers "the butt of his automatic" (263). In one of the most significant confrontations in the novel, the deputy fires at Tom Joad but hits a woman who had been standing in front of the tent. Her fingers hang "on strings against her palm" yet the deputy raises "his gun again." Jim Casy kicks the deputy and renders him unconscious.[47] Referring to the woman's shattered hand, another deputy proclaims "a little proudly" that a .45 makes a mess (267). Further underlining that law enforcement exists for the good of the corporate owners rather than the citizenry, the deputies callously choose to interrogate Casy rather than see to the woman's injuries (266): "We'll see about that later."

Steinbeck depicts the police as the assistants of the owners who see unionization as a threat to their unlimited supply of cheap labor and increased profits. Steinbeck's characters and inter-chapter narrator agree that the police cause more violence than they stop.[48] They thwart cooperation among the workers — and they are tied to the vigilantes who "bust up" unions (384-385).[49] Experienced men warn the newer migrants to play dumb because police brutality may reduce men to "bull-simple," unable to think or resist (244, 278, 236).

The contrast between unjust and brutal law enforcement designed to depress wages and supply workers to corporate farms and fair law enforcement for the public good is best seen at the Federal government camp, Weedpatch. Weedpatch functions as an oasis from injustice and violence. The camp is run as a social democracy and it provides running water, flush toilets, and clean camp sites. Most vital, Weedpatch enables free speech, the right to assemble, and collective decision making for the good of the community of migrants. Weedpatch's ability to serve and protect derives from the lack of police (254, 286). The Federal government camp is the only place where the rule of law functions to produce justice in *Grapes of Wrath*. Because the police need warrants to search the camp (287), they need solid evidence before they invade the rights of the migrants. They can no longer use any pretense to search or interrogate – as they do throughout the novel.

The making of laws by the people — legitimate law making — seems to be at odds with the presence of law enforcement because it is due process (symbolized by the warrants and found only in the *federal* government camp rather than any state or locality) that enables the making of legitimate and just laws (296, 334, 343). The residents make their own laws — because the prerequisites of rule of law and

[47] Tom pulls out the gun's magazine and throws it in the bush but also expresses that he'd like to have the gun before he goes to hide from the police (as he will take the fall for Jim Casy to allow Jim to continue his union organizing). Jim Casy says to leave it (264-265).

[48] [Include citations for *narrator's* agreement].

[49] McWilliams (6, 9, 135, 152-153, 225-226, 231, 238, 240-242, 250, 259, 303) also used the term vigilantes to describe the violent enforcers paid by owners.

due process are in place (296).[50] Nevertheless, the patriarchy embedded in the rule-making for the family farm also defines law-making in Weedpatch. The men and women (separately) elect representatives. The Central Committee (men) make the general rules and the "ladies" committee organizes the sanitary units, childcare, sewing, and medical care. (287)[51] Steinbeck certainly acknowledges the importance of the women's labor and deliberation but the men are the ultimate deliberators for the public good.

The people of the camp correctly perceive that the police will stir up violence in order to delegitimate the federal camps (378). A staged fight is suspected by the men of the Central Committee. Before any fight begins, the deputies are already sitting in a car outside the camp with guns (341). When the deputies are thwarted from entering the camp (because they don't have a warrant or any evidence to investigate), they hire starving people (from outside the camp) to attend a Weedpatch dance to stage a fight (so there is a pretense for the police infiltrate the camp) (296). Law-making is a threat because it may lead to another form of collective action, union organizing: "They're scairt we'll organize…An' maybe they're right. This here camp is an organization…We ain't never had no trouble with the law. I guess the big farmers is scairt of that. Can't throw us in jail — why, it scares 'em. Figger maybe if we can gove'n ourselves maybe we'll do other things" (297). If the dispossessed can govern themselves, they can organize for higher wages. In Weedpatch, "Folks is their own cops" (383). The rule of law requires knowledge of law — so that individuals make choices within that law — but the dispossessed find California to be a regime in which they are constantly in danger of breaking laws they don't know exist (133-4) unless they are protected by the federal government.

