An Unnoticed Struggle

A Concise History of Asian American Civil Rights Issues

JACL
Japanese American Citizens League

Acknowledgments

I would like to thank the Japanese American Citizens League for giving me the opportunity to write this booklet, which will hopefully speak to young Asian Americans just beginning to uncover their roots, and to those unfamiliar with our history who would like to learn more. I'd also like to thank to JACL Midwest Director Bill Yoshino for mentoring me along the way. Special thanks to Lane Ryo Hirabayashi, Larry Shinagawa, Ronald Takaki, John Tateishi and Frank Wu for letting me pick their brains and glean a bit of insight from them during the writing of this piece.

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Preface

I initially set out to assemble this booklet in an attempt to form something of a comprehensive history of Asian American civil rights, but soon realized that our history cannot be smartly categorized by ethnicity and then chronologically listed and detailed. Our history is full of overlaps and parallel struggles. Our history is not neat. And to so many Asian Americans coming of age today, it is unfamiliar.

But I hope that this small contribution will serve as a primer for those who are curious about the battles our community has faced in the past, or were thinking about taking an Asian American Studies class, or were beginning to lose faith in this thing called "Asian America" and were wondering how on earth we could toss a dozen different ethnicities together and call them the same thing.

This booklet explores a number of iconic figures and struggles in Asian American history. Some of them are "firsts"—first Asian American member of Congress, first Asian American Olympic medalist—and others are pioneers in film and in literature, diversifying fields not traditionally dominated by minority Americans. And then you will find those who are iconic not for their active involvement in Asian American politics or for their attempts to speak on behalf of the community, but for personal struggles that came to inadvertently represent a people.

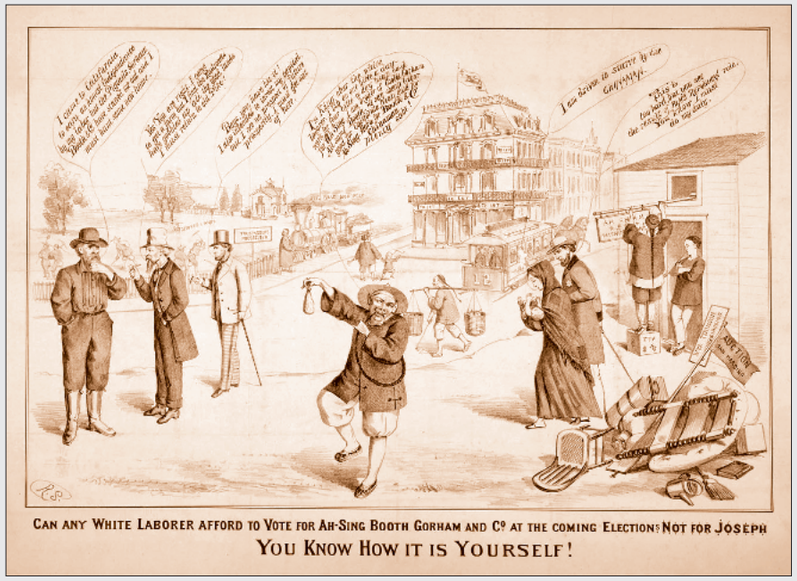
...but by individual struggles that slowly opened door after door for the community at large.

Wong Kim Ark, Kajiro Oyama, Vincent Chin—these were not men who chose to be a part of the legacy of the Asian American civil rights movement. They did not necessarily identify as activists for Asian American rights. They were simply men who each had a personal struggle with immigration, land laws, hate crimes, and came to represent milestones in our collective civil rights history.

In many ways, they also represent the way Asian American history—and our struggle for equality and civil rights—has unfolded, not by massive overhauls of the existing system, but by individual struggles that slowly opened door after door for the community at large.

And so, with this booklet, the JACL hopes that more young Asian Americans will be able to slowly unfold their own history, page after page, and discover that the struggle of what seems like many different ethnic enclaves is really a communal struggle to all be recognized as Americans with our own unique voices and histories.

Elaine Low
JACL Ford Program Fellow 2007-08



Anti-Asian sentiment was widely prevalent during the late 1800s

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CHINESE EXCLUSION

"[The Chinese are] swarming millions of men, alien not alone to our blood and our language, but to our faith. [...] There can be no remedy except general exclusion."

– c. 1876, Senator Aaron A. Sargent of California, anti-Chinese immigration crusader.

No other piece of immigration legislation so specifically singled out a people as did the Chinese Exclusion Act of 1882, and no other law in its wake has ever done the same. According to the Act, signed by President Chester A. Arthur, all immigration to the U.S. from China was banned for ten years, and Chinese residents living in the country were prevented from naturalizing as American citizens. In essence, the Chinese were no longer welcome in the United States.

While the mass exclusion imposed a ban on Chinese immigration to the U.S. for ten years, the Act was eventually renewed indefinitely, making it impossible for Chinese Americans living in the U.S. to reunite with their families in China and prohibiting the Chinese from entering the country, a restriction that would remain steadfastly in place for over half a century until the mid-twentieth century.

During the 1880s, it became increasingly difficult for Chinese Americans in the country to live peacefully and without incident. Chinese immigrants who had lived on U.S. soil for years or had become permanent residents were no longer granted the same path to citizenship that others were. They were required to obtain Section 6 certificates, papers that confirmed their legal status, which they had to carry on them at all times at risk of deportation. They were allowed to leave and reenter the U.S. only by providing cumbersome documentation.

