

ASIAN AMERICAN POLICY REVIEW

Volume X • 2002

Tenth Anniversary Issue



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FROM THE EDITORS

This special Tenth Anniversary Issue of the *Asian American Policy Review* marks a decade of giving voice to the Asian Pacific American community. When the *AAPR* began, the students looked to just a few prominent leaders of our community for leadership, a vision, and more practically, their written perspectives to comprise our unique publication. Ten years later, the *Asian American Policy Review* reflects and embodies the vision, strength, and diversity of our people. Through all of the changes and dramatic growth we have experienced, the *AAPR* has remained dedicated to serving our community's political and policy interests.

Our *Tenth Anniversary Issue* captures the momentum and dynamism that drives the Asian Pacific American community forward. It is a unique commemoration of our achievements, and also a stepping stone towards our future. Most notably, we give special attention to our increasing political influence and prominence. With energy building among our community, and more rising leaders in the political arena than ever before, our political power is finally emerging. Facing the challenges that continue to lie ahead of us, then, we bring to the table our complex history, our voices and strength, ready for all that lies ahead of us.

With both familiar voices and new perspectives, we look both at from where we have come, and to where we are headed. Sharing with us his own family's struggles, **Brant Lee** reminds us that that which is personal is also political. As was the case for Dr. Wen Ho Lee, we are ultimately and inevitably impacted by a long history of racism and discrimination against Asian Pacific Americans, a history we can no longer ignore. Comparing wages of whites and Asian Americans at the end of the 20th century, however, **Arthur Sakamoto** challenges the assumption that systematic discrimination continues to harm Asian Pacific Americans in the labor market. **Peter Nien-chu Kiang** brings us to the 21st century by exploring the dynamics of race, class, and power within K-12 education and sets forth an agenda for us to focus on our greatest hope for the future.

Our Forum, **Emerging Political Power in the Asian Pacific American Community**, brings together a collection of some of our most prominent leaders. We discuss our increasingly complex political identity, the unique tensions in our strategies to gain political power, and the powerful impact we will have on the polity of this nation. The father of the 80-20 Initiative, **S.B. Woo**, begins by setting forth one mechanism he believes can increase the political prominence of the Asian Pacific American community: the swing bloc vote. **Paul Watanabe** then offers an alternative view of the efforts of the 80-20 Initiative, taking a more critical look at measures of the Initiative's effectiveness.

The increasing political prominence of the Asian Pacific American community, however, must be considered in light of our political leaders themselves. **Daphne Kwok** stresses the importance of Asian Pacific Americans securing a permanent seat at the "political table" in order to influence policy, while **Pei-te Lien** points to the shifts in style, involvement, and domain of political participation among leaders

of our Asian Pacific American organizations. Both of these women help us better understand the implications our changing agendas will have on the future of community politics.

Participation by the members of our community is critical to forging political power, as the very power to force change will come through our very inclusion into the institutions of this nation. **Angelo Ancheta** takes a closer look at the legal rights affecting our political participation and sets forth a common research and advocacy agenda that he believes will advance our means of participation. Finally, concluding our Forum, **Steven Hill** and **Robert Richie** examine electoral prospects for increasing Asian Pacific American participation and representation, and specifically propose alternatives of proportional and semi-proportional voting systems.

Within the last decade, our community has grown in size, diversity, and political prominence. As one means of recognizing our unique history and status in this nation, President Clinton enacted Executive Order 13125 thereby creating the White House Initiative on Asian Americans and Pacific Islanders and the President's Advisory Commission on Asian Americans and Pacific Islanders. The *AAPR* is fortunate to include a special conversation with **Martha Choe**, Chair of the Commission, and **Shamina Singh**, Executive Director of the Initiative. **Namju Cho** and **Jacinta Ma** help us understand better this formal endeavor to improve Asian American and Pacific Islander access to federal health, education, housing, labor, economic and community development programs.

Finally, given the dramatically changing nature of the Asian Pacific American community, we must remember the very mechanism that maintains our dynamism: immigration. In a thoughtful book review, **Frank Wu** urges us to consider immigration rights in our fight for our very rights as immigrants within this great nation.

We would like to dedicate this *Tenth Anniversary Issue* to all of our supporters through the years. We are truly indebted to you for your passion, enthusiasm, and tireless commitment to the community. It is because of you that we are able to publish today. It is to you whom we owe all that the *AAPR* has given to us. We simply would not be here today were it not for your dedication and hard work, your constancy and strength. Thank you for a wonderful ten years. We welcome many more to come.

