LESS THAN EQUAL
Vincent Chin and the Fight for Asian American Civil Rights

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And to my family, whose love, dedication, and sacrifice has made this all possible, I can never thank you enough. Special shoutout to my immigrant mother, who has cut and peeled my fruit without complaint for two decades and counting! 사랑해—this one's for you.

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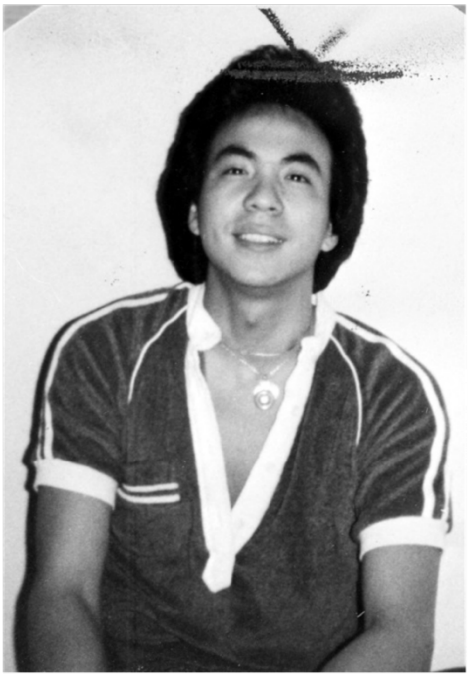
Vincent Jen Chin
May 18, 1955 - June 23, 1982



Asian America lives in the struggle for recognition and existence, and by combating anti-Asian violence we fight the message that we do not belong, that we have no place in America. It is a recognition that the attack upon the individual is an attempt to silence us all, and therefore to break our silence, we must speak up for the individual.[1]

Chin, Vincent; Murder Victim. Convicted Killers Given Probation, photograph, Wayne State University Digital Collections, May 4, 1983, http://digital.library.wayne.edu/item/wayne:vmc13027.

[1] Victor M. Hwang, "The Interrelationship between Anti-Asian Violence and Asian America," *UCLA Chicana/o Latina/o Law Review* 21, no. 1 (2000): 36, https://escholarship.org/uc/item/1qq0x801.

Introduction

With four fierce blows of a baseball bat, what began as a joyous night of drunken revelry ended abruptly, unexpectedly, in tragedy. It was June 1982, and 27-year-old Vincent Chin, a Chinese American resident of Detroit, Michigan, was celebrating the imminent end of his bachelorhood in a quintessentially American fashion: after having some drinks at a local bar with his friends, the group made their way to the Fancy Pants Lounge, a strip club in the run-down Highland Park suburb.[2] The neighborhood had seen better days—it was, in fact, a microcosm of the city itself, which had ridden the coattails of the hugely successful automobile industry for most of the twentieth century but was now contending with skyrocketing unemployment rates and the devastating economic consequences that followed.

Nevertheless, the atmosphere of malaise that had settled over Detroit seemed, at least initially, to Vincent and his friends like a distant notion as they sat by the Fancy Pants runway, laughing, bantering, and showering the dancers with money. They were so engrossed in the show that they did not even notice the two white men sitting across from them, glowering in their direction, until they heard it—a cascade of racial slurs, contemptuous references to imported Japanese cars, and an ugly accusation, pointedly aimed at Vincent and uttered just loud enough for the group to hear:

"It's because of you little mother f——s that we're out of work."[3]

Vincent reacted almost instantly, striding across the club floor to confront the instigators: Ronald Ebens, a Chrysler plant superintendent, and Michael Nitz, Ebens' stepson and an

[2] Helen Zia, *Asian American Dreams: The Emergence of an American People* (New York: Farrar, Straus, and Giroux, 2000), 59.

[3] Zia, *Asian American Dreams*, 59.

autoworker who had been laid off from his job.[4] Although the brawl that ensued resulted in both parties being forcefully separated and unceremoniously ejected from the Fancy Pants, Ebens and Nitz were not finished. Convinced that they had been wronged and intent on revenge, they viciously hunted down a fleeing Vincent, cornering him in a supermarket parking lot down the street from the club. It was here, in the wee hours of the morning on June 19, that Nitz pinned Vincent to the asphalt and Ebens "swung his Louisville Slugger baseball bat"—which he had snatched from the trunk of Nitz's car in a rage—four times into Vincent's head, "'as if he was going for a home run.'"[5]

With these fateful blows, Ebens shattered more than just a young man's skull. He struck directly at the conscience of every Asian individual in America, making it painfully clear that it could just as easily have been any one of them. Yet his reprehensible actions, meant to silence an Asian American whom he viewed as "'less than a person,'"[6] had the exact opposite effect. After Vincent's death, his supporters established an activist group called the American Citizens for Justice (ACJ), which became the very first Asian American-led coalition to loudly challenge the "formal and informal structures of racial discrimination"[7] that had historically positioned them as "less than equal"[8] to their white counterparts from a civil rights standpoint. Their remarkable organizational efforts in the wake of Vincent's passing were crucial to advancing the

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[4] Zia, *Asian American Dreams*, 59.

[5] Zia, *Asian American Dreams*, 59.

[6] Joe T. Darden and Richard W. Thomas, "The Declining Auto Industry and Anti-Asian Racism: The Murder of Vincent Chin," in *Detroit: Race Riots, Racial Conflicts, and Efforts to Bridge the Racial Divide* (East Lansing: Michigan State University Press, 2013), 174.

[7] Mae Ngai, "Illegal Aliens: A Problem of Law and History," in *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton: Princeton University Press, 2004): 8.

[8] "The Case for Vincent Chin: A Tragedy in American Justice," May 11, 1983, 05100 Bd 2, Box 4, American Citizens for Justice Records 1983-2004, Bentley Historical Library, University of Michigan, Ann Arbor, MI.

community's demands for the recognition and enforcement of their rights as Americans, and have set the Vincent Chin case apart as a significant historical catalyst for the development of a pan-Asian ethnicity and political consciousness in the United States.

In this thesis, I foreground Vincent's story using Erika Lee's survey-style historiography, entitled *The Making of Asian America: A History*, and Mae Ngai's study of Asian exclusion in *Impossible Subjects: Illegal Aliens and the Making of Modern America*, both of which provide important historical context about the persecution of Asian Americans in the United States. Among the other sources I consult are Chelsea Zuzindlak's "'Tell 'Em You're From Detroit': Chinese Americans in the Model City," Joe T. Darden and Richard W. Thomas' "The Declining Auto Industry and Anti-Asian Racism: The Murder of Vincent Chin," and Dana Frank's "Demons in the Parking Lot: Auto Workers, Buy American Campaigns, and the 'Japanese Threat' in the 1980s," which lent a Detroit-specific focus to the broad themes at issue in Vincent's case. Given that Zuzindlak conducted many of her own interviews, wherein she captured details about life in Detroit's Chinese American community that were not available in mainstream archives, I found her chapter to be an especially rich source of new information upon which to draw.

My research also entailed an examination of the work generated by several prominent historians, sociologists, and Asian American studies experts who engaged with the Vincent Chin murder as a case study in Asian American civil rights activism. Two of these books proved especially invaluable to the conceptualization and execution of this thesis: Helen Zia's *Asian American Dreams: The Emergence of An American People*, and Yen Le Espiritu's *Asian American Panethnicity: Bridging Institutions and Identities*. Zia, who was one of the ACJ's foremost organizers on the ground in Detroit, chronicles the trial-and-error process of organizing

a civil rights movement from scratch. A significant portion of *Asian American Dreams* is devoted to her firsthand account of the courage, perseverance, and determination that characterized Asian Americans' attempts to win justice for Vincent in a city where they lacked connections, visibility, and strength in numbers. Espiritu, on the other hand, provides a theoretical underpinning for this case of "mythic proportions,"[9] which complements Zia's narrative storytelling and introduces new terminology that encapsulates the nuanced Asian American experience. Most importantly, Espiritu introduces the concept of "protective pan-Asian ethnicity" to describe the post-Vincent Chin effect that led to the unprecedented invigoration of a movement predicated entirely upon Asian American collective action.

Although the aforementioned authors are in agreement that the momentum generated by Vincent's case has contributed, perhaps more so than any other, to the formation of contemporary Asian America, the existing scholarship about this case is strikingly fragmented in the sense that no one source provides a cohesive explanation for why, after so many years, it is specifically the murder of Vincent Chin that remains at the forefront of the collective Asian American memory. I seek to pursue this line of inquiry by placing secondary sources in conversation with my own interpretation of archival material from the ACJ's records, including court documents, the group's own publications, and contemporaneous newspaper articles from various local and national sources.

In my first chapter, I illustrate how the confluence of institutionalized racism—which evolved from a practice of Asian exclusion that predated Vincent's murder by over a century and was promulgated through American laws and policies—and the particularities of 1980s Detroit

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[9] Yen Le Espiritu, *Asian American Panethnicity: Bridging Institutions and Identities* (Philadelphia: Temple University Press, 1992), 153.

created the circumstances that led Ebens and Nitz to take Vincent's life. The social, political, and economic state of the city at the time of his death was such that the attack on Vincent constituted the proverbial breaking point for many in the Asian American community, who were disillusioned and tired of having to prove, time and again, that they were just as American as their white neighbors.

My second chapter focuses on the ACJ, which was formed in direct response to Vincent's murder and whose greatest contribution to the subsequent campaign for justice and accountability was its development of a legal strategy that propelled Vincent's case to the forefront of the era's civil rights litigation. I posit that this case was the first time in which the Asian American community was organized and empowered enough to exercise their right to seek redress through legal means, within the very institution that had historically been weaponized against them. By asserting their right to equal protection under the law and demanding equitable treatment by the courts in the context of the Vincent Chin case, Asian Americans engaged in a reclamatory approach to decolonizing and deimperializing the notoriously exceptionalist American justice system.

Finally, in my third chapter, I discuss the counterhegemonic way in which Asian Americans demanded equal treatment after Vincent's death, and how this led to the creation of a protective pan-Asian ethnicity. While these phenomena certainly engendered a new level of Asian American political consciousness and indicated that community-wide activism was reaching new heights, I assert that Asian Americans must aim to achieve lasting unity—beyond the visceral, impromptu, emotion-driven organizing that tends to occur in the aftermath of tragic anti-Asian attacks—by prioritizing constant political involvement. When Asian Americans create space for themselves and the issues that matter to them, they are engaging in a potent act of

resistance. This ensures that their interests are represented in American public discourse and politics while also generating an esprit de corps powerful enough to sustain their increasingly diverse and growing community.

I was inspired to write this thesis because as a second-generation Asian American daughter of immigrants, this history is in many ways my own. My lived experiences have shown me that the enduring importance of Asian American solidarity cannot be understated, especially considering the recent spate of high-profile attacks against Asian Americans across the country, including the shooting at three Asian-run spas in the Atlanta, Georgia, area that claimed eight lives in 2021[10] and the brutal murders of Michelle Go and Christina Yuna Lee in the early months of 2022. Decades after Vincent's death, the continued occurrence of these racially-motivated crimes indicates that there is still work to be done in the realm of inter-Asian unification as well as the education of the American public. Yet if the Vincent Chin case had not enkindled the movement it did, and if the ACJ had not led the charge for Asian Americans to be recognized as fully-fledged citizens and granted the civil rights that are intrinsic to our personhood, our community could not have come this far in just a matter of decades. When Asian Americans and their allies came together to fight for justice for Vincent Chin, it was about more than just one verdict in one case: it was a fight for Asians' right to be seen as true Americans, and for our voices to finally be heard.

[10] "8 Dead in Atlanta Spa Shootings, With Fears of Anti-Asian Bias," *The New York Times*, March 17, 2021, https://www.nytimes.com/live/2021/03/17/us/shooting-atlanta-acworth.

