BASIC 2005: “Critical Mass” To Be Held October 1st

Be a part of the over 500 students from the greater Boston community and beyond who will convene to rock the 3rd annual Boston Asian Students Intercollegiate Conference (BASIC) at Tufts University, Medford/Somerville campus. Visit www.bostonbasic.org to register.

This year’s theme of “Critical Mass” reflects on the growing number of Asian Pacific American communities and grassroots organizations, like BASIC itself. The theme focuses on creating and sustaining momentum in the continually growing APA community through increasing awareness of both local and national issues to the Boston college student population. Featured keynote speakers will be American studies professor Jean Wu and comedienne Vijai Nathan.

Participants will have many exciting workshop and panel topics to choose from including “Defining APA Pop Culture”, “‘Fetishists’ and ‘Race Traitors’: Myths and Realities of Interracial Relationships”, and “Chutney and Eggrolls: South Asians and Asian American Pan-Ethnicity”—just to name a few. A networking lunch and activities fair will provide opportunities for students, speakers and activists to forge stronger bonds and share insight and support in furthering the consciousness-raising movement.

Guest performances during the day will feature local performers including rising R&B star Vudoo Soul. The night prior to the conference will highlight local student talent in the arts. The official post-conference party will take place at Club Venu.

The BASIC 2005 team welcomes participants from all racial and ethnic locations to join us in a day of reflection, education, and celebration of the diverse and uniting issues that affect us as a local and global community.

Boston Asian Students Intercollegiate Conference (BASIC) strives to establish a forum for participants to comfortably explore culture and individuality, tackle issues affecting our communities at both local and national levels, develop partnerships between students, community activists, and scholars, and inspire participants to think outside of the box in forging the future of Asian America.

Dept. of Justice Sues Boston for Voting Rights Violations Against Asian and Hispanic Americans

By Ivy Cheng

On July 29, 2005, the US Department of Justice filed a lawsuit against the City of Boston for discrimination against Asian and Hispanic American voters in elections, asking the court to compel Mayor Thomas Menino and his administration to allow federal oversight of city elections through 2007. Municipal officials say federal authorities proposed remedies for election law violations, but the city has decided to fight the matter in court.

Case reports of alleged discrimination over the past two years were collected from voters and poll site observers with the aid of such organizations as MassVote, Asian American Legal Defense and Education Fund (AALDEF), Chinese Progressive Association (CPA),
and Vietnamese Initiative for Development (VietAid) – among others. AALDEF also recently joined the case as plaintiff in late August. Justice Department investigators reviewed sworn statements made by voters and conducted interviews of voters and poll observers to determine charges of voting rights abuses.

Menino maintains that the city has not wronged minority voters. “I can’t wait to fight this in court,” he said in his first public comments on the lawsuit. His chief of staff said that the city refused to settle the claims because federal authorities would not provide details about their investigation. “They basically were asking us to agree to all their allegations, and they never shared the facts,” she said.

Justice Department officials said that in the past twenty years they have never lost a case similar to the one against Boston. It also said that it has been pressing the city to guarantee minority voting rights since 1992. Before contacting Justice officials for help, community, legal, and advocacy groups lodged complaints with the city and Secretary of State Galvin’s office following an organized election protection operation in 2004 that sent observers into select polling sites to document voters’ experiences. The DOJ sent its own observers to Boston in 2005.

In its lawsuit, the DOJ alleges that the city effectively denied limited-English speakers the right to vote, in violation of the language assistance and racial discrimination provisions of the federal Voting Rights Act. The DOJ accuses Boston of failing to provide translated materials and enough bilingual workers at the polls, refusing to permit limited-English proficient voters an assistor of their choice, and “improperly influencing, coercing, or ignoring the ballot choices” of Hispanic and Asian-American voters.

Several Asian-American voters in a September 2003 primary election said that city election workers at a polling site in Chinatown had told them whom to vote for, and in two cases filled in and cast voters’ ballots. “When I entered, me and my wife registered, and I was given two ballot sheets. I took the ballot sheets and went to the polls, and one of the workers that was there took the sheets and said they would fill it out,” said one 10-year Chinatown resident in his 70s. “The same worker fed them in [to the ballot counting machine]. I have no idea who we voted for.”

Viet-Aid submitted about 30 cases of Vietnamese immigrants having problems obtaining translation help or improperly being turned away rather than allowed to cast provisional ballots if they did not have identification.

Reports also detailed instances in which Latino voters were denied translation services and register voters were turned away due to the failure of the city’s Election Department to process many of their forms.