Although the reader is told that all the male farmers have guns, Steinbeck more commonly associates the active use of firearms with the police and the private guards hired by the owners to control and intimidate the migrants. But the dispossessed – men and women – make use of (or threaten to employ) other weapons such as a jack iron (170, 278-280 used by Ma), stove wood (169 threatened by Ma), pick handle (386, the weapon that kills Casy), car (158), pipe or monkey. wrench (178-179, 278), and skillet (214 used by Ma to threaten police). In the days of the family farm, Ma threatened a peddler with a live chicken and an ax (48) and Tom, threatened with a knife, killed a man with a shovel (25).[52] Tom uses a knife to prepare rabbits as a meal once the farms have been seized by the banks (49). In Weedpatch, the men are implored *not* to use sticks, knives, or irons on the intruders planning to stage a fight (333).

[50] See Susan Liebell "Retreat from the Rule of Law: Locke and the Perils of Stand Your Ground." *Journal of Politics* 82, no. 2 (forthcoming April 2020).

[51] Steinbeck portrays the self-rule of the camps as idyllic. There is little crime. Ma wants to hit the woman who worries her daughter (321-322) but she overcomes her urges/emotions. Casy claims there was no crime in the camps but it seems unrealistic that there would be no sexual violence or abuse within families.

[52] Tom's fight with Herb is referenced by his family and friends throughout the novel, 53-55, 76, 84, 98, 176, 255.

Dignity and Wholeness: The Degradation of the Dispossessed

The corrupt use of law and law enforcement not only thwarts labor organization. It destroys the humanity, dignity, and spirit of the dispossessed: "But it ain't the law. They're a-workin' a way at our spirits…to make us cringe an' crawl like a whipped bitch. They tryin' to break us…They're workin' on our decency" (278-279). The dispossessed migrants believe *they* are "the people" and their humanity and dignity is under siege (279-280, 316). Men were once whole and the family was "whole and clear" (393) but now they are cracking, destroyed by changes in the way property is owned and labored upon on. Where men were once the hunter, they are now the hunted (57, 77, 393). Reflecting their decreasing independence and increasing desperation, Steinbeck's narrator and characters refer to the working people as insects (233, 238, 271, 284) or animals such as pigs, rats, and coyotes (77, 200, 379, 383, 393, 419, 236, 278, 393). The people are no longer human (221, 296). As they buy and sell possessions, they are not buying "junk" but "junked lives" – and they do not know how to live without their lives (86-88). "We was people with a farm" (188) but the migration, hunger, fear of hunger, seeing children with no food, lack of work changes them (282). Grandpa was breathing, yet he was already dead (146) because he was removed from a particular way of life that defined and sustained him physically, emotionally, and imparted dignity. The men are no longer "awake" and Pa "ain't no good any more" (422).

When men owned and worked property, they controlled their own subsistence. They have aching muscles and "minds aching to create beyond the single need" but they were whole (4, 150). To function as men — to be "manself" — is to: "take back something of the wall, the house, the dam; to take hard muscles from the lifting, to take the clear lines and form from conceiving. For man, unlike any other thing organize or inorganic in the universe, grows beyond his work, walks up the stairs of his concepts, emerges ahead of his accomplishments" (150, see also 151). But men find the opposite under corporate farming. Beaten by a system that they do not fully understand (97), they feel degraded. Steinbeck compares the economic actions of the police and land owners to physical abuse or whipping. White men are treated like slaves or dogs; they are "whipped bitches" (278).[53]

The attack on each person (men and women) registers as an attack on the group: the white and displaced. The migrants begin to change: It "done somepin to us. Ever' time they come seemed like they was a whipping's' me — all of us. And in Needles, that police. He done somepin to me, made me feel mean…ashamed…why I feel like people again." (Ma, 307). As the migrants are starved and hunted, they change become meaner: :"Fella changes. Down in that gov'ment camp we wasn't mean." (Pa, 403 and

[53] The men are broken while the women are described as better at change and ascendant in creating rules for the family in degradation and despair (423).

see 323). Their property arrangements and ability to make law for themselves affects their dignity and disposition. The desperation of the people — the food and the sickness — brings them to a form of collective despair (433). If they saw someone else succeeding, it might be tolerable but they don't see an example of someone like them who is able to work and achieve dignity.