Such extreme negativity toward the Chinese had not always been the case, though admittedly, feelings had always been mixed. When they first immigrated to the U.S. during the Gold Rush (or "Gold Mountain" as the Chinese called it in 1849), discrimination was prevalent but not yet pervasive. However, the Foreign Miners' Tax was established in 1852, which heavily taxed the Chinese despite their paltry income (yet would provide the state with much of its revenue).[1]

In 1868, with the signing of the Burlingame Treaty with China, U.S. officials too initially expressed little nativism, instead welcoming the Chinese and encouraging them to immigrate to America. Around the same time, the building of the Transcontinental Railroad required massive numbers of workers to perform hard labor, a need that was fulfilled by the introduction of tens of thousands of Chinese workers who were brought in as contract laborers.

And it would be years before the issue of Chinese exclusion would reach the point of binding legislation, with a number of workers and lawmakers alike defending these new Americans. The Industrial Workers of the World notably supported Asian American workers. Senator William Stewart of Nevada drafted the Civil Rights Act of 1870, a piece of legislation that guaranteed immigration rights and strongly defended the Chinese. "Let those Chinamen who wish to come here voluntarily do so," said Stewart. "There is no question about their right to be here."[2] Unfortunately, the Act never made it out of the Senate.

Yet despite the fact that the Chinese accounted for less than .002 percent of the U.S. population, antagonism began to arise.[3] Not long after the Burlingame Treaty was signed, with the railroad near completion, some began to fear that the more than 100,000 Chinese who had immigrated from their homeland in recent years would not return back to China, and were poised to steal jobs from American workers. Some scholars argue that Chinese exclusion was not so much the result of a logical concern over foreign labor, or even an undercurrent of xenophobia, than a way to handily solve the economic downturn occurring in the years after the Civil War.

Notes on dissent

In 1867, thousands of Chinese railroad workers went on strike, asking for equal wages to white workers and a halt to the corporal punishment that was often used by overseers exclusively against the Chinese. After going on strike for a week, railroad overseers cut food supplies to strikers, forcing them to return to work, but providing them with a slightly higher wage that had been agreed upon before the strike.

In either case, the consequence remained the same, and the Chinese were the ones to suffer. Dozens of peaceable Chinese Americans living in Los Angeles' Chinatown were attacked in the Chinese Massacre of 1871, leaving around twenty dead and many injured. Some of the dead were found hanging from lamp posts or dragged to their death.

And the years that followed would show an increase in anti-Chinese sentiment and exclusionary feelings that would mount into a national panic. Weeklies ran political cartoons depicting the Chinese as conniving and untrustworthy.[4] Dennis Kearney and the Workingmen's Party would attempt, in speeches across the country, to rile workers against Chinese laborers. States began to establish laws that made it difficult for these early Chinese Americans to find work.

In 1882, when the Chinese Exclusion Act was enacted by Congress, some politicians would call it "an act of humanity."[5] The Immigration Act of 1924 would widen the breadth of this institutionalized discrimination to all people of Asian descent. The few Chinese who were allowed to enter the country at that time—merchants, professionals and other non-laborers—were subjected to rigorous scrutiny at Angel Island Immigration Station, a detention center that would imprison immigrants for up to two years. Sometimes compared to Ellis Island, it was more often known as the unwelcoming "Guardian of the Western Gate."

Not until the Magnuson Act of 1943 would all classes of Chinese be allowed to enter the U.S. again (and at a rate of only 105 per year), over half a century after the Chinese Exclusion Act was passed into law. And it would only be with the Immigration Act of 1965 that a large influx of immigrants from Asia would be welcomed into the country.

ALIEN LAND LAWS OF 1913 AND 1920

The California Alien Land Law of 1913 prevented "aliens ineligible for citizenship" from owning property, in which "aliens ineligible for citizenship" served as a euphemism for "Asians."

The Naturalization Act of 1790, which prevented anyone except former slaves and "free white persons" from becoming citizens, and was reinforced in the Chinese Exclusion Act of 1882, effectively restricted all peoples of Asian descent from owning land.

"The fundamental basis of all legislation upon this subject, State and Federal, has been, and is, race undesirability," stated Ulysses S. Webb, California Attorney General.[6]

Indeed, the Alien Land Law was aimed at Japanese American farmers. In the years since Chinese exclusion, a measure that had effectively halted Chinese immigration, more Japanese immigrants began to arrive in the U.S., mostly in California. Many locals did not take to their new neighbors well. As evidenced from an interviewee's quote in an excerpt from a 1913 article in the *Sacramento Bee:*

> *"Now the Jap is a wily an' a crafty individual—more so than the Chink. The Japs realize that the whites do not like to live next to them, so they scatter their holdings. They try to buy in the neighborhoods where there are nothing but white folks. [...] If the state legislature don't enact an anti-alien law that keeps Japs from ownin' land in California, the farmers WILL PASS ONE."*[7]

Many Issei (first generation Japanese Americans) undercut the exclusionary law by registering land ownership under the names of their young American-born children, and then claimed to be employees on that property. The Alien Land Law of 1920 imposed additional reinforcements to counter that, sewing together loopholes and tying on criminal penalties. The new law prohibited resident aliens from even buying agricultural land or using the names of their children born on U.S. soil.