Sincerely,

Sophia Chang
Erwin Cho
Editors-in-Chief

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Liars, Traitors, and Spies: Wen Ho Lee and the Racial Construction of Disloyalty

Brant T. Lee

On 6 March 1999, the *New York Times* front page headline read, "China Stole Nuclear Secrets From Los Alamos." The *Times* reported that China was developing weapons based on stolen information from U.S. nuclear labs, but that the government was doing nothing about it, even though they had identified a suspect. The suspect was Wen Ho Lee, a scientist at Los Alamos who immigrated as a young student from Taiwan thirty-five years ago, earning his doctorate from Texas A & M in 1970. Dr. Lee had been an American citizen for twenty-five years. On the day after the story broke, a Sunday, the FBI called him in for questioning. On Monday, 8 March, Wen Ho Lee was fired.

Two and a half months later, a Congressional committee chaired by Representative Christopher Cox (R-CA) issued a report that has come to be known as the Cox Report.¹ The report describes a vast thirty-year conspiracy, through which the Chinese government has carefully collected, catalogued, and analyzed tiny bits of information from thousands of sources in America and around the world, to piece together a picture of America's nuclear secrets.²

Among the conclusions in the Cox Report: that there are 3,000 PRC (People's Republic of China) front companies in the United States that *might* be surreptitiously collecting national security data. One of the report's definitions of a front company: "Corporations set up outside the PRC by a PRC individual to hide, accumulate, or raise money for personal use."³ One of their examples was a restaurant owner.⁴ This explains the *New Yorker* cartoon of a Chinese take-out counter with a

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sign on the wall that reads: "Today's Special—Nuclear Secrets With Snow Peas \$7.95."⁵

The Cox Report cites an estimate that more than 80,000 PRC nationals visited the United States on professional scientific visits in 1996 alone. The report claims that "[a]lmost every PRC citizen allowed to go to the United States as part of these delegations *likely* receives some type of collection requirement, according to official sources."⁶ The report further estimates that at any given time, there are more than 100,000 PRC students or former students in the United States; these individuals are deemed "a ready target for PRC intelligence officers."⁷ Even with regard to those identified as pro-Western dissidents from China, the Cox Report says: "This (PRC intelligence) structure includes 'sleeper' agents, who can be used at any time but may not be tasked for a decade or more."⁸

A political cartoon typical of the media response shows hordes of tiny, identical-looking Chinese men with glasses and buckteeth gleefully scampering out of Los Alamos past a sleeping watchdog, each one clutching documents or boxes of files that presumably contain nuclear secrets.⁹ Paul Redmond, a former head of counterintelligence for the CIA, noted: "Culturally, in my view, they operate in a totally different environment and a different time frame. . . . Chinese do not think in terms of hours, days, or weeks but in terms of decades. They are an ancient civilization. They are able to deal with the intricacies of long-term planning." This allows for "seeding operations" in which agents can be planted and then spend many years maneuvering themselves into sensitive positions before ever being called to deliver.¹⁰ Senator Richard Shelby, chair of the Senate Select Committee on Intelligence, summed it all up when he was reported to have said on "Meet The Press" that the Chinese are "very crafty people."¹¹

The clear implication from all of these sources is that any Chinese person in the United States, regardless of the length of time they have spent in the United States or how innocuous they seem, is a potential source of information to the Chinese government or a potential spy. The American public was easily led to believe that China has, by these means, ransacked our most dangerous nuclear secrets. In light of all of this, I feel compelled to disclose to the reader that I am an American of Chinese descent, and to reassure you that I am not a spy.¹² But if you were inclined to wonder about my loyalty to begin with, my personal reassurances would not likely persuade you otherwise. If I were a spy, you might think, I would not be telling you. All I can do in response is ask you to believe me. And that is all Wen Ho Lee could do.

Wen Ho Lee was arrested and put in solitary confinement in December of 1999, two weeks before Christmas. He was indicted not for spying — not for passing along any information to a foreign entity — but for downloading classified material about nuclear weapons. Still, the Justice Department made it clear that the reason they prosecuted Lee, for what might otherwise be considered a technical violation, was their suspicion that Lee copied files with the intent to harm the United States and aid a foreign power. They thought that he was really a spy after all. But they

never found any direct evidence. At the bail hearing the government successfully argued that the risk of classified information falling into the wrong hands was too great. In February 2000, the appellate court upheld the trial court's denial of bail. So a 60-year-old man, with a spouse and children, strong and long-standing community ties, and a record of solid citizenship — not exactly a classic flight risk — was being held without bail pending a trial scheduled for nine months later, in November of 2000.