Chapter 1: "It's Not Fair"
Contextualizing the Attack That Launched a Movement

As Vincent lay crumpled on the asphalt, reeling from Ebens' blows, he voiced a bitter sentiment that resonated powerfully with all Asian Americans: "It's not fair," he whispered, moments before he lost consciousness for the final time.[11] Vincent's last words were imbued with indignance, confusion, and despair, emotions that were indicative of the indiscriminate nature of this crime. They were also inevitably laden with the generational trauma that he had inherited by virtue of being a young Chinese man in a country that was determined to silence his community and erase their legacies, beginning with the first Chinese settlers. Many of these immigrants were driven out of their ethnic enclaves on the West Coast and fled to Detroit in the late 1800s[12] in an attempt to escape recurring, violent attacks that stemmed from longstanding beliefs about Asian Americans as a "'degraded and inferior race.'"[13] In a sad paradox, however, the sentiments underpinning this persecution were uniquely magnified in mid-twentieth century Detroit due to the city's history of tempestuous race relations (which contributed to the perpetuation of harmful stereotypes about Asian Americans) and its influential position in the American economy (which made its white residents especially receptive to nationalist rhetoric and anti-Asian propaganda during the Buy American and Japan-bashing fervor of the 1970s and 1980s). If the riots, lynchings, and mobs of the past were any indication, it was only a matter of

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[11] Karen Grigsby Bates, "How Vincent Chin's Death Gave Others a Voice," *NPR Code Switch,* March 27, 2021, https://www.npr.org/sections/codeswitch/2021/03/27/981718272/how-vincent-chins-death-gave-others-a-voice.

[12] Chelsea Zuzindlak, "'Tell 'Em You're From Detroit': Chinese Americans in the Model City," in *Asian Americans in Michigan: Voices From the Midwest* (Detroit: Wayne State University Press, 2015), 53.

[13] Erika Lee, *The Making of Asian America: A History* (New York: Simon & Schuster, 2015), 89.

time before this uniquely destructive amalgamation of factors resulted in a paroxysm, which was precisely what led to Vincent's death. Ostensibly, the victim in his case could have been any Asian individual and their attacker, any white person who shared Ebens and Nitz's grievances. As such, understanding the magnitude and galvanizing potential of this event in question necessitates an examination of the situational role played by the setting: 1980s Detroit.

Chinese American Detroiters are an exceptionally under-studied group, and the paucity of demographic information about this community is exacerbated by the fact that the city's Chinatown, usually a center of shared culture and history, no longer exists. Even though Detroit "was and continues to be a city arguably defined by race," scholar Chelsea Zuzindlak notes that "the stories and experiences of Asian Americans frequently have been omitted from local and regional histories."[14] Their perceived insignificance is clear even at the most basic, statistical level: as late as 1950, Asian individuals of all ethnicities were still lumped together under the seemingly indifferent, catch-all label of "other races" in Detroit's official census records.[15] In recent years, however, emerging narratives have begun to explore the development of the Chinese American community in Detroit. First came the migrants, who left behind their initial California settlements to move eastward in the late nineteenth century; eventually, they were also joined by an increasing number of new immigrants arriving directly from China. For many of these newly minted Midwesterners, the decision to resettle in Detroit was less a product of free choice and more a survival strategy necessitated by the exclusionary, anti-Asian rhetoric of the times.[16]

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[14] Zuzindlak, "'Tell 'Em You're From Detroit,'" 51.

[15] Sarah Rahal, "Asian-American community sees signs of resurgence in Detroit," *The Detroit News*, February 18, 2019, https://www.detroitnews.com/story/news/local/detroit-city/2019/02/18/lost-asian-american-community-detroit-sees-reason-hope/2744890002/.

[16] Zuzindlak, "'Tell 'Em You're From Detroit,'" 53.

The former group was largely composed of people who had come to California after the discovery of gold in 1848.[17] Although they eventually realized that their chances of striking it rich in the goldfields and mines were slim to none, they sought out other opportunities for economic success instead and took jobs working "on railroads and in factories, canneries, fisheries, and fields," in addition to restaurants and laundries that they owned and operated themselves.[18] In these early years, Chinese immigrants were regarded as "exotic curiosities from a distant land,"[19] an Orientalist perception born from the United States' long and appalling history of imperialism and colonialism around the globe. While their labor was occasionally recognized for its role in the development of the fledgling American economy, any praise they received was always tempered by a dehumanizing tone. "The Chinamen are ploughmen, laundrymen, placer miners, woollen [sic] spinners and weavers, domestic servants, cigar makers, shoemakers and railroad builders to the great benefit of the State," the *Daily Alta California* proclaimed in 1869, while making explicitly clear that these benefits were only for the "white people" to enjoy and that the "wishes and welfare of the Chinamen" were irrelevant.[20]

This rhetoric encapsulated how, as historian Mae Ngai explains, "the telos of immigrant settlement, assimilation, and citizenship has been an enduring narrative of American history, but it has not always been the reality of migrants' […] experiences and interactions with American society and state."[21] Chinese immigrants in particular bore the brunt of the U.S. government's anti-Asian legislation. For example, the enactment of the infamous Chinese Exclusion Act of

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[17] Lee, *The Making of Asian America*, 59.
[18] Lee, *The Making of Asian America*, 71.
[19] Lee, *The Making of Asian America*, 90.
[20] "The Chinese Necessary to the Prosperity of Our Mining Industry," *Daily Alta California*, June 17, 1869, https://cdnc.ucr.edu/?a=d&d=DAC18690617.2.30&srpos=1&e=------186-en--20-DAC-1--txt-txIN-railroad+builders+to+the+great+benefit+of+the+State----1869---1.
[21] Ngai, "Illegal Aliens," 5.

1882,[22] which attempted to solve the "Chinese Problem" by excluding "inferior and inassimilable" Chinese laborers from the U.S. solely based on their race,[23]—created a trickle-down effect that normalized casual racism directed toward Asians by other Americans in everyday settings. It was therefore not a coincidence that the first Chinese (im)migrants began arriving in Detroit in the early 1870s.[24] By dispersing to smaller towns, they "were able to network without rousing the anti-Chinese bigotry that had become engrained in the political platforms and social institutions of the West."[25] Notably, this was one of the earliest ways in which Asians, being relatively new to the country, looked to other Americans of color for guidance about how to navigate racial discrimination in the U.S. Black migrants from the South, who comprised the largest community of color in Detroit, were drawn to the city during this same time period because of the "economic opportunity and perceived freedoms of the urban North,"[26] and these possibilities were equally appealing to embattled Chinese Americans facing relentless discrimination and vigilante violence on the West Coast.

The initial success of this approach prompted the growth of the Chinese community in Detroit, with new arrivals learning about and settling in the city primarily through familial connections. Such was the case with Vincent's adoptive parents, David Bing Hing and Lily Chin: David, who settled in Detroit soon after arriving in the U.S. in 1922, knew Lily's family from China and sent for her to join him in the Motor City to be married.[27] They moved to Highland Park in 1948 harboring no expectations of grandeur, but simply "a hope, a promise, a dream of a

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[22] Lee, *The Making of Asian America*, 89.
[23] Zuzindlak, "'Tell 'Em You're From Detroit,'" 53.
[24] Zuzindlak, "'Tell 'Em You're From Detroit,'" 52.
[25] Zuzindlak, "'Tell 'Em You're From Detroit,'" 54.
[26] Zuzindlak, "'Tell 'Em You're From Detroit,'" 52.
[27] Zia, *Asian American Dreams*, 63.

better life" achieved through hard work in the city's laundromats, Chinese restaurants, and other areas of the service industry that catered to Detroit's middle- and upper-class residents.[28] Scholar Erika Lee notes that these businesses had been popular amongst Chinese Americans since the 1850s, partially due to rampant racial prejudice in hiring—they had no choice but to turn to "self-employment, ethnic economies, and work that no one else wanted."[29] Yet immigrants like the Chins continued to gravitate toward these occupations almost a century later because they did not "requir[e] professional skills, proficiency in English, or education, and the businesses could be operated by single owners, small families, or larger group partnerships."[30] Detroit's Chinese residents were consequently able to fill a critical niche that arose during the city's development into an industrial behemoth, which proved to be particularly "advantageous because it provided a context in which they could nurture American-born families."[31]

Such a family became reality for Lily and David when they adopted Vincent from China in 1961.[32] The gap between their generations quite literally spanned continents; as a result, while integration into American society as first-generation immigrants was extremely challenging for the former, the latter "expected to enjoy the same rights and privileges as white citizens" as a second-generation Chinese American who had grown up immersed in American culture and speaking English in school.[33] Vincent did experience a degree of what is perhaps best referred to as conditional acceptance: for instance, he was described by Gary Koivu, a white friend from his grade school years, as having "learned the ways of America […] he didn't seem to be

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[28] Christine Choy, dir., *Who Killed Vincent Chin?* (New York: Filmakers Library, 1990), https://video.alexanderstreet.com/watch/who-killed-vincent-chin.

[29] Lee, *The Making of Asian America*, 76.

[30] Lee, *The Making of Asian America*, 76.

[31] Zuzindlak, "'Tell 'Em You're From Detroit,'" 55.

[32] Darden and Thomas, "The Declining Auto Industry and Anti-Asian Racism," 158.

[33] Zuzindlak, "'Tell 'Em You're From Detroit,'" 56-57.

handicapped by the fact that he was Chinese, he had a lot of friends and a lot of girlfriends. People accepted him pretty rightly."[34] Yet the assimilatory connotation of Koivu's initial observation, along with his flippant use of the word "handicapped" in relation to Vincent's race, were small reminders of the Chin family's status as forever foreigners, as were incidents like the ones that Lily recounted in an interview after her son's death. She described in great detail how "the neighborhood kids […] made ugly faces"—she demonstrated by placing her index fingers on her temples and drawing them back, pulling her eyes into slits—"stuck out their tongues, and made as if to slit our throats."[35] Though her words made it clear that this was a regular occurrence, the indignation in her voice indicated that every instance of hate was as confounding and hurtful as if she were experiencing it for the first time.

Vincent came of age during an era of racial violence directed toward Detroit's Black community throughout the first half of the twentieth century. Years of redlining and restrictions had created extremely overcrowded urban Black neighborhoods, and white residents had grown increasingly fearful of the "unruly black masses of the ghetto."[36] They fled to the sanctity of the suburbs and constructed a "suburban ring of racism" that "locked [Black Detroiters] into a declining central city, barred [them] from decent jobs and housing, and forced them to raise their children on low wages and send them, often hungry, to shabby, run-down schools."[37] Asian Americans encountered similar discriminatory policies during this period of pronounced "white

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[34] Choy, *Who Killed Vincent Chin?*

[35] Choy, *Who Killed Vincent Chin?*

[36] Joe T. Darden and Richard W. Thomas, "Historical Causes and Consequences of the 1967 Civil Disorder: White Racism, Black Rebellion, and Changing Race Relations in the Post-Civil Disorder Era," in *Detroit: Race Riots, Racial Conflicts, and Efforts to Bridge the Racial Divide* (East Lansing: Michigan State University Press, 2013), 3.

[37] Darden and Thomas, "Historical Causes and Consequences of the 1967 Civil Disorder," 5.

hostility."[38] They were frequently turned away when applying for housing or jobs in person, despite continued advertisement of availability; however, if they inquired over the phone without the other party knowing their race, they were invited to apply.[39] Such discrimination prompted Chinese Americans to draw direct parallels between themselves and the Black community. "Those are the things you hear African Americans say," one former Chinatown resident noted. "We put up with it [too]."[40] This race-based exclusion from white society meant that people of color were relegated to ethnic enclaves in the inner city, with Black residents settling mostly on the lower east side and Chinese residents on the lower west side along Detroit's Third Avenue, which became the heart of Chinatown.[41] However, the existence of this communal space was short-lived, as it eventually—along with the Black Paradise Valley neighborhood—fell victim to yet another instance of white Detroiters' strategic self-preservation. In 1959, the Detroit Housing Commission embarked upon a "'slum clearance project' […] in the name of 'urban renewal,'" wherein the city razed Paradise Valley and Chinatown to build the Edsel Ford Freeway and the John C. Lodge Freeway, respectively.[42] Predictably, the neighborhoods of the white middle class remained untouched.

During this time, Chinese Americans were struggling with what it meant to be Asian in a city like Detroit. In effect, they were "pinched between the racialized orthodoxy of the majority and the plight of the minority—a position that would seem to posit a choice: to be part of the 'problem' or 'nearly preferred.'"[43] It is important to note that Asians experienced two insidious

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[38] Darden and Thomas, "Historical Causes and Consequences of the 1967 Civil Disorder," 4.