According to an article in the *Watsonville Register-Pajaronian,* "'Teeth' Put In Jap Alien Land Law," a 1943 version of the law, amended during WWII, "outlaws the practice of many alien Japanese of farming by

Wong Kim Ark (b. 1873)

Champion of the U.S. Birthright

Born in San Francisco sometime around 1873, Wong Kim Ark grew up in an environment hostile to Chinese Americans. The Chinese Exclusion Act of 1882 was one of the landmarks of his childhood, a piece of legislation that would be renewed for decades through to the mid-twentieth century. As a result, Wong's parents—who had immigrated to the U.S. years earlier from Taishan, China—were not eligible for naturalization to become U.S. citizens under the current law.

In 1894, Wong made a trip back to China, not expecting any problems, as he had made the trip to and back once before only a few years earlier. However, this time around he was detained upon re-entry to the U.S., on the grounds that he and his family were "Chinese persons, and subjects of the Emperor of China," and ineligible to return under the Chinese Exclusion Act.

Wong's case was brought all the way to the Supreme Court. There, in a 6-2 decision, the Supreme Court ultimately decided that since Wong was born in the U.S., he was thereby an American citizen under the Fourteenth Amendment, which states that "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside." The two dissenting judges argued that jus sanguinis (citizenship by descent), not jus soli (citizenship by birthright) determined U.S. citizenship, setting a landmark legal precedent for future 14th Amendment cases.[i]

acting as guardians of their wives and children in whom title was vested under the law governing guardianship."[8]

To better understand the Alien Land Laws and how California, a state now typically thought of as one of the most liberal and progressive in the country, could have so overwhelmingly supported a racially and economically discriminatory policy, it is vital to understand the atmosphere of the times. Most immigrants from Asia had settled in California, establishing businesses and enrolling their children in local schools. The majority of laundry businesses were run by Chinese Americans, most of whom were treated in a hostile manner following the Chinese Exclusion Act and had difficulty finding fair work in other fields.

Duke Kahanamoku (1890-1968)

The Father of Modern Surfing

This Native Hawaiian was familiar with the ways of the water long before he competed in the Olympics, surfing and swimming along Waikiki Beach as a teen, and competing in amateur swimming competitions as a young man. At 21 years old, Kahanamoku qualified to be part of the U.S. Olympic team, ultimately bringing home the gold from the 1912 Olympics in Stockholm for the 100-meter freestyle. In three Olympic tournaments between 1912 through 1924, Kahanamoku won three gold and two silver medals for freestyle competitions.

Considered the "Father of Modern Surfing,"[ii] he lent the sport much credibility and popularity, eventually becoming the first athlete to be lauded in both the Surfing Hall of Fame and the Swimming Hall of Fame. In spite of the racism against Asian Americans and other minorities during the time, Kahanamoku still rose to superstardom not only in the surfing world, but elsewhere, traveling internationally as a pop icon of his day.

Discrimination was institutionalized, and President Theodore Roosevelt was one of many who backed Asian exclusion. "To permit the Japanese to come in large numbers into this country would be to cause a race problem and invite and insure a race contest," he was quoted as saying. Economic depression and a fear of foreign workers stealing jobs from American laborers all increased anti-Asian sentiment in the years leading up to WWII.

Japanese Americans at the time felt politically powerless, a fact underscored by their inability to naturalize as citizens. With the path to citizenship blocked, their right to own property removed, and an oppressive racial prejudice against Japanese Americans leading up to their subsequent incarceration and internment, the issue of land ownership for non-citizen Americans would not be put to rest until almost 1950. This is reflected in the landmark case *Oyama v. California.*

Kajiro Oyama was an Issei farmer who grew celery, tomatoes, beans and strawberries in Chula Vista, California during the 1930s. Like many of today's 1.5 generation, he had moved to the U.S. as a teenager and grew up in California. In 1934, Kajiro bought six acres of land in his son's name and appointed himself the boy's guardian (since Fred was only six at the time).

Marketed under the label Oyama Quality Vegetables, Kajiro, his wife and five children lived a quiet, peaceful life, until they were forced from the West Coast in a "voluntary evacuation," part of a minority of Japanese Americans who managed to avoid being unjustly incarcerated and imprisoned during WWII but still were forced from their own homes.[9] Upon returning to the area after the war, however, the Oyama family discovered that their land had been confiscated and illegally purchased pursuant to the Alien Land Laws.

Oyama took his case to court, funded and supported by the Japanese American Citizens League (JACL). The JACL provided Kajiro with legal representation and took the case to the Superior Court of San Diego. When the judge ruled against Oyama there, they appealed to the California Supreme Court, which also ruled against them.

The JACL and Kajiro Oyama persisted, taking their case all the way to the U.S. Supreme Court in 1947, and arguing that the unfair confiscation deprived Fred Oyama of his rights as an American citizen and Kajiro of his rights to equal protection under the law.

Notes on dissent

Through the years that the Alien Land Law was enforced, long before Oyama v. California, seven cases disputing the law made it to the U.S. Supreme Court between 1923 and 1943.

The Court ruled that Oyama was entitled to the land and that the application of the Alien Land Law obstructed Fred Oyama's rights as an American. The Court's opinion, however, said nothing to the constitutionality of the law. It would not be until 1952, almost forty years after the enactment of the law, in the case *Sei Fujii v. U.S.*, that the Supreme Court would render the Alien Land Laws unconstitutional.

JAPANESE AMERICAN INTERNMENT

"A viper is nonetheless a viper wherever the egg is hatched—so a Japanese American, born of Japanese parents—grows up to be a Japanese, not an American."

– LA Times editorial, Jan. 1942.

The most egregious crime committed against a group of American citizens by its own government is seldom documented in U.S. history books. At best, a paragraph or two may be dedicated to the incarceration and imprisonment of over 120,000 innocent Japanese Americans accused of disloyalty following the bombing of Pearl Harbor. Sometimes it is glossed over entirely.