I am not an expert on national security. I do not doubt that the Chinese government has an intelligence operation in the United States. It may be a very good one. I cannot write with great confidence that some vast conspiracy does not, in fact, exist. I cannot promise that Wen Ho Lee is not, after all, a spy.

But this incident is not the first time that an Asian American has been targeted because he or she is presumed to have loyalties to a foreign, mysterious country far, far away. And it will not be the last. Rather, the 150 years of American law regarding Asians in America ought to have produced skepticism of the charges against Wen Ho Lee.

THREE QUESTIONS FOR SHANG-CHI

Shang-chi was a Marvel Comics character introduced in 1973, when martial arts were a big craze.¹³ He was the Master of Kung-Fu, trained from birth to be the perfect thinking and fighting machine. But upon reaching adulthood he discovers that his father is none other than the actual Fu Manchu, and his mother is a tall, blonde, white American woman chosen for her genetic and physical characteristics. The internal conflict is that Shang-Chi has to choose between loyalty to his Chinese side, with his father's secret maniacal quest for worldwide domination, and his white American, Western side, which represents freedom. Early on, in the first issue, Shang-chi chooses to defy his father. For the next ten years and 125 issues, the running story line is that Shang-Chi is fighting both his father and Western authorities because no one will believe that the son of Fu Manchu is actually fighting rather than defending his father. They believe it is a trick, and he is unable to convince them otherwise.

The suspicion described in the Marvel Comics often similarly unfolds in our daily lives as Asian Americans. Asian Americans tell a stock story about well-meaning people continually asking us the same question: "Where are you from?" And if one says California, or New Jersey, or Ohio, they say, "No, where are you *really* from?" This question, "Where are you from?," presumes that we are obviously not from America. Such a presumption is a racial one. It can be positive, reflecting openness and curiosity about other cultures, but there is also a darker side, which appears when the questioner is somehow disappointed to learn that the subject of the question is "just" an American. It is now a well-developed theme in Asian American legal scholarship that Asians in America are legally and socially constructed as racially foreign.¹⁴ Foreignness is itself a construction developed in conjunction with nationalism. Being designated foreign means that as foreigners,

we do not belong, that our allegiance lies elsewhere, and that we are not members of the same team. Foreignness suggests that when push comes to shove, in war, or politics, or economic or military competition, we are presumed to be disloyal. Thus, the necessity arises in times of national distress for Asian Americans to continually prove our loyalty.

In this essay, I would like to focus on the historical recurrence of interrogations of Asian Americans. "Where are you from?" is only the most benign form of questions that have been asked of Asian Americans from the beginning. I have organized this essay into three sections — Liars, Traitors, and Spies — in order to explore three sets of questions that are asked of Asian Americans in order for them to prove their trustworthiness or loyalty. The focus on interrogations and questions is intended to demonstrate the inherent suspicion that cultural and legal presumptions about Asian Americans contain.

It is not my goal merely to present Asian Americans as victims of racist acts by individual judges, a government, or a society. The search for innocent victims highlights the purity and innocence of the victims who do everything right, who become more trustworthy and more patriotic than everyone else, and thus, by their victim-hood, earn the right to be considered fully American. That is the wrong lesson. American heroes ought to be the ones who fight injustice, and fighting, by default, makes you an opponent of the system you are fighting. The accusation therefore becomes self-fulfilling and self-reinforcing: Asian Americans who fight injustice become opponents of the American system.

I. Liars

In 1854, the California Supreme Court was faced with a white defendant who had been convicted of murder based on the testimony of Chinese witnesses.¹⁵ There was a statute that said, "No black, or mulatto person, or Indian shall be allowed to give evidence in favor of, or against a white man." The court first argued that Chinese were Indians because Columbus thought he landed in India. Moreover, scientists thought Native Americans had crossed over at some time from Asia, so Indian must be a generic term for all Asians. Then the court argued that black could be a generic term for anybody who was not white. Finally the court just threw up its hands and said that as a matter of public policy, if we admitted their testimony, we would have to "admit them to all the equal rights of citizenship, and we might soon see them at the polls, in the jury box, upon the bench, in our legislative halls. This is not a speculation . . . but it is an actual and present danger." Why is this scary?