[39] Zuzindlak, "'Tell 'Em You're From Detroit,'" 57.

[40] Quoted in Zuzindlak, "'Tell 'Em You're From Detroit,'" 57.

[41] Zuzindlak, "'Tell 'Em You're From Detroit,'" 55.

[42] Zuzindlak, "'Tell 'Em You're From Detroit,'" 59.

[43] Zuzindlak, "'Tell 'Em You're From Detroit,'" 61.

forms of racism during this time: they were certainly discriminated against, but they were also used by white Americans as a tool for discrimination against others, depending upon which approach best served the latter at any given moment. The media trumpeted the "humility and discipline"[44] of the Chinese, playing up the model minority myth to craft exaggerated, idealistic, and monolithic immigrant success stories that pitted Chinese Americans (the "ideal" minority) against Black Americans (the "undesirable" minority). In doing so, white Detroiters took advantage of the Chinese American community's greatest vulnerability and predicated their continued hegemony on the latter's powerlessness to fight back.

Over a century later, Chinese Americans were finally granted U.S. citizenship with the passage of the Chinese Exclusion Repeal Act in 1943.[45] The fragility of these newfound rights was yet another hold that white Americans had over Chinese Americans, who were reluctant to risk further ostracization by supporting their Black neighbors, even though they sympathized deeply with their plight. This catch-22 fueled the white perception of Asian Americans as passive and submissive, a stereotype that surely contributed to the dehumanization of Vincent Chin in the eyes of Ronald Ebens and Michael Nitz. Vincent simply defended himself when Ebens and Nitz called him a racial slur, but Ebens "was so outraged that this Chinese person, this Asian had the gall and audacity to confront him for making those remarks"[46] that he felt justified in taking Vincent's life in response.

As a young adult, Vincent was one of many second-generation Chinese Americans who began to make inroads into the city's middle class. Post-World War II, it seemed like "the

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[44] Zuzindlak, "'Tell 'Em You're From Detroit,'" 61.

[45] Lee, *The Making of Asian America*, 256.

[46] Quoted in Darden and Thomas, "The Declining Auto Industry and Anti-Asian Racism," 174.

Chinese in Detroit had 'become American' in every respect": they had spent the war years deliberately trying to "distinguish themselves from the 'other Asian,' the Japanese," and they self-identified as "'American Chinese,'" claiming their American-ness before their Chinese heritage.[47] Many also secured jobs in the auto industry, occupations that had eluded their parents and grandparents. Vincent himself worked for Efficient Engineering as a draftsman, and it is likely that this job allowed him a firsthand glimpse into the very same matrix of factors that ultimately contributed to his death in 1982. For roughly a decade prior, white autoworkers' increasing xenophobia and support for economic nationalist policies was inversely correlated with their rapidly declining fortunes. The great majority of these Detroiters belonged to the United Auto Workers (UAW) union, and they had grown accustomed to the accompanying contractual protections and blue-collar affluence during the prosperous years in which the Big Three—General Motors, Ford, and Chrysler—dominated the industry, producing more than 80 percent of all vehicles being manufactured worldwide.[48] They were fiercely proud people: "proud to be auto workers, proud to be UAW members, proud to be Americans."[49]

However, pride abruptly turned to anger when the events of the late 1970s and early 1980s dealt a harsh blow to the American dream that they had been living. Workers who had once "enjoyed high wages, excellent health benefits, pensions, and what seemed to be job security"[50] were suddenly contending with a frightening new world in which roughly five

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[47] Zuzindlak, "'Tell 'Em You're From Detroit,'" 58.

[48] Christopher J. Singleton, "Auto Industry Jobs in the 1980's: A Decade of Transition," *Monthly Labor Review* 115, no. 2 (1992): 18, http://www.jstor.org/stable/41843917.

[49] Dana Frank, "Demons in the Parking Lot: Auto Workers, Buy American Campaigns, and the 'Japanese Threat' in the 1980s," *Amerasia Journal* 28, no. 3 (2002): 34, https://doi.org/10.17953/amer.28.3.p74875252957n722.

[50] Frank, "Demons in the Parking Lot," 34.

percent of Detroit's jobs were disappearing yearly[51] and "automobile employment plummeted from 760,000 to 490,000" between 1978 and 1981.[52] In hindsight, it is clear that multiple factors converged to produce this acute unemployment crisis, including the implementation of automated machinery and domestic nonunion subcontracting to maximize profit, thus eliminating the need for as many individual autoworkers.[53] This decision happened to coincide with the fallout from a series of successive oil shocks in the 1970s, wherein gasoline's skyrocketing prices and scarce supply played a significant role in changing the consumer criteria that governed the purchase of cars in America.[54] The hulking, American-made "eight-cylinder dinosaurs"[55] that had once been the vehicular gold standard fell out of favor as U.S. buyers gravitated toward imported Japanese vehicles, which were "cheap to buy, cheap to run, well made, and dependable."[56] They were "everything the gas-guzzlers were not," making them "easy to hate";[57] conveniently for the UAW's leadership, who found themselves suddenly in need of a scapegoat, so too were the Japanese people who made them.

The union's leaders had spent the previous decades quietly colluding with U.S. auto manufacturers to achieve reciprocal gains, to such an extent that they had come to "vie[w] themselves as corporate partners."[58] Consequently, when UAW workers began organizing against these corporations and expressing their outrage about the massive layoffs occurring in

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[51] Kevin Boyle, "The Ruins of Detroit: Exploring the Urban Crisis in the Motor City," *Michigan Historical Review* 27, no. 1 (2001): 120, https://doi.org/10.2307/20173897.
[52] Frank, "Demons in the Parking Lot," 34.
[53] Frank, "Demons in the Parking Lot," 45.
[54] Zia, *Asian American Dreams*, 58.
[55] Zia, *Asian American Dreams*, 58.
[56] Zia, *Asian American Dreams*, 58.
[57] Zia, *Asian American Dreams*, 58.
[58] Frank, "Demons in the Parking Lot," 44.

Detroit, UAW leadership feared that they would be the next target of their members' ire.[59] Thus, before their workers had a chance to turn against them, they seized upon the first opportunity they had to unite UAW and retain the support of the rank-and-file by directing rising hatred toward a common enemy: foreign imports. The initial strategy was to promote "Buy American" ideology, which held that Americans' commitment to purchasing only U.S.-made products would "reinforce a prosperous national circuit between producers and consumers, who would ensure their own jobs and those of their fellow working Americans by nationalist shopping."[60] Most importantly, given their line of work, the UAW stressed the importance of not buying imported cars, especially those made in Japan, the U.S.' biggest competitor.

The push to Buy American began as a top-down initiative to "'buy what we build and want to build what we buy,'"[61] and it caught on quickly. Yet it was not long before the campaign took on a life of its own, and it became evident that UAW leadership had created an entity that they could no longer control. Spurred on by workers who had virtually been given free rein to express their discontent and a subject to which they could attach blame, Buy American's fervent patriotism evolved, unfettered, into Japan-bashing and blatant racism "directed not just at Japanese auto firms but at all people of Asian descent, including Asian Americans."[62] First to appear were hostile signs like the one in the parking lot of the UAW's national headquarters in Detroit, which reinforced the sentiment that Japanese cars were unwelcome with the statement, "UAW PARKING RESERVED FOR U.S. AND CANADIAN VEHICLES ONLY. PLEASE PARK IMPORTS ELSEWHERE."[63] In 1978, Detroit's Clark Street Cadillac plant was plastered

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[59] Frank, "Demons in the Parking Lot," 44.
[60] Frank, "Demons in the Parking Lot, 34-35.
[61] Quoted in Frank, "Demons in the Parking Lot," 34.
[62] Frank, "Demons in the Parking Lot," 34.
[63] Quoted in Frank, "Demons in the Parking Lot," 35. Emphasis in original.

with "We Have to Beat the Japs" cartoons that harkened back to the aforementioned, centuries-old stereotypes against Asians: the "evil 'foreigners'" in this narrative were "caricatured Japanese workers with slanty eyes and tricky smiles,"[64] ready to invade the U.S. economy in the same way that Americans in the nineteenth century Yellow Peril era had feared that "'hordes' or 'waves' of 'Oriental' immigrants would pour into the West."[65] Most frighteningly, white auto workers burned Japanese flags in parking lots,[66] vandalized Japanese cars and shot at people driving them on the freeways, and organized union-sponsored "sledgehammer events giving frustrated workers a chance to smash Japanese cars for a dollar a swing."[67] All the while, UAW leadership remained silent. The only acknowledgement that they knew their willful (in)action regarding the Buy American movement was fostering anti-Asian racism in Detroit came in the form of a confidential, internal memo circulated three months before Vincent's death, in which Lee Price, who focused on trade issues in the UAW's Research Department, advised his counterparts not to "mention race, physical features, ethnic slurs, or World War II."[68] Nevertheless, he wrote, they had to mention Japan in discussions about Buy American in order to strategically create a "safety valve for rank-and-file militancy"[69] that did not involve the corporations or UAW leadership, and give people "something to do with their anger. Buying American gave them something to do. Attacking Japan, Asians, and Asian Americans gave them someone to hate."[70]

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[64] Frank, "Demons in the Parking Lot," 35.

[65] Narrelle Morris, *Japan-Bashing: Anti-Japanism Since the 1980s* (New York: Routledge, 2011), 17-18.

[66] Frank, "Demons in the Parking Lot," 35.

[67] Zia, *Asian American Dreams*, 58.

[68] Frank, "Demons in the Parking Lot," 38.

[69] Frank, "Demons in the Parking Lot," 45.

[70] Frank, "Demons in the Parking Lot," 45.

Ebens and Nitz wholeheartedly bought into this misplaced contempt, and historian Dana Frank writes that they took Buy American logic to its inevitable, yet appalling, conclusion: "Buy American equaled don't buy imports, equaled don't buy Japanese, equaled don't buy Asian, equaled blame all Asians, equaled blame Asian Americans, equaled bash them, just like a Toyota."[71] The men projected this mindset onto the first Asian person they saw—who just so happened to be Vincent—when they visited the Fancy Pants on the night of June 19, 1982. Here, the haphazard nature of the attack indicates that it was a classic case of "Asian lumping," in which people who are unable or unwilling to differentiate among Asian people of different ethnicities simply assign blame or punishment to the whole group.[72] Scholar Yen Le Espiritu theorizes that "more than any other incident, the beating death of Vincent Chin epitomizes the racism of Asian lumping: blamed for Japan's economic advantage, a Chinese American, mistaken for Japanese, was murdered."[73] But in their closemindedness, Ebens and Nitz committed a grave error by assuming that nothing more would come of their actions on that fateful June night beyond Vincent's death. In reality, this case would not only change the way hate crimes against Asian Americans were dealt with in the legal system and public discourse, but also begin to shift the paradigm of the Asian American identity itself. The failure of these two white men to understand the intricacies of the Asian existence in America was symptomatic of a larger historical problem surrounding the misconceptions about and devaluation of perceived outsiders in the U.S., which Asian Americans were motivated to challenge in Vincent Chin's memory.

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[71] Frank, "Demons in the Parking Lot," 36.
[72] Espiritu, *Asian American Panethnicity*, 140.
[73] Espiritu, *Asian American Panethnicity*, 140.