By 1941, almost 300,000 Japanese Americans lived in the U.S.—mostly in Hawaii, California, Oregon, and Washington—constituting less than one percent of the country's population of 133 million. In Hawaii, Japanese Americans alone made up 37 percent of the island's populace. Many were Nisei (second generation Japanese Americans) who were born in the U.S. and had never visited Japan before.

But on December 7, 1941, the Japanese military attack on Pearl Harbor shook the country to its core, prompting the U.S. to not only defend itself outwardly by entering the fray of WWII, but to scrutinize itself inwardly by questioning the loyalty of its tiny Japanese American population. Following the chaos of the attack, an investigation was undertaken into the loyalty of Japanese Americans in Hawaii and on the mainland.

General Delos Emmons, military governor of Hawaii, was a staunch defender of the loyalty of Japanese Americans following the bombing of Pearl Harbor. A resident of the islands, he understood that the Issei and Nisei

living there were peaceable citizens who had little attachment to Japan. When the Department of War requested his opinion in early 1942 regarding mass evacuation and internment of Japanese Americans, Emmons stood firm in his belief that they were not dangerous or otherwise subversive, resisting the demand that 100,000 Japanese Americans be forcibly moved from Hawaii to the mainland.[10] Ultimately, fewer than 1,500 were sent to internment camps from Hawaii.

Life for Japanese Americans on the mainland U.S. was a drastically different story. Despite an investigation that was issued a month prior to the attacks, which evaluated Japanese American loyalty and concluded that they posed no threat to internal security, suspicion still abounded among the public and some political officials.

The result of this investigation, the Munson report, was given to President Franklin Roosevelt, and stated that "We do not believe that [Japanese Americans] would be at least any more disloyal than any other racial group in the United States with whom we went to war." But the press got wind of Navy Secretary Frank Knox's initial statement after the attacks, that "the most effective fifth column work of the entire war was done in Hawaii," and a media frenzy ensued, calling for the immediate mass evacuation and internment of all Japanese Americans, regardless of whether they were American citizens. Internment was deemed a "military necessity."

Notes on dissent

Though many Japanese Americans enlisted in the armed forces to show their loyalty, others fought the notion that their loyalty had to be questioned to begin with. The Resisters of Conscience, as they were controversially known, "would not compromise their rights as U.S. citizens and their belief in justice and civil liberties."[11]

"I am afraid [the incarceration of Japanese Americans] will make a tremendous hole in our constitutional system," said U.S. Secretary of War Henry L. Stimson, 1942.[10] His concern was left unheeded, and on February 19, 1942, President Roosevelt issued Executive Order 9066, which, like the Alien Land Laws before it, singled out a specific ethnicity without explicitly stating so:

> *"[...] to prescribe military areas in such places and of such extent as he or the appropriate Military Commander may determine, from which any or all persons may be excluded, and with respect to which, the right of any person to enter, remain in, or leave shall be subject to whatever restriction the Secretary of War or the appropriate Military Commander may impose in his discretion."*[12]

However, despite WWII being fought not just against Japan, but against Germany and Italy, the Order was not applied as a group to German Americans and Italian Americans. Copies of the evacuation notice were posted on telephone poles and storefronts on April 1, 1942, commanding "all persons of Japanese ancestry [...] to be evacuated from the above designated area by 12:00 noon, Tuesday, April 7, 1942."

The notice gave Japanese Americans mere weeks to sell all of their belongings and report to assembly centers, whereupon families were given numbered tags and herded like cattle. Most of the 120,000 internees were children, youth, and the elderly. Most were American citizens.

Sent to internment camps far from home in Wyoming, Idaho, Colorado, Utah, California, Arkansas and Arizona, families were given little more than a dusty twenty by twenty foot space in barracks, provided

with meager healthcare and supplies. Some died in the camps, most for lack of proper medical care, and in a few cases, at the hands of military guards.

Once there, loyalty questionnaires were issued to internees. Two questions asked Nisei to serve in the U.S. armed forces, and to "swear unqualified allegiance to the United States of America and faithfully defend the United States from any or all attack by foreign or domestic forces, and forswear any form of allegiance or obedience to the Japanese emperor, or any other foreign government, power or organization."[13]

Most answered "yes" to both questions, though some answered "no." Feeling betrayed by their own country, the last question absurdly presumed that the internees, who had lived in America for most or all of their lives, held an existing allegiance to Japan, and for the Issei, answering "no" would render them stateless, because they were prohibited from naturalizing as U.S. citizens.

But thousands of young Japanese American men signed up for the draft, determined to show their unwavering loyalty as American citizens. Over the course of WWII, more than 33,000 Japanese Americans served in the U.S. Armed Forces, some from Hawaii, and some from the internment camps.

Thousands of volunteers and draftees from these detention camps were enlisted in the army, becoming part of the 442nd Regimental Combat Team, a segregated unit. Others were recruited to be part of the Military Intelligence Service (MIS), acting as translators and gathering military intelligence in the Pacific. The 442nd became the most decorated unit in U.S. military history.

Sessue Hayakawa (1889-1973)

Asian American Heartthrob and Movie Star

The Japanese American actor, producer, and heart-throb of the 1910s and 1920s starred in over 60 silent films in his heyday, and is best known for his Oscar-nominated performance in the 1957 film, "Bridge of the River Kwai." Born in Japan, he moved to the U.S. as a young man and quickly took an interest in acting and performing.