As Steinbeck sees it, the migrants had "had not grown up in the paradoxes of industry. Their senses were still sharp to the ridiculousness of the industrial life." As the "machines" push them off their family farms, they swarm the highways and change: "The movement changed them; the highways, the camps along the road, the fear of hunger and the hunger itself, changed them. The children without dinner changed them, the endless moving changed them. They were migrants" (282). But the change in the migrants is not the only change that Steinbeck observes. As the migrants are changed by the hostility of others, they are "welded" and "united" such that the people in the little towns feel threated. They "group and arm as though to repel an invader, squads with pick handles, clerks and storekeepers with shotguns, guarding the world against their own people." The desperation of the migrants brings out the worst in the small property owners they encounter in the towns – who take up arms and create a narrative of sexual. and economic threat – not unlike Trump's rhetoric as president :

> Men of property were terrified for their property. Men who had never been hungry saw the eyes of the hungry. Men who had never wanted anything very much saw the flare of want in the eyes of the migrants. And the men of the towns and of the soft suburban country gathered to defend themselves; and they reassured themselves that they were good and the invaders bad, as a man must do before he fights. They said, These goddamned Okies are dirty and ignorant. They're degenerate, sexual maniacs. Those goddamned Okies are thieves. They'll steal anything. They've got no sense of property rights.
>
> And the latter was true, for how can a man without property know the ache of ownership? And the defending people said, They bring disease, they're filthy. We can't have them in the schools. They're strangers. How'd you like to have your sister go out with one of 'em?
>
> The local people whipped themselves into a mold of cruelty. Then they formed units, squads, and armed them—armed them with clubs, with gas, with guns. We own the country. We can't let these Okies get out of hand. *And the men who were armed did not own the land, but they thought they did.* And the clerks who drilled at night owned nothing, and the little storekeepers possessed only a drawerful of debts. But even a debt is something, even a job is something. The clerk thought, I get fifteen dollars a week. S'pose a goddamn Okie would work for twelve? And the little storekeeper thought, How could I compete with a debtless man? (282-283, emphasis added)

For Steinbeck, individual property ownership creates independence and wholeness while corporate ownership leads to hatred and violence. The men who arm against the "degenerate" and "sexual maniac" Okies are people who have come to work for others (not yeoman farmers). They protect corporate capitalism (with guns) even though they are also victims of that system.

The corporate owners are, for Steinbeck, the source of the migrants' despair but the dispossessed cannot reach them. The police are part of the degrading forces that leave the migrants not feeling like people (307) and resisting law enforcement often defines autonomy and manhood. Hitting or resisting the police is seen as an act of suicide (187, 248, 265, 272, 280) but an act that would bring some form of control and dignity because the migrants seem to have no choice. They can give in completely or push back. As they are being broken, the only way to keep his "decency" is by "takin' a sock at a cop: (276). Without the force of the law or law enforcement, the migrants have no means of regist3ering grievances or injustice. The police don't protect the dispossessed — even when the woman's hand is bleeding, she is the second priority. Members of the Joad family resist violence against the police but they fear their own impulses — afraid they will kill someone and then be punished (even hanged) for it (357-358, 216).