Chapter 2: "Crying Out for Justice"
The Genesis and Impact of the ACJ

In the very same dining room at Detroit's Golden Star Restaurant where her son had once waited on customers, Vincent Chin's grieving mother stood before several dozen Chinese American lawyers, reporters, and concerned community members and uttered the emotional words that would incite a movement. "We must speak up. These men killed my son like an animal. But they go free,"[74] Lily cried. "This is wrong. We must tell the people, this is wrong."[75] It was March 20, 1983,[76] nearly a year after Vincent was killed, and this group of supporters—who had barely begun to process the initial shock of his death—were aghast at the newest developments in the case. A week prior to the meeting at Golden Star, the news came that Ebens had pleaded guilty and Nitz no contest to the lesser offense of manslaughter; out of a possible 15 years in prison that accompanied their original second-degree murder charges, they were each sentenced to a mere three years of probation and a $3,000 fine by Wayne County Circuit Court Judge Charles Kaufman.[77] Lily had refused to accept the verdict, instead enlisting other Chinese American Detroiters to help her protest this miscarriage of justice. Fortuitously, the assembly included Kin Yee, the tenacious president of the Chinese Welfare Council; Liza Cheuk May Chan, a bold young lawyer from Hong Kong; and Helen Zia, a passionate journalist who had followed Vincent's story from the very beginning.[78] Together, they became the de facto leaders of the nascent coalition that would eventually be known as the American Citizens for Justice and

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[74] Quoted in Zia, *Asian American Dreams*, 65.
[75] Quoted in Zia, *Asian American Dreams*, 65.
[76] Zia, *Asian American Dreams*, 64.
[77] Joyce Walker-Tyson, "2 men charged in '82 slaying get probation," *Detroit Free Press*, March 18, 1983, 05100 Bd 2, Box 4, American Citizens for Justice Records 1983-2004, Bentley Historical Library, University of Michigan, Ann Arbor, MI.
[78] Zia, *Asian American Dreams*, 61.

began to streamline the activist work being done in Vincent's case. Individual Asian Americans like Chan, Zia, and Lee provided the expertise, and the community provided the anger, to create enough momentum for the organization to consider it worthwhile to seek redress through official legal channels. ACJ-led "pan-ethnic"[79] organization efforts, including petitions, donations, and demonstrations that occurred while the case was winding its way through the judicial system, were instrumental in swaying key individuals to their cause.

Amidst growing disquietude in the spring of 1983, Judge Kaufman was forced to publicly defend his sentencing decision. He argued that it was predicated upon his assessment of Ebens and Nitz as "good citizens who had not been in trouble before";[80] in his opinion, he said, they were not "the kind of men you send to jail."[81] Beneath his infamous proclamation that "'you don't make the punishment fit the crime, you make the punishment fit the criminal,'"[82] therefore, was a thinly veiled assumption based solely on race. Their crime notwithstanding, Judge Kaufman was willing to give Ebens and Nitz, two white men, the benefit of the doubt, in doing so, he had implicitly promoted the devaluation of Asian lives. Vincent's, a family friend lamented, "was worth less than a used car."[83] This dealt a painful blow to Detroit's entire Asian American community, which had "expected the American criminal justice system to deal justly with" Ebens and Nitz.[84] "We moved [to America] to be free,"[85] Lily Chin said bitterly, reflecting

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[79] Espiritu, *Asian American Panethnicity*, 145.

[80] John Castine, "A bat, a gavel, a question of justice," *Detroit Free Press*, May 10, 1983, 05100 Bd 2, Box 4, American Citizens for Justice Records 1983-2004, Bentley Historical Library, University of Michigan, Ann Arbor, MI.

[81] Zia, *Asian American Dreams*, 60.

[82] Castine, "A bat, a gavel, a question of justice," ACJ Records.

[83] Zia, *Asian American Dreams*, 61.

[84] Castine, "A bat, a gavel, a question of justice," ACJ Records.

[85] Castine, "A bat, a gavel, a question of justice," ACJ Records.

upon how she had "lost faith in the American system of justice"[86] in an interview with the press. "If a society can't protect human life, what do you have?"[87]

Lily's question lay at the crux of the case and encapsulated why, from a contemporary perspective, Vincent's murder was Detroit's first real flashpoint[88] in Asian American history. Cathy Schlund-Vials, a scholar of Asian American studies, employs "flashpoint" as a term to describe a "place, event, or time at which trouble, such as violence or anger, flares up,"[89] and she argues that the significance of a flashpoint event stems from its ability to "deman[d]—in the face of political calamity and systemic oppression—reflection, response, and calibration"[90] from the Asian American community. Especially following the appalling outcome of Vincent's case, Chinese American Detroiters were particularly motivated to achieve these three goals, despite the challenges that lay ahead.

Detroit's tiny Asian American population—which numbered just 7,614 people, or 0.6 percent, of the city's residents in 1980[91]—had spent generations internalizing the "conventional wisdom of the 'don't make waves' variety"[92] that was necessary for their survival in a space of white American cultural hegemony. As a result of this forced assimilatory approach, Asian Americans remained virtually unrepresented in Detroit politics and lacked a common platform as well as the connections to bolster one. Several attempts at unity had fizzled out during the 1970s,

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[86] Francine McMillian, "Slain Son's Mother: 'Won't Rest In Peace,'" *Michigan Chronicle*, May 4, 1983, 05100 Bd 2, Box 4, American Citizens for Justice Records 1983-2004, Bentley Historical Library, University of Michigan, Ann Arbor, MI.

[87] Lily Chin, quoted in McMillian, "Slain Son's Mother," ACJ Records.

[88] Cathy J. Schlund-Vials, "Crisis, Conundrum, and Critique," in *Flashpoints for Asian American Studies* (New York: Fordham University Press, 2018), 2.

[89] Schlund-Vials, "Crisis, Conundrum, and Critique," 2.

[90] Schlund-Vials, "Crisis, Conundrum, and Critique," 2.

[91] Espiritu, *Asian American Panethnicity*, 143.

[92] Zia, *Asian American Dreams*, 60.

and community members attributed these failures to the lack of a "burning issue to sustain" such a movement beyond the early surge of enthusiasm that accompanied organization.[93] Thus, Asian American groups existed in their own separate spheres, and this was still the case when Lily, distraught that her son's killers were being freed, sought additional help from her community. Lacking a catch-all Asian American organization to turn to, she asked two Chinese American groups, the On Leong Association and the Chinese Welfare Council, for their assistance.[94] This was how she made the acquaintance of Yee, Chan, and Zia, but despite their genuine desire to aid Lily in her quest for justice, the trio initially had a limited pool of resources from which to draw. As such, their first attempt at activism was unsuccessful: they had arranged to meet with Judge Kaufman and ask him to reconsider his sentences for Ebens and Nitz, but the judge did not show up to their scheduled appointment.[95] Soon after, however, Zia published her first press release about the case, which garnered widespread attention for their cause. By the time the group met again, this time in a more official capacity at the Chinese Welfare Council Hall, they were joined by more than 80 diverse Asian Americans who, after having "endured a lifetime of degrading treatment," had seen how Vincent's case had been treated with such impunity and were "wondering if their capacity to suffer in silence might no longer be a virtue, when even in death, after such a brutal, uncontested killing, they could be so disrespected."[96]

It was under these auspices that the ACJ was born: as a self-described "multi-racial, multi-ethnic" civil rights umbrella organization,[97] it brought together pre-existing "groups and

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[93] Espiritu, *Asian American Panethnicity*, 143-144.
[94] Espiritu, Asian American Panethnicity, 144.
[95] Zia, *Asian American Dreams*, 65.
[96] Zia, *Asian American Dreams*, 61.
[97] "The Case for Vincent Chin," ACJ Records.

individuals of all races, creeds, and ethnic backgrounds"[98] in support of Lily and Vincent. They were guided by a set of three core tenets outlined in their official manifesto, "The Case for Vincent Chin: A Tragedy in American Justice":

> 1. All citizens are guaranteed rights to equal treatment by our judicial and governmental system.
> 2. When the rights of one individual are violated, all of society suffers as a result.
> 3. Asian Americans, along with many other groups of people, have historically been given less than equal treatment by the American judicial and governmental system. Only through cooperative efforts with all people will society progress and be a better place for all citizens.[99]

Though their immediate fight was for Vincent, these guiding principles foreshadowed the ACJ's intentions to expand upon the work they had been doing in his case to achieve longer-term objectives, including "eradicating racism in any form, especially against Asian Americans"; "promot[ing] unity among various ethnic groups and better understanding of the needs of the Asian American community," and "build[ing] and maintain[ing] lasting relations with all groups of people."[100] Vincent's case presented an opportunity to make progress toward these goals by doing what had previously seemed unthinkable: challenging the very same legal system that had historically been weaponized against Asians to restrict them from full participation and recognition in American society. By doing so, the ACJ hoped to not only "restore justice in the Vincent Chin case," but also to "prevent like injustices in the future."[101]

As it was one of the first organizations of its kind, the ACJ's lasting impact had as much to do with the details of its founding as it did with its large-scale accomplishments. For example, the naming process was a pivotal moment of collective growth for the Asian American

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[98] "The Case for Vincent Chin," ACJ Records.
[99] "The Case for Vincent Chin," ACJ Records.
[100] "The Case for Vincent Chin," ACJ Records.
[101] "The Case for Vincent Chin," ACJ Records.

community because it compelled the ACJ's key organizers to make a decision that, unbeknownst to them in the moment, would leave a lasting national impact. Given that the founding members of the group were majority Chinese American, early considerations for the organization's name included "Chinese Americans for Justice" or "Asian Americans for Justice."[102] In making their final decision, however, ACJ members realized that an all-inclusive strategy was necessary to maximize their political efficacy; they did not want to alienate the Detroit NAACP, Detroit-Area Black Organizations, Detroit Roundtable of Christians and Jews, or any other non-Asian civil rights groups who had "welcom[ed] Asian Americans into the civil rights fold, as a new voice from a previously silent neighbor.[103] Furthermore, in what is perhaps the most potent reminder of Asian Americans' status as perpetual foreigners, the group felt compelled to choose the broader moniker of "American Citizens for Justice," omitting any mention of Asian-ness entirely so as to be "less offensive, less intimidating,"[104] and more palatable to the American public.

While unfortunate, the ACJ seemed to accept that navigating the respectability politics of the era was a concession that was necessary to reach a certain level of recognition, from which they were poised to implement their novel legal strategy. This was broken down into three parts and spearheaded by Chan, who was the only female Asian American lawyer practicing in Michigan and was unafraid "to be 'the nail that [stuck] out'"[105]—when other Asian Americans balked at confronting such a powerful establishment as the courts, she stepped in. Chan began by once again attempting to convince Judge Kaufman to reconsider his decision in Ebens and Nitz's case.[106] She argued that a preponderance of the evidence contradicted his claim that Ebens and

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[102] Espiritu, *Asian American Panethnicity*, 145.
[103] Zia, *Asian American Dreams*, 68.
[104] Quoted in Espiritu, *Asian American Panethnicity*, 146.
[105] Zia, *Asian American Dreams*, 65.
[106] Zia, *Asian American Dreams*, 74.

Nitz were undeserving of a harsh sentence, and that the judge had neglected to take these factors into account. For instance, Ebens had undergone a court-mandated psychological screening, the results of which were shared with the court in advance of his hearing. The clinical social worker and psychologist tasked with interviewing him indicated that Ebens had shown signs of "extremely poor overall judgment, uncontrollable hostility and a potential for explosive acting out."[107] They noted that:

> The façade he presents thinly conceals numerous unresolved problems […] It is strongly felt that behind the easygoing demeanor that this defendant attempts to portray, lies an extremely hostile and explosive individual, especially when confronted with stressful situations and/or when situations go contrary to his expectations.[108]

In light of their observations, these experts wrote to the judge in no uncertain terms that "a period of incarceration in accordance with the offense, coupled with psychiatric and alcohol treatment [was] recommended" for Ebens.[109] Yet neither the punitive nor the restorative suggestions they put forth were acknowledged by the court; as such, Chan and the ACJ argued that Judge Kaufman was morally obligated to rectify his initial decision, which downplayed significant findings about the defendant's character.

However, Judge Kaufman refused to reconsider, claiming that he was well within his power to give Ebens and Nitz probation because he had followed "the prevailing philosophy which govern[ed] sentencing in Michigan": "that the sentences should be tailored to the criminal."[110] Chan was undeterred. Moving on to the second step of her strategy, she filed a brief

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[107] Michigan Department of Corrections/Wayne County Adult Probation Services Pre-Sentence Investigation Report re: Ronald Ebens, n.d., 05100 Bd 2, Box 4, American Citizens for Justice Records 1983-2004, Bentley Historical Library, University of Michigan, Ann Arbor, MI.

[108] Pre-Sentence Investigation Report, ACJ Records.

[109] Pre-Sentence Investigation Report, ACJ Records.