“Violation of voters’ rights is more than a political embarrassment or inconvenience. Rather than deny that violations exist or attempt to sweep them under the carpet, officials would do best to show concern about these problems and work affirmatively with the Department of Justice to correct them,” said Lydia Lowe, Executive Director of the Chinese Progressive Association.

Remembering Fred Korematsu
By Raphael Hui

Fred Toyosaburo Korematsu is being remembered for his courage to defend civil liberties. He passed away on March 30, 2005 at the age of 82.

In 1942, Korematsu refused to be taken to the World War II internment camps for the detainment of about 120,000 Japanese Americans. After being convicted of evading internment, Korematsu appealed his case to the Supreme Court in 1944, which decided in *Korematsu v. United States* that the exclusion and internment were constitutional.

Nearly forty years after Korematsu’s conviction, evidence was found that the government had violated judicial rules by suppressing documents relevant to the *Korematsu v. United States* case. The suppressed FBI and military intelligence reports stated that Japanese Americans posed no security threat. Although the exclusion and internment were not declared unconstitutional, Korematsu’s conviction was overturned in 1983.
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In 1998, President Clinton named Korematsu a winner of the Presidential Medal of Freedom, the highest civilian award in the country, for his patriotic stand against the government in support of American civil liberties. His case reminds us of the need to respect the Constitution of America, even in times of war when military necessity and national security are important. In a 2004 editorial in the San Francisco Chronicle, Korematsu voiced his opposition to discrimination against Arab Americans post 9-11:

"Fears and prejudices directed against minority communities are too easy to evoke and exaggerate, often to serve the political agendas of those who promote those fears. I know what it is like to be at the other end of such scapegoating and how difficult it is to clear one's name after unjustified suspicions are endorsed as fact by the government. If someone is a spy or terrorist they should be prosecuted for their actions. But no one should ever be locked away simply because they share the same race, ethnicity, or religion as a spy or terrorist. If that principle was not learned from the internment of Japanese Americans, then these are very dangerous times for our democracy."

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**Wal-Mart Supports Voting Rights Act – By Lipou Laliemthavisay**

In August, Wal-Mart CEO H. Lee Scott sent a letter to President Bush advocating the renewal of Voting Rights Act of 1965, sections of which are set to expire in 2007. The VRA was passed to stop discrimination against minorities in voting. Wal-Mart sent the letter as a follow up to the Congressional Black Caucus’s meeting with Bush in January, when the CBC asked for the president’s support of its legislative agenda. After the CBC’s meeting with Bush, “whose reelection campaign received the maximum contribution from Wal-Mart’s political action committee,” the CBC asked for Wal-Mart’s endorsement of its agenda, of which Wal-Mart agreed to endorse the VRA renewal.

Many, however, doubt Wal-Mart’s intentions, citing instances of Wal-Mart’s racist history and the corporation’s long-term effect upon the success of smaller (and primarily Asian-American-run) businesses. These skeptics urge consumers not to allow themselves to overlook Wal-Mart’s history in light of this recent “publicity act.”

Asian American business owners have long protested in the media against Wal-Mart’s domination of the consumer market with its “always lower prices.” Wal-Mart’s lower prices lie in their low-waged workers, no-union policy, and refusal of collectively bargained contracts, which in the past have resulted in unemployment. More so than any other racial group, Asian Americans depend upon the small business to create a niche for themselves in the US economy, but Wal-Mart’s existence has been claimed to cut short “blue collar jobs and threaten small businesses.”

**Abercrombie & Fitch Discrimination Case Settled – By Stephanie Upson**

Abercrombie & Fitch Company, a clothing retailer that markets to young adults, teenagers and children, has discriminated against Latino, African American, Asian American, and female applicants and employees by centering its marketing efforts around a particular “image” or "look" called "Classic All-American." A&F targeted recruitment efforts at primarily white high schools, colleges, fraternities, and sororities; channeled minority hires to stock and night crew positions rather than sales associate positions; and maintained a 3:2 ratio of male to female employees. These trends demonstrate an obvious lack of diversity in the A & F Co. workforce. On April 14, 2005, the Gonzalez v. Abercrombie & Fitch class action lawsuit for hiring discrimination was settled for $40 million. The settlement agreement contains provisions related to the recruitment, hiring, job assignment, training, and promotion of Abercrombie & Fitch, Hollister, and Abercrombie kids employees.