Self-Preservation: the Politics of Desperation

The migrants are dehumanized and deprived of dignity but, more immediately, "Folks dyin' all around" (128). The hunger of the migrants is a constant presence (150, 396, 283) and the hunger of children is particularly terrifying as the children cry from hunger but three is no food (433). Winfield (the Joad's young son) turns white and passes out from hunger and the final scene of the book depicts Rose of Sharon (the Joad's oldest daughter) nursing a grown man who has not eaten for six days with the milk left behind by her dead fetus. because her child has died. — they are slowing being starved to death even as food is being destroyed. They watch their children die of starvation. A man has not eaten for six days so son can eat (454). The dispossessed are forced to "cringe and beg for food, to beg for relief, to try to steal, to lie." (433) They are in flight with a terror from behind (122, 433).

Steinbeck imagines that this desperation and fear will turn into a wrath (thus the novel's title) that will fuel a rebellion (433-434). He imagines a fine line between hunger and anger – assuming that they are "So hungry they couldn' stan' it no more (250); the men are "ravenous…murderous for work" (284). In inter-chapter 29, Steinbeck presents a poignant scene in which he contrasts sheriffs rushing to order rifles, tear gas and ammunition with hungry men and boys going out to steal (rather than beg). In leaking barns, women with pneumonia give birth and old people curl up and die: "At night, frantic men walked boldly to hen roosts and carried off squawking chickens. If they were shot at, they did not run but splashed sullenly away; and if they were hit, they sank tiredly in the mud. There is no work, food, or money and the "break had come at last." The women watch the men as they snap, as they fear turns to wrath (434-5, also 433).

Few of the migrants are willing to take this logic to its conclusion. But men like Casy understand that "They's a army of us without no harness" (250, Casy). The farmers have shot skunks and rats but also Native American to take their land (34, 237). The farmers have guns so why "couldn't twenty migrants

take a “piece of lan’? We got guns. Take it an’ say, “Put us off if you can.” Whyn’t we do that?” (236). They suspect that they would be “shot like rats” by the deputies “fat-assed men with guns slung on fat hips, swaggering through the camps. Steinbeck allows one of his deputies to compare the potential for rebellion of the white migrants to blacks in the South: “Give ‘em somepin to think about. Got to keep ‘em in line or Christ only. Knows that they’ll do! Why, Jesus, they’re as dangerous as niggers in the South! If they. Ever get together there ain’t nothing that’ll stop ‘em’” (236).[54] The deputies know that men have resisted. An eleven-year old boy shot a deputy. The deputies wonder aloud:

> What if they won't scare? What if they stand up and take it and shoot back? These men were armed when they were children. *A gun is an extension of themselves.* What if they won't scare? What if some time an army of them marches on the land as the Lombards did in Italy, as the Germans did on Gaul and the Turks did on Byzantium? They were land-hungry, ill-armed hordes too, and the legions could not stop them. Slaughter and terror did not stop them. *How can you frighten a man whose hunger is not only in his own cramped stomach but in the wretched bellies of his children?* You can't scare him—he has known a fear beyond every other. (236-237)

The story about the boy who kills the deputy reminds the reader that the migrants are armed with guns that they have been shooting since they were children. If desperation leads to anger and wrath, might the farmers use guns to resist?

The character of Black Hat tells a story of empowerment and resistance. Rubber companies in Akron, Ohio brought in “mountain people” because “they’d work cheap.” But the mountain people joined the union. When preachers and journalists ranted against the union as communist, the mountain people acted:

> "Well, sir—it was las' March, an' one Sunday five thousan' of them mountain men had a turkey shoot outside a town. Five thousan' of 'em jes' *marched through town with their rifles*. An' they had their turkey shoot, an' then they marched back. An' that's all they done. Well, sir, they ain't been no trouble sence then. These here citizens committees give back the pick handles, an' the storekeepers keep their stores, an' nobody been clubbed nor tarred an' feathered an' nobody been killed." There was a long silence, and then Black Hat said, "They're gettin' purty mean out here. Burned that camp an' beat up folks. I been thinkin'. All our folks got guns. I been thinkin' maybe we ought to get up a turkey shootin' club an' have meetin's ever' Sunday."
> The men looked up at him, and then down at the ground, and their feet moved restlessly and they shifted their weight from one leg to the other. (345).