[110] Charles Kaufman, "Response to Concerns Raised Regarding Probation Sentences in the Killing of Vincent Chin," May 4, 1983, 05100 Bd 2, Box 4, American Citizens for Justice Records 1983-2004, Bentley Historical Library, University of Michigan, Ann Arbor, MI.

with the Michigan Court of Appeals on ACJ's behalf to demand the vacation of Judge Kaufman's sentence and the resentencing of Ebens and Nitz.[111] "I most certainly view that there is legally sufficient basis for vacating the legally deficient sentence on an appeal," Chan wrote confidently in a *Detroit Free Press* column she penned in May 1983.[112] In addition to the judge, Chan did not shy away from identifying what she felt was the lack of effort put forth by the prosecutor, William Cahalan. "If the chances for taking an appeal were slim," she remarked, "it would not be due to a supposed lack of meritorious legal basis, but due to the prosecutor's reluctance or refusal to file an appeal."[113]

Her pointed observation was well-founded: when Ebens and Nitz were sentenced, Cahalan was conspicuously absent from their hearing, and no one else from the prosecutor's office attended in his stead.[114] Cahalan was quick to claim that his office "lack[ed] the manpower"[115] to be present at all the sentencing hearings that took place in their jurisdiction, noting that certain cases took precedence over others in terms of prosecutor attendance. For instance, he pointed out that Wayne County prosecutors regularly attended hearings in which the defendants were repeat offenders with at least three prior felony convictions facing charges in "serious assaultive cases, such as homicide, rape, or assault."[116] Yet they had completely

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[111] Application of *Amicus Curae* for *Sua Sponte* Vacation of Sentence and for Re-Sentencing, April 12, 1983, 05100 Bd 2, Box 4, American Citizens for Justice Records 1983-2004, Bentley Historical Library, University of Michigan, Ann Arbor, MI.

[112] Liza Cheuk May Chan, "Chin sentencing isn't a closed case yet," *Detroit Free Press*, May 11, 1983, 05100 Bd 2, Box 4, American Citizens for Justice Records 1983-2004, Bentley Historical Library, University of Michigan, Ann Arbor, MI.

[113] Chan, "Chin sentencing isn't a closed case yet," ACJ Records.

[114] Robert Ankeny, "Justice followed usual course in Chin case," *The Detroit News*, May 19, 1983, 05100 Bd 2, Box 4, American Citizens for Justice Records 1983-2004, Bentley Historical Library, University of Michigan, Ann Arbor, MI.

[115] Ankeny, "Justice followed usual course in Chin case," ACJ Records.

[116] Ankeny, "Justice followed usual course in Chin case," ACJ Records.

abandoned Vincent's interests at Ebens and Nitz's hearing, despite the violent nature of the attack and while knowing full well that a prosecutor's presence at hearings "[could] make a difference."[117] "When the prosecutor isn't there," one of Cahalan's own colleagues admitted, "a judge is liable to be thinking, 'Even they don't care.'"[118] The subtext was clear: to Wayne County officials, Vincent Chin's case was not a priority.

The less-than-enthusiastic response to the ACJ's efforts at the local and state levels motivated Chan to press on with the third, and most ambitious, part of her plan: a federal civil rights investigation, which was opened by the FBI after the ACJ filed a formal complaint with the U.S. Department of Justice. Leonard Gilman, the U.S. Attorney for the Eastern District of Michigan, and William Reynolds, the director of the DOJ's Civil Rights Division,[119] convened a federal grand jury in November 1983, which indicted Ebens and Nitz on charges of "violating Vincent Chin's right to enjoy a place of public accommodation."[120] Before the trial even began, the ACJ had already identified the main obstacle to achieving a favorable outcome: they would have to "convince a skeptical public and judicial system that Asian Americans—the so-called model minorities who had made it in America—could indeed be victims of terrible discrimination."[121]

Before they could educate others, though, the ACJ needed to become comfortable with addressing racism head-on in their activism, which they had been reluctant to invoke up until this point for fear of having their work disrupted, undermined, or dismissed by other Americans.

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[117] Ankeny, "Justice followed usual course in Chin case," ACJ Records.

[118] Ankeny, "Justice followed usual course in Chin case," ACJ Records.

[119] "American Citizens for Justice Plan of Action," n.d., 05100 Bd 2, Box 4, American Citizens for Justice Records 1983-2004, Bentley Historical Library, University of Michigan, Ann Arbor, MI.

[120] Zia, *Asian American Dreams*, 77.

[121] Lee, *The Making of Asian America*, 383.

"YOU MUST MAKE THIS POINT," ACJ leaders implored, in a guide created for members to use when giving official presentations early on in the process.[122] "WE ARE NOT SAYING THAT ANYONE IS A 'RACIST' […] This is distinct from saying that the murder was racially-motivated, and that Asian Americans have suffered from racism or the racial nature of some anti-import campaigns."[123] Moreover, the ACJ was adamant that it would not be the first to explicitly call attention to "possible racial bias by the judge or the potential for a racial motivation in the killing of Vincent Chin" without tangible evidence.[124] They remained remarkably steadfast in this resolve, even as the press circulated a provocative theory that Judge Kaufman's imprisonment by the Japanese during his World War II military service had fueled his "racism against Orientals" on the bench.[125] It was not until a "smoking gun" appeared in the form of eyewitness testimony about the night of Vincent's death that the ACJ finally decided that the benefits outweighed the potential drawbacks of talking about race.[126]

The testimony in question was that of Racine Colwell, a young, blonde dancer who had been performing for Vincent and his friends at the Fancy Pants on June 19.[127] Colwell recounted to both the ACJ's private investigator and to the press that she had overheard Ebens' accusatory "because of you, little motherf——, we're out of work"[128] remark, which the ACJ pointed out was clearly aligned with the "bilious anti-Japanese" sentiment of the era.[129] This statement did

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[122] "General Outline for Presentations," n.d., 05100 Bd 2, Box 4, American Citizens for Justice Records 1983-2004, Bentley Historical Library, University of Michigan, Ann Arbor, MI. Emphasis in original.

[123] "General Outline for Presentations," ACJ Records. Emphasis in original.

[124] Zia, *Asian American Dreams*, 69.

[125] Lee, "Flak stuns judge in Chin case," ACJ Records.

[126] Zia, *Asian American Dreams*, 69.

[127] Castine, "A bat, a gavel, a question of justice," ACJ Records.

[128] Castine, "A bat, a gavel, a question of justice," ACJ Records.

[129] Zia, *Asian American Dreams*, 69.

not "contain a single racial slur," which was why Colwell's realization of its racist connotation was so critical: she was able to corroborate Asian Americans' claims that Ebens' use of the plural "you" was singling them out.[130] "A nude dancer with nothing to gain from her testimony had produced the link to a racial motivation that the community was waiting for,"[131] vindicating Asian Americans who had known all along that Ebens and Nitz had targeted Vincent based on his race but who had, until this moment, lacked the support of a white voice to bolster their argument's legitimacy in the eyes of the American public. This was the reality of the world they lived in—if Colwell's eyewitness account had never come to light, it is unclear whether the ACJ would have been as vocal about anti-Asian racism in the United States. However, once its members felt empowered and confident enough in their platform and perceptions of injustice to do so, they decided mount a challenge using the mechanisms of the American legal system. Where Vincent had been cast aside by the judiciary, the ACJ was determined to make it their own.

To this end, they spent the months leading up to Ebens and Nitz's court date mobilizing the public at a scale never before seen in relation to Asian American civil rights. Helen Zia's fortuitous run-in with a New York Times reporter who was interested in the case catapulted Vincent's story into the national spotlight; once one article had been run, national and international media outlets rushed to cover the narrative as it unfolded, marking "the first time that an Asian American-initiated issue was considered significant [(inter)national] news."[132] The ACJ's objective in publicizing the case to this extent was simple: they wanted to disprove the harmful notion that Asian Americans did not have a legitimate civil rights claim. Ebens himself

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[130] Zia, *Asian American Dreams*, 78.
[131] Zia, *Asian American Dreams*, 69.
[132] Zia, *Asian American Dreams*, 73.

made it clear that he did believe this fallacy when he deemed an ACJ protest "selfish, a way for Asian Americans to get ahead, overcome their alleged plight, alleged because I know very few Asians, very few."[133]

Convincing the public that Asian Americans did indeed face discrimination proved more difficult than expected, especially considering that the prevailing, narrow-minded attitude among most white liberals was that Asians were "considered white" and therefore could not "seek redress using federal civil rights law[s]" that were "enacted to protect African Americans."[134] Even major civil rights organizations, such as Michigan's branch of the American Civil Liberties Union (ACLU), dismissed Asian Americans' outrage over Vincent's death as a mere "'mandatory sentencing'" movement.[135] The burden therefore fell to Asian Americans themselves to create a show of unity strong enough to "capture the mounting frustration of [their] community"[136] and convince a federal jury to believe "what many had a hard time believing": that Asian Americans experienced any kind of racial prejudice, let alone hate violence."[137] On June 28, 1984, their efforts seemed to pay off when the jury came back with a promising verdict. Though they acquitted Nitz, they found Ebens guilty of infringing upon Vincent's civil rights as an American citizen, and he was later sentenced to 25 years by the judge.[138] The deciding factor, the jury foreperson would later recount during an interview for the documentary film, *Who Killed Vincent Chin?*, was that—as the ACJ had repeatedly stated in their meetings, press

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[133] Ronald Ebens, quoted in Choy, *Who Killed Vincent Chin?*
[134] Zia, *Asian American Dreams*, 72.
[135] Zia, *Asian American Dreams*, 72.
[136] Zia, *Asian American Dreams*, 74.
[137] Zia, *Asian American Dreams*, 78.
[138] Zia, *Asian American Dreams*, 79.

releases, interviews, and events—"in Detroit, it was clear that 'you motherf——' meant the Japanese, or people who looked like them."[139]

However, a setback occurred not long after that re-emphasized the indispensability of the ACJ's work. Ebens appealed and was granted a retrial in 1986, and the trial location was moved to Cincinnati, Ohio, to decrease the likelihood of potential jurors being intimately familiar with the case. Worryingly for the ACJ, conservative Cincinnati lacked the "heightened racial consciousness of Detroit" and interactions between Asian Americans and the city's white majority were nearly non-existent.[140] The chosen jurors, who "looked remarkably like the defendant […] mostly white, male, and blue collar," consequently were unable or unwilling to understand the racial implications of Ebens' hateful statement to Vincent.[141] As such, in a devastating blow to Vincent's family and the ACJ, the Cincinnati jury overturned the previous verdict and found Ebens not guilty on May 1, 1987.[142] Ebens never spent a full day in prison for the killing of Vincent Chin.

While this was not the outcome that Vincent's supporters had hoped for, it nevertheless proved an important point, one that had been voiced at ACJ's very first fundraiser dinner several years before. "If Asian people in America don't learn to stand up for themselves," the renowned Japanese American architect Minoru Yamasaki proclaimed, "these injustices will never cease."[143] By providing a framework for the evolution of self-reliant, community-based activism, the formation of the ACJ in Detroit therefore represented a courageous deviation from the internal and external factors that had previously deterred Asian Americans from calling attention

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[139] Zia, *Asian American Dreams*, 79.
[140] Zia, *Asian American Dreams*, 79.
[141] Zia, *Asian American Dreams*, 80.
[142] Zia, *Asian American Dreams*, 80.
[143] Zia, *Asian American Dreams*, 77.

to themselves and the discrimination they faced.[144] It was for this reason that, as Zia herself noted, "losing the legal effort in its first national campaign of this magnitude after five years of intensive organizing did not devastate the Asian American community; instead, it had been transformed."[145] Even Lily Chin, moved by what the community had done for her son, voiced cautious optimism, expressing her belief that "justice will prevail in the end because so many people are crying out for justice."[146] Even though Vincent's case had revealed just how much work there was left to be done, Asian Americans were undeterred—in fact, their initial foray into civil rights activism had left them clamoring for more.

[144] Frank H. Wu, "Embracing Mistaken Identity: How the Vincent Chin Case Unified Asian Americans," *Harvard Journal of Asian American Policy Review* 19 (2009): 21-22.

[145] Zia, *Asian American Dreams*, 80.

[146] McMillian, "Slain Son's Mother," ACJ Records.