Later in the opinion, the court continued to emphasize the inherent untrustworthiness of the Chinese people:

The anomalous spectacle of a distinct people, living in our community . . . ; whose mendacity is proverbial; a race of people whom nature has marked as inferior, and who are incapable of progress or intellectual development beyond a certain point

... is now presented, and for them is claimed, not only the right to swear away the life of a citizen, but the further privilege of participating with us in administering the affairs of our government.¹⁶

My point is not simply to dredge up old offensive racist language. That is easy to do, and anti-Chinese rhetoric was widespread in the mid to late 19th century. Rather, I focus on one word in particular: "Mendacity," or deception, falsehood, a propensity to lie. "A people whose mendacity is proverbial."

My great-great-grandfather immigrated from China in 1855, one year after the decision in *People v. Hall*, when he was twelve years old. My family has only one picture of him, and the only reason we have this picture is because of the 1882 Chinese Exclusion Act passed by Congress to bar the immigration of Chinese laborers. Because Chinese merchants and students, and any Chinese laborers who had immigrated prior to the Exclusion Act, were allowed to enter, however, the resulting scenario was that some Chinese residents were legal and some were not. Arguing that all Chinese names and faces were alike, Congress passed the Geary Act in 1892, which imposed a registration requirement on Chinese residents in order to distinguish them from illegal immigrants. My great-great-grandfather was therefore required to have in his possession a certificate of residence, complete with photo, dated 1894, in order to prove his identity and corresponding legal status.¹⁷ This is perhaps the ultimate statement of official distrust: That my great-great-grandfather had to carry a document to prove he belonged in this country.

Furthermore, there was a practice of interviewing each would-be immigrant¹⁸ when the Chinese arrived at the Angel Island immigration detention center in the San Francisco Bay. Here is an excerpt from an interview of a sixteen-year-old would-be immigrant in 1910.¹⁹ The interrogators are asking him about the village he is from:

Q: Who lives in the second house in the third row?

A: There is no house there.

Q: Isn't the second house in the third row opposite one of your doors?

A: The house opposite my door is in the second row.

Q: Didn't you say your house was second house, second row?

A: I have been counting from the front of the village, the house opposite my door is the third row, second house.

Q: Who lives in that house?

A: Leong Doo Gui.

Q: According to your testimony today there are only five houses in the village and yesterday you said there were nine.

A: There are nine houses.

Q: Where are the other four?

A: There is Doo Chin's house, first house, sixth row.

Q: What is the occupation of Leong Doo Chin?

Q: Describe his wife.

Q: What is the name and age of the son?

A: Leong Yick Gai; his house is first house, fourth row.

Q: You have already put Leong Doo Sin in the fourth row, first house.

A: His house is first house, third row.

Q: You have already put Leong Yick Gai first house, third row.

A: I am mixed up.

Q: Who is the oldest man in that village?

Q: What market does your mother patronize?

Q: Do you cross any bridges or streams of water in going to that market?

Q: Who was your last teacher?

Q: Why are you so excessively nervous during this examination?

A: I am not at all nervous.

In a way, I am grateful for the depth of the interrogations. When my great-great grandmother returned to the United States in 1911, after a visit to China, she was interrogated upon reentry. I have a copy of the four-page, single-spaced transcript of her interview. From this document, my family has learned that my great-great-grandfather worked at a shrimp camp, the specific addresses of the places where each of her five children were born, their occupations in 1911, and whether her daughters and daughters-in-law had natural or bound feet. Because many interviews were much longer than this, I surmise that her interrogation was not too rigorous; perhaps this was because a sixty-five-year-old woman, accompanied by what her file calls her "alleged adult children," was probably not a prime suspect for immigration fraud.

The presumption that Asian immigrants are liars is not purely an artifact of history. The 1997 case of *Olsen v. Albright*²⁰ involved a member of the U.S. Foreign Service who was stationed at the U.S. Consulate General in Brazil and who was fired, not because he was Asian, but because he refused to follow the consulate's visa adjudication policies. Robert Olsen, the plaintiff, was a visa adjudicator. His job was to review nonimmigrant visa applications. If he suspected fraud based on the application, he called the applicant in for an interview. The policy that Olsen refused to follow was printed in the consulate manual:

KOREAN/CHINESE FRAUD

Major fraud; hard to check. In general, they are almost always called in for an interview. Visas are rarely issued to these groups unless they have had previous visas and are older.