In Ohio, individual gun ownership serves as a source of resistance to intimidation of unions but the migrants in California are reluctant.

Episodes throughout *The Grapes of Wrath* illuminate why armed men do not fight back. First, they cannot shoot at the people who harm them. Once, Grampa used a gun to kill “Indians” and Pa killed snakes. The banks are worse but you become a murderer if you kill to stay (34). They *can* fire a rifle at a

[54] The police are characterized as “fat assesses” elsewhere including 278.

man hired to plow their home under but that man is just another dispossessed person whom they know since birth. "You're not killing the right guy" because it is the person who hired and ordered the tractor to plow the land over that is the source of the despair. There is the president of the bank, the board of directors. But is it possible to "fill up the magazine of the rifle and go into the bank"? (38). The plow driver retorts that a fellow told him that the "bank gets orders from the East. The orders were, 'Make the land show profit or we'll close you up." (38). But the farmer asked "But where does it stop? Who can we shoot? I don't aim to starve to death before I kill the man that's starving me." But "Maybe there's nobody to shoot. Maybe the thing isn't men at all. Maybe, like you said, the property's doing it." (38). For the farmer, the way to make a change is to kill someone with a gun but he is left frozen: "The tenant man stared after it [tractor], his rifle in his hand. His wife beside him, and the quiet children behind. And all of them stared at the tractor." (38 see also 46-47, 58-59, 51-53).

The migrants have power if they act together. Weedpatch is free of deputies because of the power of the people are all "working together," not because the "title guy in the office" stops them. A deputy can "pick on one fella" but not 200 men in the camp. This parallels union organizing. If they "jus" stick together, they have power (357). Yet guns are ineffective tools of resistance because the individuals who threaten the migrants are far away. Instead, guns preserve the power hierarchy as they are effectively used by law *enforcement* to intimidate and prevent workers from communicating and organizing collectively.

The source of the politics of desperation is hunger and Steinbeck insists that the hunger of the children and migrants represents the evils of corporate agriculture. Destroying food to maintain stable prices is "the saddest, bitterest thing of all. People come from miles around to find food and "carloads of oranges" are dumped on the ground and men squirt kerosene on the oranges." These men are "angry at the crime, angry at the people who have come to take the fruit. A million people hungry, needing the fruit—and kerosene sprayed over the golden mountains":

> There is a crime here that goes beyond denunciation. There is a sorrow here that weeping cannot symbolize. There is a failure here that topples all our success. The fertile earth, the straight tree rows, the sturdy trunks, and the ripe fruit. And children dying of pellagra must die because a profit cannot be taken from an orange. And coroners must fill in the certificate—died of malnutrition—because the food must rot, must be forced to rot.
>
> The people come with nets to fish for potatoes in the river, and the guards hold them back; they come in rattling cars to get the dumped oranges, but the kerosene is sprayed. And they stand still and watch the potatoes float by, listen to the screaming pigs being killed in a ditch and covered with quick-lime, watch the mountains of oranges slop down to a putrefying ooze; and in the eyes of the people there is the failure; and in the eyes of the hungry there is a growing wrath. In the souls of the people the grapes of wrath are filling and growing heavy, growing heavy for the vintage (348-349).

Throughout the novel, oranges symbolize sources of food for children. A "homeless hungry man" stops to pick some fruit for "his thin children in the back seat." He sees the "golden oranges hanging on the trees, the little golden oranges on the dark green trees; and guards with shotguns patrolling the lines so a man might not pick an orange for a thin child, oranges to be dumped if the price was low" (234). The migrants have learned that there are oranges but there is also a "a guy with a gun that got the right to kill you if you touch one. They's a fella, newspaper fella near the coast, got a million acres" (referring to Heart's estate, 206). Oranges alleviate hunger and they also promise plentiful work. The handbills that the migrants carry as talismans for work are all orange.