Despite the enforced Chinese Exclusion Act and ongoing discrimination against Asian Americans off-screen, Hayakawa made women everywhere fall in love with him as one of Hollywood's leading men.

Debuting in "O Mimi San" in 1914 (the same year Charlie Chaplin made his debut), Hayakawa quickly rose to fame, starring in Cecil B. DeMille's "The Cheat" the following year.[iii] His romances were often inter-racial, and despite taking on the occasional sinister role, Hayakawa was better known for his sex appeal to female audiences of every race, defying racial stereotypes of emasculated Asian men.

Following the war, it was difficult for Japanese Americans to return to their homes, plagued by rampant discrimination from locals and poverty induced by the federal confiscation of all of their property. It would not be until 1988, almost 50 years after the internment, that Japanese Americans would be given their due apology and reparations.

According to a report issued by the Commission on Wartime Relocation and Internment of Civilians, a federal commission, the incarceration and internment of 120,000 Japanese Americans was "motivated largely by racial prejudice, wartime hysteria, and a failure of political leadership."[14]

Following a redress campaign spearheaded by the JACL and other advocacy groups, an apology was formally signed by Ronald Reagan in the Civil Liberties Act of 1988, a piece of legislation that also provided each internee $20,000 in reparations for their unjust treatment during the war.

STRUGGLES IN THE SIXTIES

"So then I told my husband, 'I hope you don't mind, I want to get involved in the Movement. Don't worry, I'll take the kids with me."

– Yuri Kochiyama, civil rights activist[15]

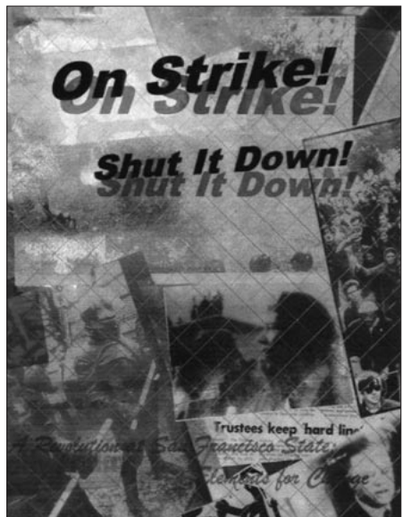
The 1960s marked an overhaul of the way America perceived race relations and politics, with the civil rights movement dissecting and questioning issues of racial segregation, anti-miscegenation laws, voter disenfranchisement, hate crimes and employment discrimination. While this movement was led by African American civil rights groups, it also inspired Asian Americans to take action in their struggle for equality in the eyes of society. The period was a turning point in that many young Asian Americans began to actualize their identity as Americans and speak out as an organized group with multi-ethnic roots. The 1960s were also a time of legislative change for Asian Americans, during which the government finally eased laws restricting immigration and opened its doors to new Asian immigrants.

Notes on dissent

The tactics of the Third World Liberation Front ranged from sit-ins to invading classrooms, disrupting classes so much that the administration was forced to close down the school a week into the strike and bring in police reinforcement, leading to sometimes violent conflicts between students and the police.

The Immigration and Nationality Act of 1965 was a landmark reform that finally lifted restrictions on immigrating to the U.S., eliminating previous nation-origins quotas that had only allowed a small number of people to emigrate from Asia and naturalize. With the 1965 legislation, Asian Americans who were citizens and permanent residents could now apply for family members to move to the U.S. as well. While the law was originally designed to welcome new immigrants from all countries, Asians accounted for an overwhelming part of post-1965 immigration, on account of having immediate family members in the U.S. and previous restrictions on Asian immigration that dated all the way back to the Immigration Act of 1924 (sometimes known as the Asian Exclusion Act) and the Chinese Exclusion Act of 1882.

Alongside other legislative victories, such as the 1967 overturn of anti-miscegenation laws that prohibited interracial marriage, Chinese American, Filipino American, Japanese American and other Asian American students began to not only coalesce as pan-Asian American groups but to reach out to other minority groups, a development that was most prevalent in the San Francisco State strike in 1968. Along with the Students for a Democratic Society (SDS) and the Black Students Union (BSU), the Third World Liberation Front (TWLF), a coalition of black, Latino, Native American and Asian American students, was one of the primary forces that fought for open admissions and the establishment of an Ethnic Studies department at the university.[16]



The longest student strike in American history, the San Francisco State Strike lasted five months between November 1968 and March 1969, and was also the first student strike to feature Asian American groups as real power players. The next year, in 1969, student groups at the University of


The Daily Gater

Cops close SF State

On orders of President Robert Smith, SF State was closed down yesterday with the help of the San Francisco Tactical Squad in the wake of rumors of campus-wide violence and vandalism

Tactical Squad seated students from Gallery Lounge --Photo by Bob Wes

California at Berkeley staged a massive strike, also in protest of the lack of ethnic studies programs. Asian American Studies programs are more commonly available today as a direct result of these protests and the multi-ethnic student activist groups of this era.

The civil rights movement of the 1960s and the subsequent fight for ethnic studies marked a significant turning point for Asian Americans in that a new wave of activism had blossomed. While first generation Asian American immigrants had fought for the right to naturalize and the right to own property—essentially, the right to ***be*** Americans—this generation began to fight for their rights ***as*** Americans.