In addition to the manual, a 1993 memorandum distributed to consulates in Brazil states:

Arab and Chinese last names set off bells and whistles regardless of the passport/nationality they may have. . . . It is very easy to assume a false identity in Brazil and obtain a genuine passport and nationality and other documents. Most Brazilians have no interest in doing so, but Arabs and Chinese are two groups to worry about.

The story is always more complicated than mere racial victimization. In response to restrictive immigration policies, Chinese immigrants developed a lucrative market for false papers. The interrogation recited above was required by federal immigration regulations. Inspectors thought they could catch the illegal immigrants by confusing them with questions about their villages, or by requiring documentation of every part of the applicant's story. Of course, the irony is that the honest immigrants could not answer all the questions, whereas the illegal immigrants studied to pass the questioning and were thus well prepared for the interrogation.

My great-grandfather on my father's side was named Lim Dick Young. He immigrated to California around 1910. It is not clear what his immigration status was; perhaps he came as a merchant or scholar and was therefore exempted from the Chinese Exclusion Act. He apparently could not obtain legal immigration status for his oldest son, my grandfather, Lim Guey Him. Again, it is an immigration document that gives us a picture of him, although we have others. The name on the document is not Lim Guey Him, however; my grandfather came into the country on the papers of someone named Lee Hoo. His forged signature is at the bottom of each document. All the official documents show my grandfather's name as Lee Hoo. His children's official birth certificates all show the family name not as Lim, but as Lee. And so does mine.

Am I "really" a Lim? I have gone by the name Lee all my life. So I consider my name to be Brant Lee, just like it says on the byline.

But the point is that my grandfather was in fact a liar.

One might argue that in the face of discriminatory exclusion laws, would-be immigrants should just get in line and wait for the laws to change. When you make lying the price of entry, however, anyone who wants to enter badly enough will pay that price and become a liar. And then what the law often does, as it did with the Angel Island interrogations, is focus on catching the lie, rather than on changing the price of entry. But it is not the lie that matters. It is whether we care about the lie.

You may not be familiar with the story of Charlie Two Shoes. Here is an editorial from my hometown Akron Beacon-Journal:²¹

Charlie: Two Shoes or Two-Faced?

President Clinton has his Chinese problem. We have ours: after all these years, the myth of Charlie Two Shoes continues to grow apace, and now the little guy is finally on the verge of becoming an American citizen. Is this the country of warm-hearted gullibility or what? Clinton has ordered a counterintelligence analysis to determine, in part, whether Wen Ho Lee suckered us out of nuclear weapons secrets.

The rest of the story is about Charlie Two Shoes, a Chinese boy who was befriended by Marines during World War II and who pretended thirty-five years later to come for a visit. The editor writes that Charlie Two Shoes took advantage of American gullibility, when in fact what Charlie wanted all along was to immigrate and become an American citizen. There is nothing to link Charlie Two Shoes to Wen

Ho Lee except that they're both ethnic Chinese and that they are accused of lying. Charlie Two Shoes may well be a liar. But it is not clear to me why this story makes the editor so angry. Why isn't Charlie a loveable scalawag instead of an evil villain? My Irish father-in-law is always telling stories about smooth characters who sweet-talk their way into and out of trouble. Whether you are sympathetic or not depends on whether you can see the story from Charlie's point of view, or whether you feel the Chinese have deceived you.

II. Traitors

In the 1910s and 1920s, several Western states passed Alien Land Laws restricting land ownership to those who were eligible for citizenship. These laws were targeted at Asian immigrants, because under the federal naturalization law, Asians were racially ineligible for naturalization until around World War II. The Supreme Court upheld the statutes by speculating about the security implications: "The quality and allegiance of those who own, occupy, and use the farm lands within its borders are matters of highest importance and affect the safety and power of the state itself."²² Even with regard to a cropping contract with a white landowner, the court ruled: "Conceivably by the use of such contracts, the population living on and cultivating the farm lands might come to be made up largely of ineligible aliens. The *allegiance* of the farmers to the state directly affects its strength and security."²³ They might be nice people, but in the end, they are not our people. Their allegiance is elsewhere.