Steinbeck focuses on the parents watching their children die of starvation but he does not clarify *who* is destroying the food: individual owners? state or national government? FDR's team oversaw the buying of cattle in the Oklahoma panhandle and eye witnesses describe the horror of seeing farm animals whom they had lived beside thrown into a pit and destroyed as their parents begged to slaughter the animals to feed starving children.[55] Steinbeck never clarifies *who* the men with hoses are in this setting. But he connects hunger and the police brutality. When Tom Joad heads off he links hunger and police brutality: "Wherever they's a fight so hungry people can eat, I'll be there. Wherever they's a cop beatin' up a guy, I'll be there" (419).

But Steinbeck is certain that stealing food is a form of collective self-defense. He describes an economy in which the logic of private property ownership no longer makes sense. Locke (in part) premised individual ownership on the ability to increase food production for the common good. But Steinbeck shows a world in which starving families watch oranges and potatoes destroyed.

Dumping food to preserve prices is not the only crime that Steinbeck documents. To the dispossessed, fallow land is a crime against humanity: a "crime against the thin children" (234). The see plots of land — filled with weeds — and they know that they can cultivate it to feed themselves. But planting on owned land is. stealing and the police enforce the law (235). The migrants believe that raising a crop is "makes ownership" (235) especially in a time of utter desperation. They increasingly wonder whether they would die fighting for turnips they have grown on "owned" land (236). This threat is made real in the narrative when a deputy sheriff evicts a squatter and the man resists. When the office uses force, his eleven-year old son kills the deputy with a .22 rifle (236). The police are aware that if a "kid'll kill a cop, what'll the men do?" 263.

When hunger leaves workers desperate, they are in danger of becoming modern slaves – in the sense that they are dehumanized but also in the sense that they are so hungry that they will accept any

[55] Ken Burns, *The Dustbowl,* 2012, Episode 1. FDR looked to reduce animals that required feed from land that could no longer support animals whereas Steinbeck portrays the destruction of food as a simple act of greed by private ownership. The situation with fruit in California might have been quite different (and I need to do more work on this history).

form of work. Steinbeck's logic maps directly onto Locke's requirement of sufficiency. In the *First Treatise*, Locke establishes that those who are desperate have a title "to so much out of another's plenty as will keep him from extreme want, where he has no means to subsist otherwise." Withholding necessities forces individuals to become the vassals of owners. Steinbeck and Locke agree that "death or slavery" haunt the analysis:

> But we know God hath not left one man so to the mercy of another, that he may starve him if he please: God, the Lord and Father of all, has given no one of his children such a property in his peculiar portion of the things of this world, but that he has given his needy brother a right to the surplusage of his goods; so that it cannot justly be denied him, *when his pressing wants call for it*: and therefore no man could *ever have a just power over the life of another by right of property in land or possessions*; since it would always be a sin, in any man of estate, to let his brother perish for want of affording him relief out of his plenty. As justice gives every man a title to the product of his honest industry, and the fair acquisitions of his ancestors descended to him; so charity gives every man a title to so much out of another's plenty as will keep him from extreme want, where he has no means to subsist otherwise: and a man can no mare justly make use of another's necessity *to force him to become his vassal*, by withholding that relief God requires him to afford to the wants of his brother, than he that has more strength can seize upon a weaker, master him to his obedience, and *with a dagger at his throat offer him death or slavery* (*First Treatise*, §42, emphasis added)[56]

The California owners sense that they have reached this Lockean threshold. They face violent rejection of their legal ownership: "They know a hungry fella gonna get food even if he got to take it" (205, 250). When *the majority* of the people are hungry and cold they will take by force what they need (238-239).