This included fighting for open admissions at institutions of higher education, fair housing, and the gradual coming together as Asian Americans, instead of just Chinese Americans or Korean Americans or Indian Americans. Community based organizations (CBOs) and local grassroots activists began to multiply in an effort to "serve the people," a common goal of these groups.[17] Though the Asian American community had no Martin Luther Kings, Cesar Chavezs, or other iconic representatives of their movement, they did have hundreds of organizers and volunteers working to both educate and fight for the rights of the community.

As Lane Ryo Hirabayashi, Chair of the Asian American Studies Department at the University of California at Los Angeles, observed, "We may not have the same iconic figures, but I prefer to see Asian American civil rights as an ongoing series of struggles, with the civil rights movement [of the 1960s] as a very big part of that." For the first time, Asian Americans began to reach out to other minority groups and to each other in a mass effort to understand and develop the community, an effort which has rumbled along through to the present.

While first generation Asian American immigrants had fought for the right to naturalize and the right to own property—essentially, the right to* be *Americans—this generation began to fight for their rights* as *Americans.

Dalip Singh Saund (1899-1973)

First Asian American Member of Congress

The Sikh American politician, born in India, was the first Asian American to become a member of Congress. Having initially immigrated to the U.S. at 21 in order to pursue graduate degrees in agriculture and math at the University of California at Berkeley, Saund eventually settled as a farmer in Southern California in the 1920s.

As with most Asian Americans of the era, discrimination abounded, and while Indians were considered Caucasian by definition, they were not "white" (according to the 1923 Supreme Court opinion *United States v. Bhagat Singh Thind*[iv]), and therefore were not eligible to become U.S. citizens. Saund's wife, who was born in the U.S., had her citizenship revoked under the Cable Act of 1922, a law that applied to American women who married alien residents.[v]

In the 1940s, Saund founded the Indian American Association of America. At the time, being ineligible for citizenship, Saund and other activists fought to instate legislation that would allow South Asian Americans to be naturalized as U.S. citizens, which successfully culminated in the Luce-Cellar Act of 1946.[vi] Saund's involvement in politics would only grow from there.

By the mid-1950s, having already been elected to Justice of the Peace in Westmoreland, California, Saund ran for House of Representatives as a Democrat and in 1956 became the first Asian American member of Congress, serving three terms before suffering from a stroke in 1962.

THE MURDER OF VINCENT CHIN

"For people who didn't see themselves as Asian Americans, this was a moment when they stood up and spoke out."

– Frank H. Wu, former Dean of Wayne State Law School and author of *Yellow: Race in America Beyond Black and White*

Just a week before his wedding, in the summer of 1982, 27-year-old Asian American Vincent Chin was bludgeoned to death by two white auto workers in what has now become one of the most infamous hate crimes in Asian American history.

Chin, celebrating his pending marriage with a bachelor party at a local strip club, got into an altercation that night with Ronald Ebens and his stepson Michael Nitz, two auto workers who were also at the club. "It's because of you motherf-----s that we're out of work." Ebens is reported to have told Chin, cursing at him and calling him a "jap."[18] Chin was Chinese American.

Nitz had recently been laid off from work at an auto plant. In a climate of recession, with job losses being blamed on Japan, Ebens and Nitz took their rage out on Chin, projecting their blind anger onto a complete stranger.

After both groups were thrown out of the bar for fighting, Ebens and Nitz proceeded to hunt down Chin with a baseball bat that they retrieved from their car. Eventually finding him almost half an hour later, Nitz restrained Chin as Ebens broke his shins before breaking Chin's skull with the baseball bat. Several people witnessed the incident, including two off-duty police officers.[19] Vincent Chin's last words before he slipped into a fatal coma were, "It's not fair." He died four days later.

Philip Vera Cruz (1904-1994)

Labor Leader and Civil Rights Activist

The first generation Filipino American farmer-cum-activist co-founded the Agricultural Workings Organizing Committee (AWOC), a group comprised mostly of Filipino American farmworkers, which later merged with the United Farm Workers under Mexican American labor leader Cesar Chavez.

Cruz, alongside Chavez, led the Great Delano Grape Strike in 1965 against the threat of lowered wages from grape growers.[vii] Drawing attention to their poor working conditions, meager wages, and second class citizenship, Cruz and Chavez scored a victory for farmworkers everywhere.

Standing together not just as Filipino Americans or Mexican Americans but as American farmworkers, their work was the result of reaching across the racial divide and engaging in multiethnic coalition building.

Detroit's economic vitality had always relied heavily on the car industry, and the public perceived Japanese auto manufacturers as taking jobs away from hardworking Americans, leading to a tense atmosphere filled with anti-Asian sentiment, even against Asian Americans who had lived in the U.S. all their lives. What people like Ebens and Nitz failed to perceive was that Vincent Chin was no different from them, that he was just another working class American in Detroit, an industrial draftsman for an engineering company. All they saw was an Asian face.

"Both are blue-collar, hard-working guys who go to strip clubs and have tempers. But the crucial difference is that Ebens and Nitz are white; Vincent Chin is Asian. If they were both white, this wouldn't have happened," said Frank Wu, legal scholar and Detroit native.

Ebens and Nitz were sentenced to three years of probation. Each was fined less than $3,000. Neither ended up spending a single day behind bars, with the ruling judge in the state criminal case later declaring that "these weren't the kind of men you send to jail," effectively vouching for Ebens and Nitz's behavior. At the crime scene, police had found a combination of Chin's spinal fluid, blood and brain matter.