The same rationale is the foundation for a whole series of statutes restricting aliens from certain occupations. Here are some of the occupations from which aliens have been legally excluded: police officers, public school teachers, probation officers, taxicab drivers, civil engineers, pool hall operators, lawyers, bilingual program counselors, transit operators, notaries public, garbage collectors, dentists, commercial fishermen, barbers, laundry operators, and massage operators.²⁴

Similarly, Asian Americans were recently forced to answer questions regarding campaign contributions. For example, Democratic National Committee (DNC) representatives contacted Suzanne Ahn, a prominent doctor in Texas. They asked what her reported income was on her income tax statements. They asked what her assets were. They asked her if she was an American citizen. They asked if the donation that she made really came from her. They said that if she was not cooperative, they would return her money and her name would be released to the press as someone who would not cooperate.²⁵

What was happening? In the wake of the furor over improper foreign campaign contributions, the DNC was conducting an audit. One of the categories of contributions they reviewed was the following: All contributions made "in connection with any event involving the Asian Pacific American community."²⁶ The interviewers reportedly had a list composed entirely of donors with Asian surnames. Of course Asian Americans responded to this inquiry, and one might imagine that many of them will not be participating in the political process again any time soon.

Perhaps the best example of how these presumptions of disloyalty can turn on themselves and become self-fulfilling is the story of Tsien Hsue-shen.²⁷ Tsien was a young student when he came to the United States from Taiwan in 1935, thirty years before Wen Ho Lee did. He was literally a rocket scientist, and a successful one, on our side. He decided to try to become a U.S. citizen in 1949. In 1950, he was named the Robert Goddard Professor of Rocket Science at Caltech. Then the FBI came calling. They had heard a rumor that Tsien was a Communist. Based on what eventually turned out to be nothing, they got his security clearance revoked. Tsien was a proud man and then decided to leave the country. But the FBI decided that Tsien knew too much, and they prohibited him from leaving the country.

When Tsien was finally deported in 1955, he went to China. There he was reported still alive as of 1997, and is fondly regarded as the father of Chinese Rocketry.²⁸

I am not suggesting that Wen Ho Lee is a spy after all. What I do suggest is that witch-hunts always have a price in the form of the disenchantment and low morale of all of those affected. The Department of Energy, which runs the national labs, recently issued a report documenting widespread fear, anger, and anxiety among the many Asian American scientists employed there.²⁹ And the national labs are scrambling because the highly qualified Asian scientists that they depend on are leaving or are no longer applying to work there. Other scientists are leaving, too, in response to the heightened security measures that the scandal has produced, such as mandatory polygraph tests. One proposal, now being rethought, would have required visiting scientists to wear color-coded badges identifying the country from which they came, presumably so that others would know to be more careful in their presence. We are destroying our own research capacity by pointing fingers at our own workforce.

III. Spies

The most familiar example of the racial presumption of disloyalty, of course, is the internment of Japanese Americans during World War II. One of the things that happened during the internment was that some of the internees wanted a chance to prove their loyalty. All young Japanese men had been classified IV-C: enemy aliens. The military, therefore, developed a questionnaire for all draft-age males, which included the following questions:

Question 27: Are you willing to serve in the armed forces of the United States on combat duty, wherever ordered?

Question 28: Will you swear unqualified allegiance to the United States of America and faithfully defend the United States from any or all attack by foreign or domestic forces, and forswear any form of allegiance or obedience to the Japanese emperor, or any other foreign government, power, or entity?³⁰

The questions created great internal havoc within the Japanese American communities at the camps. For immigrant Japanese who were not allowed to be-

come citizens, the questions asked them to renounce allegiance to the only country with which they were left. American-born Japanese, rightfully suspicious by now of the federal government, wondered whether the words "forswear any form of allegiance . . . to the Japanese emperor" were intended to be a trap to get them to admit to an allegiance they never had.

But by far the greatest conflict was between those who wanted to prove Japanese American patriotism by answering "yes" and those who did not want to be docile. What is a good red-blooded American supposed to do? The ones who answered "no" to both questions became known as the "No-No Boys." They were sent to a separate higher security camp so they could be kept under higher surveillance.³¹

In February 1989, Bruce Yamashita,³² a native of Hawaii with a law degree from Georgetown University, entered Marine Officers Candidates School. He expected the training to be rough, and it was. On the first day of training, he was singled out in training camp by a sergeant who spoke to him in broken Japanese and continued to do so throughout the ten-week course. That same first day, another sergeant said to Yamashita, in front of the entire company, "We don't want your kind here. Go back to your country." Still another sergeant told him, "Your name is 'Kawasaki Yamaha.' Don't forget that." The sergeant continued to refer to him by Japanese brand names throughout the course, at one point telling him, "During World War II, we whipped your Japanese ass." The irony is that during World War II Bruce Yamashita's uncle had fought for the United States in the all-Japanese American 442nd Combat Regiment.