This plan of action immediately implemented a prohibition of the targeting of fraternities, sororities, or specific colleges for recruitment purposes and instated the advertising of available positions in publications targeting minorities of both genders. A new Office and Vice President of Diversity will be created as well as an Equal Employment Opportunity (EEO) and Diversity Training for all employees with hiring authority. Many minority organizations such as National Asian American Student Conference (NAASCon) and the Organization of Chinese Americans (OCA) will keep a close eye on the clothing company from the start of the implementation process to make sure all the new diversity goals are reached.

**Potential Dismissal of Anna Mae He Appeal Case – By Lipou Laliemthavisay**

In May, Anna’s foster parents, Jerry and Louise Baker, filed a motion to dismiss the appeal of a 2000 decision that awarded them custody of Anna. Anna Mae He, a five year-old, has been separated from her biological Chinese-American parents, Jack and Casey He. The original case was closely monitored by Asian American groups across the nation because of its judge’s allegedly racist conduction of the trial and ruling. Larry Parish, the Bakers’ attorney, rested his argument against the He’s appeal on a Tennessee statute that “if terminated parental rights are not re-instated within a year, then they cannot be re-instated.”

In the initial case, the Hes claimed that the papers they had signed placing Anna Mae in the Bakers’ care had been mistranslated, and that they had understood the agreement to be that the Bakers would only have temporary care of their daughter while the Hes dealt with a period of financial difficulty.
Like Miss Jones' broadcast of a song making fun of tsunami victims and Star and Buc Wild's insulting and threatening of an Indian call center operator, a third anti-Asian radio program was broadcasted in recent months. On April 25, talk show hosts Craig Carton and Ray Rossi of “Jersey Guys” broadcasted an offensive segment that was directed at the campaign of Jun Choi, a Korean American who later won the mayoral election in Edison, NJ.

Carton declared, “No specific minority group or foreign group should ever ever dictate the outcome of an American election…Americans should.” Through these and other comments the talk show hosts indicated their belief that no one of Asian heritage could be American. They ignored the fact that many Asians are American by birth or are naturalized citizens.

The hosts also were firm in their belief that public officials should cater to the majority. “God forbid that a politician offends Asians, or blacks, or old people… but at the end of the day, I’m the guy that’s gonna get them elected,” asserted Carton.

Furthermore, the discussion received support from some of the listening audience. One caller cried, “I had just moved out of Edison because of what has happened in the past 10 years… Orientals are all along, the whole complete route 27. And Indians have taken over Edison in north and all over… I can’t handle them! There’s no American people anymore…They’re shoving us the hell out!” Carton agreed, “Damn Orientals and Indians.”

Use of the outdated term “oriental” is offensive for various reasons to many of those who have self-identified as “Asian American.” The caller complained of Asians moving into his hometown but ignored the fact that he, like many other Americans have left their hometowns to avoid minorities, a trend referred to as “white flight.”

Further mocking Asians, Carton chanted, “ching chong, ching chong, ching chong.”

This talk show generated a large response from local New Jersey organizations The New Jersey/National Taskforce Against Hate Media and the New Jersey Coalition for Asian American Civil Rights, national initiatives such as Asian Media Watchdog, and student initiatives from ECAASU and NAASCON. A deal was finally reached with New Jersey 101.5 FM Radio and Millennium Radio Group whereby the Jersey Guys would release an official apology. The Jersey Guys also invited Jun Choi as a guest to their show, during which he reprimanded the two men:

“Jersey Guys” Air Anti-Asian Radio Broadcast
By Adrienne Poon

“What’s Wrong With This Picture?

Advertisement for the American Red Cross from May 2005

This ad implies that Asian Americans are alien – that they eat strange foods and do not speak English. To their credit, the Red Cross actually responded to protests and removed the ad from circulation.

“You guys had crossed the line and disrespected more than 35,000 Asian Americans in Edison and more than half a million Asian Americans statewide. By saying that these groups were un- American- that was what I was deeply offended by.”

Millenium will issue a public statement for their website, refresh its cultural diversity and competency training, enforce a stronger policy against racially discriminatory broadcasts, and promote events within New Jersey that concern the Asian American community.

Instead of focusing on problems with political representation and proposing any solutions, Carton and Rossi only touched upon a political problem, and then insulted Asian Americans. It might have helped their ratings, but it was at the expense of fellow Americans. The trend of nativism and other forms of prejudice, stereotyping, and discrimination has led Americans to attack Americans, while hypocritically claiming to be patriotic.