The Vincent Chin murder awakened the Asian American community. A hundred years after the Chinese Exclusion Act, Asian Americans were still being perceived as the "perpetual foreigner." In *Inauthentic: The Anxiety over Culture and Identity,* Vincent John Cheng writes:

> ***"One could well comment on the various forms of hate and racism involved in this case of ethnic mistaken identity, not to speak of violence. But one thing is clear that has not much changed since the days of Fu Manchu or Yellow Peril or of the Japanese internment; whether native-born Americans or recent immigrants, Asians in the United States are simply not considered 'real' Americans."[20]***

The shock that rippled through the community also brought it together. Chinese, Filipino, Indian, Japanese, Korean—all Asian American groups came together in a major coalition building effort to fight for justice through a lawsuit, which alleged that Chin's civil rights were violated and formed the coalition Justice for Vincent Chin.[21] Though Ebens was sentenced to 25 years in prison, his conviction was eventually overturned on a technicality, and Nitz was found not guilty. Though a civil suit ruled that Ebens had to pay $1.5 million to the Chin family, he eluded authorities and never paid a cent. The despair and heartbreak that the murder and ensuing trials brought Lily Chin, Vincent's mother, caused her to move to China, unable to live in the country that denied justice in her son's death.

Norman Y. Mineta (1931-present)

First Asian American Cabinet Member

The former U.S. Secretary of Transportation is the first Asian American to have become a U.S. Cabinet member, though his political career began far earlier than that. Before this appointment, Mineta was a member of the U.S. House of Representatives between 1975 and 1995, founding the Congressional Asian Pacific American Caucus (CAPAC) in 1994. Along with organizations like the JACL and other advocacy groups, Mineta was instrumental in fighting for reparations for Japanese American internment camp survivors, a campaign that culminated in the Civil Liberties Act of 1988. In his earlier years, Mineta was a City Council member in San Jose, eventually becoming its mayor in 1971.

He is the only Democrat to have been in President George W. Bush's Cabinet, and was initially appointed in 2000 by President Bill Clinton to be the U.S. Secretary of Commerce (only three other Cabinet members in history have served under two administrations of different political affiliation).[viii] In 2006, Mineta was awarded the Presidential Medal of Freedom.

Although the senseless murder of Vincent Chin found no meaningful justice, it "raised the consciousness of people about hate crimes against Asian Americans and served as a catalyst for Asian Americans to look beyond their individual Asian ethnic communities to organize against anti-Asian violence," according to William Wei, author of *The Asian American Movement: A Social History.* For the first time, Americans of Asian descent came together in a pan-ethnic coalition.

The Chin murder was "Turning point [in Asian American history] when people who didn't see that they had a common cause came together," said Frank Wu. "We weren't really Asian American before Vincent Chin. For people who didn't see themselves as Asian Americans, this was a moment when they stood up and spoke out."

...raised the consciousness of people about hate crimes against Asian Americans and served as a catalyst for Asian Americans to look beyond their individual Asian ethnic communities...

THE ROAD AHEAD: NEW STRUGGLES, OLD PROBLEMS, AND THE QUESTION OF PAN-ASIAN AMERICAN UNITY

Though this booklet highlights some of the major struggles Asian Americans have faced, it by no means comes close to comprehensively accounting for all the obstacles the community has encountered over the years. It merely presents a keyhole view to Asian American history that hopefully will prompt readers to learn more about what constitutes the Asian American experience—that is, not just the Chinese American or Japanese American experience of early immigrants, but the Vietnamese American, Korean American, Indian American, Filipino American experience that are just part of the 48 ethnicities categorized as Asian American by the U.S. Census Bureau.

Often, chronicling Asian American history as a uniform topic can seem strangely like stringing together beads of wildly different shapes and colors, with little common thread that holds these pieces together. How does a fourth-generation Japanese American connect with a first-generation Cambodian American? Why should we assume the same issues affect them today? We have had no unifying civil rights struggle, no singular triumph over adversity. Our history instead consists of dozens and dozens of separate struggles—naturalization battles, labor strikes, internment, hate crimes, cultural complexes—all under the umbrella term "Asian American."

But just as America is a jumble of cultures and perspectives encouraged to live amicably as one, Asian America, too, is an uneven mix of ethnicities and micro-politics thrown together as a makeshift community that is, in many ways, still learning to thrive as a cohesive unit. And the problems we face, as a group, are still very real.

We have hardly anyone to speak for us on the political stage; segments of the community lack access to adequate healthcare; voters and potential voters face barriers that discourage them from voicing their views at the ballot; and anti-Asian violence and employment discrimination are prevalent in places one would hardly expect. There is still much work to be done.

Regardless of the seemingly cushy stereotype of the "model minority," Asian Americans have yet to achieve complete parity—in the workplace, in the ballot box, in the eyes of the mainstream. So we must not be complacent. We must be proactive.

Coalition Building and Community Organizing

Just as various Asian American groups protested Vincent Chin's murder in solidarity in the early 1980s, and engaged in coalition-building with African American and Latino groups in the late 1960s, the pan-Asian community in the early millennium is more interconnected than ever.

Yet we must not stop coalition-building efforts. Bridge-building between all segments of the Asian American community, whether Bengali Americans, Pacific Islander Americans, Taiwanese Americans, or Korean Americans is important. And we must continue to reach out to African American and Latino civil rights groups, women's rights groups, LGBT groups—their histories may be wholly different from ours, but the parallels that exist in their struggles are staggering.