Still, you do not expect training camp to be gentle. Nevertheless, Yamashita endured the abuse. Out of 150 who entered training camp, eighty finished; Yamashita was one of them. Then, two days before graduation, five candidates were disenrolled, or dismissed. Four of these five candidates were minorities, including Yamashita. He had passed the academic test and the physical test, each worth 25 percent of his final grade;. He and the other dismissed candidates were failed because of "unsatisfactory leadership," which made up 50 percent of the final grade and was entirely at the subjective discretion of the same sergeant instructors who had singled him out for abuse.

Bruce Yamashita eventually filed a lawsuit, and after five years of litigation, the Marines settled. He is now Captain Bruce Yamashita. But it is not a simple story, because it cannot be shown that Bruce Yamashita would in fact have been a good leader in the Marines. If it is important to your performance that people be willing to follow you, whether it is in the Marines or in any form of employment, then there is some extent to which their biases, regardless of how improper they may be, do not matter. If they will not follow you, they will not follow you.

Here, it seems likely to me that after watching their supervisors and instructors routinely hold Yamashita up for humiliation and belittlement, they would very likely not be inclined to see him as a leader. They might even have been inclined to see him as the enemy. One of Yamashita's fellow candidates, after witnessing the abuse

he was subjected to, leaned over and asked him, "Why didn't you just join the Japanese army?"

It is not just that Yamashita was humiliated and racially taunted. My understanding is that you are supposed to be humiliated in Marine training camp. But this particular form of humiliation — connecting Yamashita's Asian features with foreignness in the midst of an ultra-patriotic institution — prevented him from succeeding on what might otherwise be considered a valid criterion: the ability to lead.

White Americans sometimes wonder why various minorities insist on hyphenated labels. The polls show that minorities are considered less patriotic. Why don't we all just call ourselves Americans? It is in part experiences like that of Bruce Yamashita that teach racial identity. "Before this," he has said, "I was just an American. Now I'm an Asian American."³³

Miyo Senzaki, a former internee whose family was torn apart by the internment experience, once said: "I want to be proud of [the American flag], when it's flowing in the sky, to be proud to salute it, because you know it's telling you something. But you have to live what you're taught to know the meaning of it."³⁴

Wen Ho Lee's daughter, Alberta Lee, said: "You grow up, and every day you say the Pledge of Allegiance, and the last line is 'With liberty and justice for all.' You think, 'Yeah, that's how this country works.' You know it's not a perfect world. But you never think it's going to happen to your family."³⁵

LOOKING FOR ENEMIES

There are distinctions to make among liars, traitors, and spies. A liar is somebody who does not tell the truth, but a lie does not necessarily rise to the level of a national security risk. Truth-telling is valuable only in the context of a community in which members of the community must be able to rely on the information they receive from others in the community. You have to trust someone before your trust can be violated. To violate the trust of your family or loved ones is perhaps the worst sin. To lie to your community is a crime. To lie to the Internal Revenue Service might be considered by many to be a justified crime. To lie to the enemy is not even immoral.

So if we are faced with someone who we think is aligned with a foreign country, or who we think regards us as foreign, we assume they might be lying to us. It is not an accusation that they are violating our trust, because they are not part of the community. It is that they are not trustworthy to begin with.

A traitor is a citizen who commits treason: a citizen who betrays her or his country on behalf of another country. This is much more morally reprehensible. You might think that Wen Ho Lee would be accused of being a traitor. But he is not. Wen Ho Lee has been referred to as an accused spy. A spy is not a citizen. A spy is someone with foreign loyalties, collecting information on behalf of his or her own

country that is NOT the United States. Sure, Wen Ho Lee might have technically become a citizen, but that is assumed to be just deep cover.