Chapter 3: "Not an End, but a Beginning"
Asserting Americanness and Nurturing Political Consciousness in the Post-Vincent Chin Era

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As the community regrouped and reflected upon the latest ruling and its implications, ACJ meetings became a space for Asian Americans to share their reactions to the events that had just taken place. "I never complain, but inside I'm burning," one middle-aged Chinese American man said, his eyes blazing with anger and his voice trembling with emotion.[147] "What is the point of silence if our children can be killed and treated like this? I wish I'd stood up and complained a lot sooner in my life."[148] He was not alone in his regret—many other Asian Americans felt the same way but had not known how to express these sentiments before Vincent's case, which was arguably the first instance in which they were able to synthesize the language of civil rights, adapt it to meet their needs, and mobilize it to their advantage in the context of a real-life movement. As a result, the community's increased reliance upon and trust in each other to protect their shared pan-Asian interests facilitated a process through which "various and incommensurable positions of otherness […] all[ied] and constitut[ed] a new majority, a 'counterhegemony.'"[149] Scholar Lisa Lowe writes that a counterhegemony is always comprised of "resistances from emerging groups";[150] after Vincent's death, this challenge to the white American ruling class was spearheaded by the ACJ, and their tentative foray into the world of civil rights and identity politics was ultimately a repudiation of the second-class, alien citizenship[151] status to which Asian Americans had been relegated. Once the demand to be

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[147] Zia, *Asian American Dreams*, 71.
[148] Zia, *Asian American Dreams*, 71.
[149] Lisa Lowe, "Heterogeneity, Hybridity, Multiplicity: Asian American Differences," in *Immigrant Acts: On Asian American Cultural Politics* (Durham: Duke University Press, 1996), 69.
[150] Lowe, "Heterogeneity, Hybridity, Multiplicity," 69.
[151] Ngai, "Illegal Aliens," 8.

viewed and treated as equals had been made, it was only a matter of time until the community began to develop a more nuanced political consciousness.

Ngai argues that the legal racialization of Asian Americans, which cast them as "permanently foreign and unassimilable to the nation" even if they possessed formal U.S. citizenship, "flowed directly from the histories of conquest, colonialism, and semicolonialism that constituted the United States' relations with […] Asia."[152] She writes that alien citizenship extended beyond the othering of Asian Americans in a sociocultural sense; in fact, it "underwrote both formal and informal structures of racial discrimination and was at the core of major, official race policies" enacted in the United States. Espiritu concurs, writing that:

> For the most part, Americans meted out sanctions against Asians via the political and legal systems. From the late nineteenth to the early twentieth century, more than six hundred pieces of anti-Asian legislation were enacted, either limiting or excluding persons of Asian ancestry from citizenship, intermarriage, land ownership, employment, and other forms of participation in American life.[153]

This was possibly the most potent manifestation of anti-Asianism in American history, and it follows that after generations of being denied access to the full scope of rights and protections that theoretically accompany American citizenship, Asian Americans would have been understandably reluctant to dispute Vincent's case without the support of an organization like the ACJ behind them.

Perhaps the most striking example of this state-endorsed exclusion was a legal precedent dating back to an 1854 California Supreme Court ruling, which decreed that people of Chinese descent were prohibited from testifying against white individuals in court.[154] In practice, this

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[152] Ngai, "Illegal Aliens," 8.
[153] Espiritu, *Asian American Panethnicity*, 135.
[154] Espiritu, *Asian American Panethnicity*, 135.

meant that "so long as no white person was available to witness on their behalf, any crime perpetrated against the Chinese went unpunished."[155] This blatant sanctioning of attacks against Asians by the American justice system effectively privileged white voices over Asian ones, a discriminatory position that—while rooted in a slightly different mid-1800s context—was nevertheless eerily similar to what had occurred in 1983 with Racine Colwell, the white Fancy Pants dancer. If she had not confirmed Ebens and Nitz's racism, it is unlikely that a federal case would have ever been brought against them, even though Asian Americans had been telling the same story all along.

This comparison sheds light on the age-old quandary surrounding Asian Americanness as its own distinct identity, which the ACJ was forced to confront head-on during the Vincent Chin case. Over time, Ngai argues that "Congress and the courts [had] sneaked [enough] racial distinctions into public policy"[156] that citizenship rights had essentially become "only meaningful as they were recognized and guaranteed by the nation-state."[157] The point at issue, then, was that the U.S. government had fixated upon Asians' "racial otherness"[158] to such an extent that the latter were effectively prevented from developing any semblance of "substantive citizenship"—Ngai's term for "civic virtue and group identities in a multi-cultural society"[159]—upon arrival in the U.S. Rather, the nature of their lived experiences in America were such that "the creation of a common Asian American heritage […] hing[ed] on [a shared] history of

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[155] Espiritu, *Asian American Panethnicity*, 135.
[156] Ngai, "Illegal Aliens," 9.
[157] Ngai, "Illegal Aliens," 10.
[158] Ngai, "Illegal Aliens," 8.
[159] Ngai, "Illegal Aliens," 6.

exploitation, oppression, and discrimination,"[160] as in the case of American exceptionalism, xenophobia, and Asian lumping that played a role in Vincent's death.

Taken together, these factors and the response they elicited from the community supported the existence of a phenomenon that Espiritu terms "protective pan-Asian ethnicity." She uses this phrase to describe the particularly fierce form of group cohesion that is created when Asian Americans band together in defensive solidarity against external threats and government policies[161]; in other words, the theory holds that a shared identity arises directly from specific incidents of anti-Asian violence simply because "threatened destruction creates a common interest where none may have existed before."[162] This was indeed the case with Vincent's murder, after which Asian Americans felt that they were all in danger. The idea that "it could happen to any one of them—to anyone with black hair and slanted eyes"[163] was a frightening realization, powerful enough to overcome even the deep rift between the Chinese American and Japanese American communities, for example. The two groups had historically been at odds since the former staged anti-Japanese protests and publicly denounced the latter during World War II in an effort to avoid misidentification and ostracization by other Americans.[164] After Vincent was killed, however, Japanese Americans—citing the fact that "Asian-Americans have been given unfair and unjust treatment by the American justice system

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[160] Espiritu, *Asian American Panethnicity*, 17.

[161] Dina G. Okamoto, "Toward a Theory of Panethnicity: Explaining Asian American Collective Action," *American Sociological Review* 68, no. 6 (2003): 812, https://doi.org/10.2307/1519747.

[162] Espiritu, *Asian American Panethnicity*, 134.

[163] Espiritu, *Asian American Panethnicity*, 150.

[164] Zuzindlak, "'Tell 'Em You're From Detroit," 58.

historically"[165]—publicly expressed their support for the ACJ and the "cause of human rights for all individuals."[166] The ACJ, recognizing that effective Asian American organization required ethnic groups to put aside their internal differences to build a united front, responded by welcoming them into the fold, affirming Japanese Americans' inclusion "as members of the community at large, as well as the Asian-American community."[167]

Anti-Asian violence had traversed ethnic boundaries to become an omnipresent threat to the entire Asian American population in all its heterogeneities, hybridities, and multiplicities.[168] Espiritu notes that more often than not, such crimes "concerned the entire group[,] cross-cutting class, cultural, and generational divisions"[169] in their occurrence and fallout. Such was the case when Vincent was targeted and the ACJ seized upon Ebens and Nitz's part inability, part refusal to "distinguish among Asian sub-groups" to, in "direct yet subtle terms," demonstrate to the public "the ways in which Asian Americans had been made scapegoats for the ills of the modern American economy, naming anti-Asian violence as a present-day phenomenon that should concern all people."[170] Incidentally, it is because of the ubiquity of these lived experiences that they have consistently functioned as the most effective cross-cultural rallying points for diverse Asian groups in America. In Vincent's case, this meant that Detroit's small Asian American community was supported in their rage and local activism by larger, deeply entrenched, and

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[165] The Japanese American Citizens League's "Resolution in Support of the Vincent Chin Case," April 17, 1983, 05100 Bd 2, Box 4, American Citizens for Justice Records 1983-2004, Bentley Historical Library, University of Michigan, Ann Arbor, MI.

[166] "Resolution in Support of the Vincent Chin Case," ACJ Records.

[167] John Tani and James W. Shimoura, Japanese American Citizens League letter to Wayne County Prosecutor William Cahalan, April 21, 1983, 05100 Bd 2, Box 4, American Citizens for Justice Records 1983-2004, Bentley Historical Library, University of Michigan, Ann Arbor, MI.

[168] Lowe, "Heterogeneity, Hybridity, Multiplicity," 67.

[169] Espiritu, *Asian American Panethnicity*, 134.

[170] Zia, *Asian American Dreams*, 75.

well-connected Asian American coalitions in cities like Los Angeles, San Francisco, New York City, and Chicago; furthermore, the former's fundraising and protest efforts grew from their humble beginnings as activities organized by small Detroit-based Chinese American groups to become highly choreographed administrative endeavors that incorporated an "entire spectrum" of civil rights groups, from the National On Leong Association to the Japanese American Citizens League, the Korean American Association of Illinois, and the American-Arab Anti-Discrimination Committee, just to name a few.[171]

This outpouring of support was especially invaluable because, as Zia noted, in the 1980s, "fifteen years after the term 'Asian American' first designated a pan-Asian identity, civil rights and their importance to Asian Americans were simply not familiar" to many of her peers in Detroit. They had watched as two iterations of their Chinatown—Old Chinatown (demolished in the 1960s) and New Chinatown (a failed attempt at relocation in the 1970s)—"rose and died with the city's circumstances";[172] as such, at the time of Vincent's death, they were lacking a neighborhood where they could gather and form connections, which would presumably have facilitated Asian American solidarity and the cultivation of their political power as constituents of Detroit. In the absence of a local cultural stronghold, groups from across the U.S. provided the encouragement that Asian American Detroiters needed to "overcome the forces of tradition and fear of the unknown, particularly in the arena of race politics,"[173] to build their movement. "Being in Detroit, in the Midwest, we [didn't] have a huge Chinese population," Zia explained in

[171] Zia, *Asian American Dreams*, 75.
[172] Zuzindlak, "'Tell 'Em You're From Detroit,'" 64.
[173] Zia, *Asian American Dreams*, 75-76.

an interview. “We knew we had to work with other Asian groups. We needed every source of support. The broader, the better.”[174]

Bolstered by the aid from their counterparts in other cities and motivated by the realization that Vincent was not the first, nor would he be the last, Asian American to be targeted, the ACJ continued its activism. Although its “raison d’être was to prosecute Chin’s killers,” the organization quickly pivoted to addressing “multi-Asian issues” after “membership and meeting attendance dropped” following Ebens’ acquittal in federal court.[175] In order to avoid alienating the broad constituency it had developed over the course of Vincent’s case, the ACJ used the momentum it had garnered during the lead-up to the civil rights trial to “generate pan-Asian consciousness”[176] in a multitude of ways, including designating November 9, 1986, as the very first all-inclusive “Day of Remembrance for victims of anti-Asian violence in this country.”[177] The ACJ’s Vigil Committee Coordinator and its Inter-City Chief Coordinator reached out to local affinity groups who were planning to participate, reminding Asian Americans of their collective power to incite change: “our voice carries if we unite in spirit,”[178] the officials wrote in their poignant letter. The dedication of a day that revolved around equal visibility for all Asian Americans aligned with the ACJ’s progressive brand of activism, which was distinguished by the group’s determination to continue protesting other hate crimes against Asian Americans using the tactics that they had honed while working on Vincent’s case.

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[174] Helen Zia, quoted in Espiritu, *Asian American Panethnicity*, 146.

[175] Espiritu, *Asian American Panethnicity*, 134.

[176] Espiritu, *Asian American Panethnicity*, 149.

[177] John Lim and DanMee Curtis, American Citizens for Justice press release regarding a Day of Remembrance for victims of anti-Asian violence, October 3, 1986, 05100 Bd 2, Box 4, American Citizens for Justice Records 1983-2004, Bentley Historical Library, University of Michigan, Ann Arbor, MI.

[178] Lim and Curtis, American Citizens for Justice press release regarding a Day of Remembrance, ACJ Records.