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"[The Asian American experience] is not just personal or psychological. It's political," says Ronald Takaki, author of *Strangers From A Different Shore* and scholar of Asian American history, in a reminder that the preservation of civil rights is an ongoing battle, "Their struggle is our struggle." Discrimination against South Asian and Muslim Americans post-9/11 is our struggle. Hate crimes against Sikh Americans is our struggle. Inadequate healthcare for Hmong Americans is our struggle. Their struggle will always be our struggle, because the underlying goal—equality—is one and the same.

Political Representation and Voting

Though more than a few Asian Americans have risen to local, city or state political positions (particularly in the West Coast), the number of Asian Americans to have evolved into political powerhouses remains limited. Figures like Sen. Daniel K. Inouye (D-HI), former Rep. Patsy Mink (D-HI), former Governor of Washington Gary Locke and former U.S. Assistant Attorney General for Civil Rights Bill Lann Lee are few and far between (and that three out of four in that list are "formers" speaks to the political representation Asian Americans have today).

As a result, concerns of the community go overlooked—often not by any malicious intent, but by a lack of representation. Why should we assume others are able to (or have incentive to) speak for us? No one can fight our legislative battles but ourselves. Issues important to the community like education, healthcare and immigration policy cannot be shaped to address concerns of Asian Americans if no Asian Americans step up to the political stage.

And we must represent ourselves at the ballots—Asian American youth have the lowest rates of voter registration of all minority youth populations.[22] Backlogged applications for naturalization prevent residents from obtaining the right to vote for years.[23] Mandatory bilingual ballots and voter assistance are frequently absent at the polls, violating the Voting Rights Act and muffling Asian American votes.[24]

Whether the result of voter apathy or voting barriers, Asian Americans do not share equal political participation. It is imperative to step up and participate at the ballot box.

Yuri Kochiyama (1921-present)

Civil Rights Activist

The former World War II internee and grassroots community organizer was very active in the civil rights movement of the 1960s. She was close friends with Malcolm X and became involved in his group, the Organization for Afro-American Unity (OAAU), along with many other human rights causes, including rights for political prisoners, redress for Japanese American concentration camp survivors, and nuclear disarmament.

At 20, Kochiyama and her family were forcibly sent to an internment camp in Jerome, Arkansas, for three years until 1945. Later, Kochiyama resettled in New York City and became very involved in the civil rights movement. She joined the Harlem Parents Committee, a group that initiated a sit-in to protest the lack of streetlights that resulted in a high child mortality rate in the neighborhood (Kochiyama and her six children were part of the sit-in protest)[ix]. She developed a strong friendship with African American civil rights leader, Malcolm X, and was by his side at his assassination in 1965. She was also part of the group that overtook the Statue of Liberty to fight for Puerto Rican independence in 1977.

In 1999, the film "Yuri Kochiyama: Passion for Justice" was released, which covers her life as a civil rights activist.

Violence and Discrimination

Hate crimes occur against Asian Americans frequently, but often go unreported, contributing to a lack of data on racial violence committed against the community. Simply because Vincent Chin's murder occurred over 25 years ago in no way suggests that anti-Asian violence no longer exists. A lack of local law enforcement training and underreporting add to the notion that Asian Americans do not face racial discrimination or anti-Asian sentiment.[25]

After the September 11, 2001 attacks, the number of hate crimes committed against Southeast Asian and South Asian Americans dramatically increased. Some Sikh Americans, because of their headwraps, were mistaken for Middle Eastern and physically assaulted. Indian and Pakistani Americans also became targets of racial prejudice after the attacks, the unfortunate victims of bigoted rage.

Workplace discrimination, too, frequently goes under-reported. According to a 2005 Gallup poll:

> *"31 percent of Asians surveyed reported incidents of discrimination, the largest percentage of any racial or ethnic group, with African Americans the second-largest group at 26 percent. But Asians generally file fewer discrimination complaints than other groups, according to the EEOC."*[26]

And frustratingly, a "glass ceiling" still hovers over Asian Americans in the workplace—despite the large number of Asian American professionals, most are unable to break into top management positions still predominantly filled by those who are white (97%) and male (95%). Less than one percent of college presidents are Asian American.

Education

The "model minority" myth loves to assert that all Asian Americans are highly educated, financially well-off individuals. In reality, most Hmong and Cambodian Americans have never finished high school, and more Asian Americans are enrolled in community colleges than in public or private universities, according the 2008 CARE report, issued by NYU and the College Board.[27] SAT scores are not high across the board; rather, they correlate with the income and education level of the student's family.

In 2003, more Asian Americans graduated with an undergraduate degree in the humanities, business, and engineering than the oft-stereotyped nerdy Asian American math or science majors. Regardless of the "model minority" myth, the diversity of Asian American ethnicities prevents sweeping generalizations from being made. "In reality, there is no single Asian American Pacific IslandeAAPI) composite," said NYU Education professor Robert Teranishi.[28] "A single story does not represent the AAPI experience."

Conclusion

Plainly, there is still much work to be done. The backhanded compliment of the "model minority" myth merely nudges legitimate Asian American concerns into obscurity. The community lacks proper political representation, immigration reform, healthcare access, and enforced voting rights. Our ancestors and predecessors have taken down mountains—we must not mistake this seemingly calm modern terrain for the achievement of equality.

"We've gotten too comfortable. Many Asian Americans tend to become involved only when something bad happens," says law professor Frank Wu, who asserts that the community cannot merely engage in defensive community organizing. "It is crucial to build institutions, be proactive and start reaching out to others, build bridges to other groups. We need to give people a reason to believe in a cause."

Regardless of the "model minority" myth, the diversity of Asian American ethnicities prevents sweeping generalizations from being made.

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