Locke links sufficiency (providing for the poor with surpluses) and spoilage (restrictions on destroying food or wasting) in the *Second Treatise*. Money is supposed to solve the problem of spoilage (because nobody would dump goods that might be turned into currency) but Steinbeck's narrative reveals the weaknesses in Locke's logic – because corporate capitalism sees great advantage to letting food spoil in order to increase prices.

[56] Locke also focuses on food in §41: "But yet, if after all any one will needs have it so, that by this donation of God Adam was made sole proprietor of the whole earth, what will this be to his sovereignty? and how will it appear, that propriety in land gives a man power over the life of another? or how will the possession even of the whole earth give any one a sovereign arbitrary authority over the persons of men? The most specious thing to be said is, that he that is proprietor of the whole world, may deny all the rest of mankind food, and so at his pleasure starve them, if they will not acknowledge his sovereignty, and obey his will. If this were true, it would be a good argument to prove, that there never was any such property, that God never gave any such private dominion; since it is more reasonable to think, that God, who bid mankind increase and multiply, should rather himself give them all a right to make use of the food and raiment, and other conveniencies of life, the materials whereof he had so plentifully provided for them; than to make them depend upon the will of a man for their subsistence, who should have power to destroy them all when he pleased, and who, being no better than other men, was in succession likelier, by want and the dependence of a scanty fortune, to tie them to hard service, than by liberal allowance of the conveniencies of life to promote the great design of God, "increase and multiply": he that doubts this, let him look into the absolute monarchies of the world, and see what becomes of the conveniencies of life, and the multitudes of people."

Conclusion: Guns, Manhood, and Rebellion

Returning to *The Grapes of Wrath* as a political treatise yields several insights. Contemporary gun narratives – particularly the rhetoric of the NRA – suggest that guns provide freedom to the individual. But Steinbeck's portrayal of the explosive politics of the late 1930s complicates that narrative. Farmers believe in their guns and their importance but their rifles are generally impotent in the hands of individuals. The laws and corrupt law enforcement make it almost impossible for the farmers to communicate and organize collectively – and that is what is necessary to empower them in any way. Guns can threaten (e.g. the Ohio mountain men story) but that level of coordination does not seem in reach of the dispossessed migrants.

Instead, guns are deployed by law enforcement and hired guards to sustain corporate property ownership. Guns are used to intimidate workers, discourage unionization, and enforce laws that limit the movement, health, survival, and dignity of the dispossessed migrants. Privately and publicly deployed guns erode the legitimacy of the police, rule of law, and government. Steinbeck seems to have faith in his ability to trigger a collective rebellion. He believes that the United States has reached the point of implosion. Hunger and poverty are so dire that the legitimacy of the law is no longer apparent. With the benefit of hindsight, it is clear that the migration crisis did not trigger a collective rebellion or lead to a fundamental reordering of American government.

Nevertheless, Steinbeck's narrative demonstrates the perils and promise of guns as tools for freedom and revolution. In the 21st century, the right has used individually held guns to resist the national government (e.g. Ammon Bundy's standoff against the Federal government and ultimate acquittal).[57] But the Black Panthers made Second Amendment claims during the 1960s (claiming that they were not protected by law enforcement. Some 21st century leftists have returned to the gun as a tool for combatting fascism (Socialist Rifle Association, Redneck Revolt), discrimination based on sexual orientation (Trigger Warning) or religion (Huey P. Newton Gun Club).[58] Steinbeck's novel provides an excellent starting point to reflect upon the effectiveness of guns as tools to defeat tyrannical government or provide self-defense.

[57] See, Susan Liebell "Armed Bundys?: Gun Rights and the Limits of Liberal Rebellion," Annual Meeting of the American Political Science Association, San Francisco, August 2017.
[58] See, for example, Michelle Goldberg, "Rise of the Armed Left," *The New York Times*, 11/2/18, https://www.nytimes.com/2018/11/02/opinion/socialist-left-guns-nra-trump.html