A key component of this work was the ACJ's investigation into other anti-Asian attacks that occurred across the U.S. between 1982, the same year as Vincent's death, and 1985. This research yielded a published list of assaults that spanned five long pages, but it was prefaced with a grim disclaimer that these were only "a few of the many" attacks against Asian Americans in the United States during that timeframe.[179] Upon realizing how important it was to disseminate this information, the ACJ founded the Asian American Center for Justice in 1988 and tasked this branch of the organization with continuing to monitor anti-Asian hate crimes.[180] This is perhaps one of the most important aspects of Vincent's legacy: his case shed light on the dearth of systematic data about violence against Asian Americans, prompting the ACJ to "pus[h] for the collection and reporting of statistics on anti-Asian crimes at the local, state, and national levels."[181] Spreading awareness was a critical first step toward enacting change; ensuring its longevity meant that Asian Americans had to supplement their grassroots movement with official political involvement, which remains an ongoing effort today.

Contemporary "protection and advancement" of Asian American interests[182] must evolve beyond fleeting moments of intensified protest following individual flashpoint events to include a steady stream of political involvement at the local, state, and federal levels. To some extent, this transformation began with Vincent's case, which remains a model for current and future Asian American activism largely due to its role in birthing the ACJ, the creation of which was inherently a reclamatory and decolonial act. Espiritu writes that even though "legislative

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[179] "Incidents of Violence Against Asian Americans that Ranged From 1982 to 1985," n.d., 05100 Bd 2, Box 4, American Citizens for Justice Records 1983-2004, Bentley Historical Library, University of Michigan, Ann Arbor, MI. For images, see Fig. 1.

[180] Espiritu, *Asian American Panethnicity*, 149.

[181] Espiritu, *Asian American Panethnicity*, 154.

[182] Espiritu, *Asian American Panethnicity*, 164.

discrimination […] stunted the political mobility of Asian Americans in this country" until after World War II,[183] they were able to circumvent institutional attempts at silencing and erasure and compensate for their "electoral weakness" by "paying more attention to organizational strategies"[184] and community-based advocacy, which the organization adopted as its modus operandi. This allowed Asian Americans to embrace "the *political* nature of panethnicity," which remains key to "the distribution and exercise of, and the struggle for, power and resources inside and outside the community."[185]

ACJ documents produced as Vincent's case was winding down, from roughly 1985 on, indicate that the group was attuned to this reality and was attempting to make strides toward increased Asian American political involvement. In a letter to then-Governor James J. Blanchard of Michigan on January 25, 1985, Helen Zia, now the president of the ACJ, cited yet "another extremely violent attack directed against a person of Asian ancestry" as a compelling reason to revisit an ongoing conversation between the ACJ and the Michigan government about the establishment of a "statewide commission on Asian American affairs."[186] Of the hate crime in question, which was committed against a Vietnamese refugee and his family, Zia wrote that

> Clearly, the attitude of his assailants towards Asian people bears disturbing similarity to those expressed by the killers of Vincent Chin. We would like to reiterate our concern about this problem of racial ignorance and intolerance toward people of Asian heritage […] when we met with you last June we had hoped that some measures within the state apparatus could be taken to mitigate, and perhaps help prevent, incidents of racial violence or harassment.[187]

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[183] Espiritu, *Asian American Panethnicity*, 54.
[184] Espiritu, *Asian American Panethnicity*, 65.
[185] Espiritu, *Asian American Panethnicity*, 14. Emphasis in original.
[186] Helen Zia, letter to the Governor of Michigan "Re: Alleged Racial Attack Against An Asian Pacific American in Michigan and Continued Interest in Commission for Asian American Affairs," January 25, 1985, 05100 Bd 2, Box 4, American Citizens for Justice Records 1983-2004, Bentley Historical Library, University of Michigan, Ann Arbor, MI.
[187] Zia, letter to the Governor of Michigan, ACJ Records.

Here, the ACJ made clear that the next step in advancing Asian American civil rights required direct Asian American participation in government. Yet its proposed commission was still a relatively conservative approach to Asian American political involvement, and it is unclear from the archives what, if any, response this request elicited from Governor Blanchard. From a twenty-first century perspective, I argue that the pinnacle of political potency for Asian Americans—as is the case for most communities of color in the United States—remains the prospect of "the election and appointment of 'one of their own'" to public office.[188] Espiritu writes that the positive impact of such an occurrence is twofold: it is a symbolic "assurance that the system does not discriminate against one's group" and it also "promotes group pride and encourages other members of the group to enter the political arena."[189]

Asian American political involvement to this extent is still a fairly novel occurrence; for instance, State Senator and Minority Floor Leader Stephanie Chang, a Taiwanese American woman from Detroit, became the first Asian American woman to be elected to the Michigan Legislature just four years ago, in 2018.[190] However, for a community that has so rarely experienced conscientious representation of their interests in the national discourse, the election of representatives like Chang has been a significant source of reassurance, as their presence in government has ensured that there are individuals in positions of legislative power who are willing to "spearhead policies and programs that affect the Asian American community."[191] It is difficult to surmise whether Asian American racial politics would have evolved in the same

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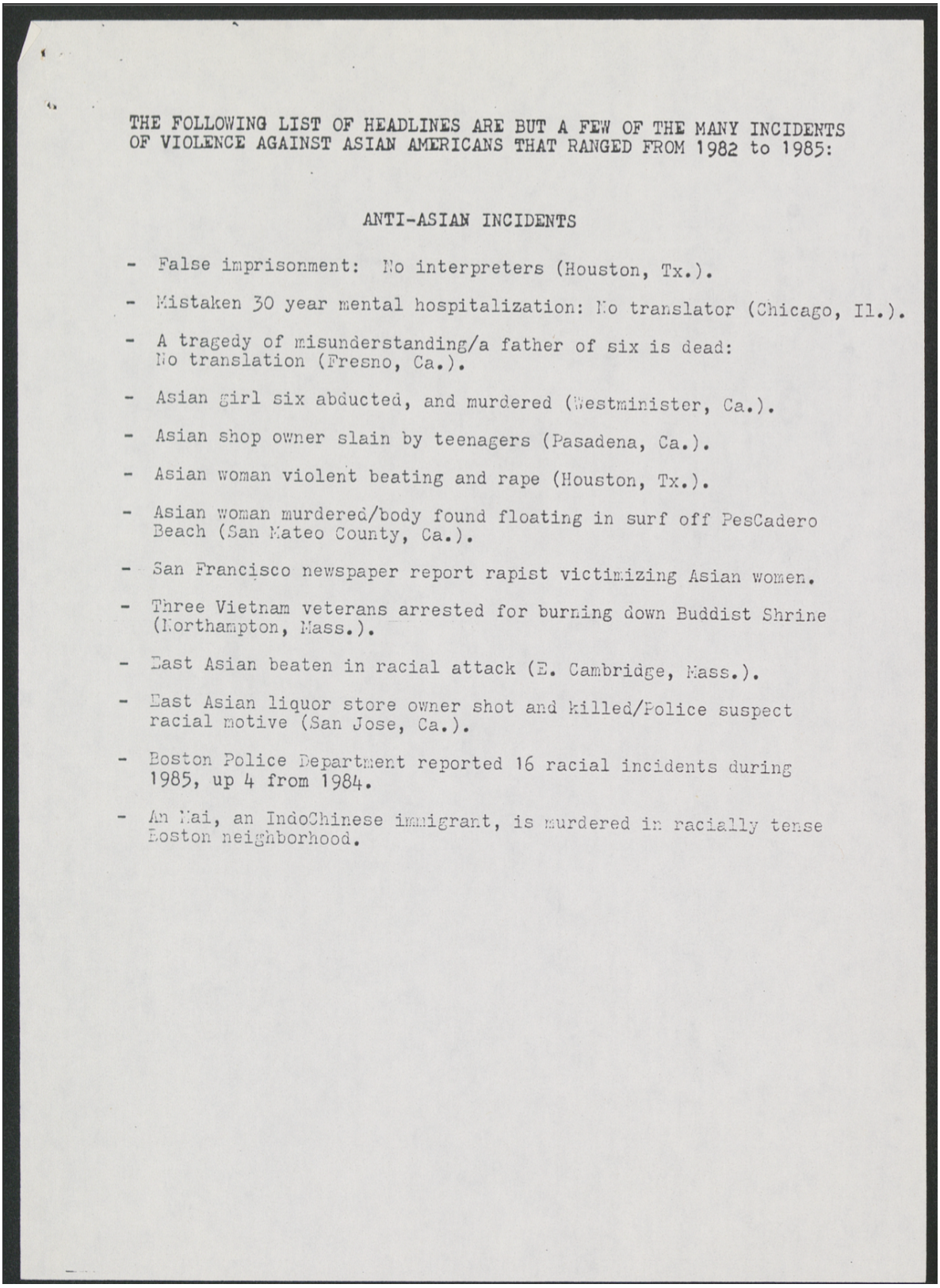
[188] Espiritu, *Asian American Panethnicity*, 69.
[189] Espiritu, *Asian American Panethnicity*, 69.
[190] Nargis Rahman, "12 Metro Detroit Asian American women leaders you should know," *Model D*, March 29, 2021, https://www.modeldmedia.com/features/12-metro-detroit-asian-american-women-leaders.aspx.
[191] Espiritu, *Asian American Panethnicity*, 73-74.

manner "from political protest to mainstream political participation"[192] if Vincent's case had not generated such powerful sentiments surrounding pan-Asian unity in the 1980s. However, one thing is certain: Vincent's death unleashed a maelstrom of pent-up emotions within the Asian American community, and encouraged even the most reluctant individuals to abandon their arbitrary attempts at "seeking acceptance" in favor of a movement in which Asian Americans were "coming together to assert their right to be American."[193] In this sense, the Vincent Chin case was "not an end, but the beginning"[194] of the Asian American fight for recognition that continues to this day.

[192] Espiritu, Asian American Panethnicity, 53.
[193] Zia, *Asian American Dreams*, 81.
[194] Choy, *Who Killed Vincent Chin?*

Fig. 1



THE FOLLOWING LIST OF HEADLINES ARE BUT A FEW OF THE MANY INCIDENTS OF VIOLENCE AGAINST ASIAN AMERICANS THAT RANGED FROM 1982 to 1985:

ANTI-ASIAN INCIDENTS

- False imprisonment: No interpreters (Houston, Tx.).
- Mistaken 30 year mental hospitalization: No translator (Chicago, Il.).
- A tragedy of misunderstanding/a father of six is dead: No translation (Fresno, Ca.).
- Asian girl six abducted, and murdered (Westminister, Ca.).
- Asian shop owner slain by teenagers (Pasadena, Ca.).
- Asian woman violent beating and rape (Houston, Tx.).
- Asian woman murdered/body found floating in surf off PesCadero Beach (San Mateo County, Ca.).
- San Francisco newspaper report rapist victimizing Asian women.
- Three Vietnam veterans arrested for burning down Buddist Shrine (Northampton, Mass.).
- East Asian beaten in racial attack (E. Cambridge, Mass.).
- East Asian liquor store owner shot and killed/Police suspect racial motive (San Jose, Ca.).
- Boston Police Department reported 16 racial incidents during 1985, up 4 from 1984.
- An Mai, an IndoChinese immigrant, is murdered in racially tense Boston neighborhood.

ANTI-CHINESE INCIDENTS

- 8 year old Chinese orphan girl found hung from tree in Chapel Hill (N.C. 5/85).
- Beating of Long Guang Huang by a Boston police detective seeking a Chinese speaking victim protected by local Asian community. Police officer is found guilty of misconduct in September, 1984 (Mass. 5/85).
- Four men break into the Bostons apartment of Hung Hua and beat him. He chases the intruders outside where he is beaten by a crowd that gathers. Two other ethic Chinese from Vietnam, Hung Tran and Chuong Chung was also beaten.
- Pauline Tseng OK after mysterious blast damages home (Los Angeles, Ca.)
- Young Chinese woman brutally raped and murdered (Washington, D.C.).
- Chinese expectant mother 19 pushed in front of train and killed (New York, NY, 2/84).
- Chinese teenager beaten by gang at local school (San Marino, Ca.).
- Chinese college student beaten to death after minor auto accident (Houston, Tx).
- China Camp, a historic site for early Chinese settlers is vandalized (Ca., 8/84).
- Tseih-Tsai Luo, a graduate student at the University of California at Davis is murdered in an unexplained killing.
- Shun-Quan is shot to death in Chicago. Motive unknown. (Il. 9/83).
- Gardena Buddist Church is arsoned for the second time (Ca., 3/83).
- Mai-Yan Li run over by automobile in Davis, California. White Power leaflets are distributed in the San Francisco Richmond District, attacking the increase in Asian population (Ca., 2/83).
- Two unemployed autoworkers bludgeon to death a 27 year old Chinese American, Vincent Chin. They transfer their anger aimed at Japanese automobile imports to the young man.(Mi., 6/82).
- Julie Wong, a small store owner was killed (Az., 12/81).
- Chinese American theaters in San Gabriel, Monterey Park and Alhambra vandalized. The KKK claims responsibility (Ca., 12/81).
- Alhambra KKK sends letter to Monterey Park Progress about "all those damn chinks" (Ca., 12/81).
- Chinese American residence arsoned by persons claiming American Nazi Party membership (Ca., 11/81).
- Monterey Park Progress arsoned. KKK claims responsibility. Newspaper had initiated a Chinese language section (Ca., 3/81).

ANTI-LAOTIAN INCIDENTS

- Laotian family harrassed having their electricity turned off every night in Oakland (Ca., 9/85).
- Tires slashed on 31 autos in Laotian community: 4th of July (San Jose, Ca.).
- Laotian mistaken for Japanese:ear almost severed (Fort Dodge, Iowa).
- Home of Laotian family fire bombed (Oakland, Ca.).
- Laotian immigrant beaten to death after car stalls (St. Louis, Mo.).
- Thong Soukasume, a Laotian immigrant is assaulted by a man yelling, "Remember Pearl Harbor." and "Go back to Japan, you Kamikaze pilot." Incident takes place in Fort Dodge (Iowa, 9/83).

ANTI-VIETNAMESE INCIDENTS

- Vietnamese fishing boat off the Marin County coast is fired upon with automatic weapons.(Ca., 9/85).
- Four Vietnamese immigrants attacked/one dies after beating. State Attorney General files complaint charging juvenile with violations of the state's civil rights law for attacking Vietnamese in Dorechester on two occasions because of their race or national origin.
- Trac Thi Vu, a Vietnamese woman, was shot through a kitchen window and killed by an unknown assailant (Los Angeles, Ca., 5/83).
- Vietnamese fisherman attacked and beaten (Monterey Bay, Ca.).
- Vietnamese fishing boats burned (Monterey, Ca/Houston, Tx, 4/81).
- Vietnamese immigrant assaulted twice in one month/at home and at work (Grand Ledge, Mi.).
- "Death to Gooks" spray painted over memorial marker for Thong My Hyung, who was stabbed and killed by another student in March, culminating a series of racial incidents in Davis, Ca. (Ca., 7/85).

ANTI-HMONG INCIDENTS

- Attackes on Hmong reported in Black sections of Philadelphia (Penn., 9/85).
- A Hmong refugee woman and children harassed. Names were called and she was spitted. Her 13 month old child was kicked in the chest and knocked to the ground by a group of teenagers. Undercovered Asian Deputy Sheriff was driven off the road with a car by the suspects.(Mass., 5/85).
- Hmong refugees beaten seriously/homes hit by bullets and rocks (W. Philadelphia, Ca.).

ANTI-CAMBODIAN INCIDENTS

- Cambodian juvenile is attacked by youths; a Cambodian ice cream truck driver is beaten (Ca., 9/85).
- Juvenile terrorize 20 Cambodian families in West Oakland (Ca.,9/85).
- Two Cambodian attacked by gang of whites in Boston. One is killed (Ca., 8/85).
- Four Cambodian youths are verbally and physically assaulted in Boston (Ca., 5/85).
- Chansophea Nhim, a 10 year old Cambodian student is shot by a sniper (Houston, Tx).
- Cambodian leader murdered with baseball bat (Dallas, Tx).

ANTI-FILIPINO INCIDENTS

- Cross burned in lawn of Filipino family (Fremont, Ca., 2/83).

ANTI-JAPANESE INCIDENTS

- The decomposed body of a Japanese American woman was found in Clear Creek. The woman, aged 52, had been missing since December 7, 1984 (Colo., 5/85).
- Japanese student 17, abducted, raped, shot and permanently paralyzed (San Diego, Ca.).
- Japanese American's house burned (San Mateo, Ca.).
- An elderly Issei (first generation Japanese American) woman is set on fire by neighborhood children (San Mateo, Ca., 7/84).
- 71 Japanese tombstones are vandalized in Fresno, California.

ANTI-KOREAN INCIDENTS

- Harassment has forced a Korean Buddist church congregation to leave their temple in Howard County to Baltimore. The temple in Columbia, had been subject to numerous acts of vandalization (Md., 5/85).
- Chol Soo Lee released after 10 years in prison for crime he did not commit (San Francisco, Ca.).

Incidents/Events:

1981

March	Calif.	Monterey Park Progress arsoned. KKK claims responsibility. Newspaper had initiated a Chinese language section.
April	Texas	Arsonists burn two Vietnamese owned boats.
	Calif.	Garden Grove City Council discusses motion to reject business license applications from Asians. A separate resolution is introduced to prohibit the use of foreign language business signs.
Nov.	Calif.	Chinese American residence arsoned by persons claiming American Nazi Party membership.
Dec.	Calif.	Alhambra KKK sends letter to Monterey Park Progress about "All those damn chinks."
	Calif.	Chinese American theaters in San Gabriel, Monterey Park, and Alhambra vandalized. The KKK claims responsiblity.
	AZ	In Tucson, the Chinese Community offers $10,000 to anyone for information leading to the arrest and conviction for the murder of Julie Wong, a small store owner who was killed that month.

1982

April	Calif.	Sacramento radio station, KFBK, news story about a World War II straggler refers to the individual as a Jap soldier.
June	Michigan	Two unemployed autoworkers bludgeon to death a 27 year old Chinese American, Vincent Chin. They transfer their anger aimed at Japanese automobile imports to the young man.
Oct.	No. Car.	Gonzalie Rivers, Director of North Caroline Vehicle Registration Section recalls vehicle license plates that are personalized, utilizing the epiteth, Jap.
Nov.	Michigan	Detroit UAW demonstration in which worker destroy a Japanese import automobile. CBS Evening News carries an interview with worker making the statement, "We don't need these Jap cars in this country."

1983

Jan.	Calif.	A Chinese Church in Hacienda Heights is defaced.
Feb.	Calif.	Nai-Yan Li run over by automobile in Davis. Calif. White Power leaflets are distributed in the San Francisco Richmond District, attacking the increase in Asian population.
	Texas	Chansophea Nhim, a 10 year Cambodian is shot by a sniper.
	Calif.	A cross burning on the lawn of a Filipino residence in Fremont takes place.

Conclusion

Vincent Chin's murder was undeniably a climacteric moment within a painful and protracted narrative of brutality against Asians in the United States, a history that is notable for its cyclical nature. More than a century before the Chin family's arrival in America, "whites 'were stoning the Chinese in the streets, cutting off their queues, [and] wrecking their shops and laundries'";[195] today, four decades after Vincent's death, anti-Asian hate crimes in the U.S. have increased exponentially, rising by 339 percent from 2020 to 2021.[196] The continuity of racist attacks against the Asian American community has exemplified the inescapability of what Lowe describes as the "material trace of history":[197] essentially, the U.S.' practice of exporting "white supremacy through war, colonialism, and domination in Asia […] amplified violence against Asian Americans at home" by creating a feedback loop in which "individual actions feed into the larger system of violence and, in turn, the racist foundation of the American system empowers additional acts of violence" against Asian Americans.[198]

In this sense, then, Vincent's murder was the culmination of generations' worth of de jure and de facto discrimination that Asian Americans endured in relative silence, both out of necessity—to eke out an existence in a country that viewed them as perpetual foreigners—and uncertainty about how to protest their unjust treatment in a manner that would be taken seriously by their fellow Americans. It was for this reason that the ACJ's formation as an umbrella

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[195] Quoted in Espiritu, *Asian American Panethnicity*, 135.

[196] Kimmy Yam, "Anti-Asian hate crimes increased 339 percent nationwide last year, report says," *NBC News*, January 31, 2022, https://www.nbcnews.com/news/asian-america/anti-asian-hate-crimes-increased-339-percent-nationwide-last-year-repo-rcna14282.

[197] Lisa Lowe, quoted in Ngai, "Illegal Aliens," 8.

[198] Nicholas L. Hatcher, "Recent Rise in Anti-Asian Hate Crimes Doesn't Mean Anti-Asian Racism is New," *Teen Vogue*, March 17, 2021, https://www.teenvogue.com/story/anti-asian-hate-crimes-violence-us-history.

organization was such a boon to the small, decentralized Detroit Asian American community in the weeks, months, and years following Vincent's death. With the weight of this coalition behind them, individual community members were finally able to let their outrage overcome their fear.[199] They eschewed passive assimilation as a survival strategy and instead began to think critically about "where Asian Americans fit in America, and, more important, where [they] wanted to be."[200]

The ACJ's judicial and public outreach strategies were essential to its unique approach to activism. The blatant gatekeeping of justice in Judge Kaufman's courtroom was proof of how, as Ngai argues, "the law not only reflects society but constitutes it as well," and is the entity that "normalizes and naturalizes social relations and helps to 'structure the most routine practices of social life.'"[201] As demonstrated by Vincent's case, this certitude was problematic because the aspect of American society that had been normalized by the legal system was, in fact, xenophobic and racist stereotypes about Asian Americans. If not for Lily Chin's insistence that justice had not been served, and the ACJ's success in creating a multi-ethnic coalition that pressured federal authorities into re-opening the case, this would no doubt have remained the judicial status quo.

Equally as important was the work done by Asian Americans to educate others about their "experiences with race,"[202] which was initially a point of great contention that the ACJ shied away from in its early days. However, the nature of Vincent's case was such that a discussion surrounding racism was inevitable: it was imperative for Asian Americans to seize the

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[199] Zia, *Asian American Dreams*, 71.
[200] Zia, *Asian American Dreams*, 70.
[201] Ngai, "Illegal Aliens," 12.
[202] Zia, *Asian American Dreams*, 71.

opportunity to dispel the fallacy of the model minority and the idea that their perceived adjacence to whiteness shielded them from discrimination, which could not have been further from the truth. Zia writes that "the growing prominence of the case gave Asian Americans our first direct entry on a national level into the white-black race dynamic with an Asian American issue;"[203] by claiming their rightful place within the civil rights movement, they essentially eliminated any "nagging doubt […] that Asian Americans had no legitimate place in discussions of racism because [they] hadn't *really* suffered any."[204]

Consequently, Asian American political consciousness was a natural outgrowth of the ACJ's organizational efforts, and cross-community solidarity truly began to crystallize when the group broadened the scope of their activism beyond Vincent's specific case to include issues that affected Asian Americans from different backgrounds and who held a variety of identities. Espiritu writes that

> once established, the panethnic group—through its institutions, leaders, and networks—produces and transforms panethnic culture and consciousness. In the process, the panethnic idea becomes autonomous, capable of replenishing itself. Over time, it may even outlive the circumstances and interests that produced it, creating conditions that sustain and revivify it.[205]

Independence and longevity have always been the ultimate goals for the burgeoning Asian American movement and the groups it comprises. As such, it is paramount that—as in the case of the ACJ—pan-Asian institutions are able to "become independent of the conditions that created them" and work to cultivate a balance between the "radical and confrontational politics" of their passionate activists and the "conventional and electoral politics" of what will hopefully,

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[203] Zia, *Asian American Dreams*, 68.
[204] Espiritu, *Asian American Panethnicity*, 164. Emphasis in original.
[205] Espiritu, *Asian American Panethnicity*, 164.

eventually, be a large contingent of Asian American elected officials.[206] Isolated responses to individual incidents alone will not achieve the desired effect, but they can serve as seminal moments to bridge inter-Asian divides. This is perhaps the most valuable lesson learned from the story of Vincent Chin, and to honor this objective as a community is to ensure that his death was not in vain.

[206] Espiritu, *Asian American Panethnicity*, 165.

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