Such a charge is in some ways a more dangerous charge, because you do not have to be convinced that someone is evil to think that he is a spy. In fact, he is a patriot, just for the wrong country. It is not wrong to gather intelligence. Rather, it is just part of the intelligence game, and we win when we catch their spies. Sometimes we do not even punish the spies, we just deport them to the country for which they spied. Consider the contrast if, rather than painting Wen Ho Lee as a Chinese spy, the government had called this American citizen a traitor. My argument is that a judge or jury would hold the government to a higher standard of proof in that case, because a greater moral wrong is being alleged. At Wen Ho Lee's bail hearing, the government opposed granting bail even if Lee were confined to his home, all phone communications were monitored, Lee was instructed to speak only English, and Lee's children were always accompanied by an FBI agent in his presence. FBI agent Robert Messemer speculated that even an apparently innocuous statement to one of his children like, "Say 'Uncle Wen says hello'" might take on a less than innocuous meaning. Agent Messemer claimed that that simple phrase might be a prearranged signal to a prearranged third party to follow prearranged instructions to do something nefarious with the missing but possibly previously hidden tapes.³⁶ So now Wen Ho Lee's two American-born children were presumed to be potential parts of the conspiracy.

During the summer of 2000, however, the government's case slowly began to fall apart. The information he copied turned out not to have been classified top secret until after he copied it. Expert scientists testified that the information he copied, even in the wrong hands, posed little or no threat to national security. The only theory the government could come up with regarding an intent on the part of Lee to transfer nuclear secrets to another country was that Lee was job-hunting at institutes in such countries as Switzerland, Australia, and France, not exactly devoted enemies of America. Finally, Agent Messemer admitted that at Lee's bail hearing, Messemer had "inadvertently" misled the court into believing that Lee had behaved deceptively in order to gain access to the labs.

On 13 September 2000, the U.S. government entered into a plea agreement in which the government agreed to drop all the charges except one. Dr. Lee agreed to plead guilty to one charge of improperly transferring restricted information, with the sentence being reduced to time already served. Dr. Lee agreed to cooperate by answering questions about any information he may have copied or stored.

In accepting the agreement, the judge in the case issued an extraordinary apology, essentially interpreting the government's sudden capitulation as an admission that there was simply not going to be any evidence to support the successful prosecution of Wen Ho Lee. This, despite their previously insisting that he be held in solitary confinement for nine months. The government was suddenly willing to let Wen Ho Lee walk free. The denial of bail itself, and the severe conditions of Dr. Lee's confinement, now simply looked like a blatant effort to extort a confession from an innocent person.

Moreover, the agreement came days before the government was to have handed over documents, requested by the defense attorneys, which would have established whether there had been any pattern or practice of racially selective prosecution. Now it appears as though that information will remain secret.

Wen Ho Lee's supporters have been accused of playing "the race card." Opponents claim that the cry of racism is insincere and manipulative. They are *playing*, as if this were merely a litigation or public opinion game, and everyone knows the moves. My hope is that the history of Asians in America would be enough, even absent any direct evidence, to demonstrate the racial presumptions that underlie the prosecution of Wen Ho Lee.

Serendipitously, in this case there was more. The case against Lee was based primarily on contacts he has had with Chinese scientists. The former director of counterintelligence at Los Alamos, Robert Vrooman, has noted that several other LANL scientists visited China and had the same kind of contacts as Lee. Vrooman claims that Wen Ho Lee was targeted only because of his Chinese ethnic background. He notes that the FBI has never offered a motive, other than that "it was standard PRC intelligence tradecraft to focus particularly upon targeting and recruitment of ethnic Chinese."³⁷ That is a motive for China, not a motive for Wen Ho Lee. Mr. Vrooman says that the investigator who focused in on Wen Ho Lee explicitly targeted him because he was Chinese, and even expressed more general concerns about the number of Chinese restaurants in the Albuquerque area.

Non-Asian Americans do not always distinguish so well among Asian countries, but it is not obvious that a native of Taiwan would be a good candidate to be a spy for the People's Republic of China. They are just not good buddies. It is as if a Protestant from Northern Ireland were accused of spying for the Irish Republican Army and the newspapers simply reported, "Irish Spy Accused." It could be true, but if it is, there is a really interesting story about which we have heard nothing.

Has Wen Ho Lee been exonerated? Administration officials continue to insist that the prosecution of Wen Ho Lee was justified, and that no racial discrimination occurred. They have promised to investigate any hint of racial profiling. They will find nothing, for they are looking for the wrong enemy. The administration officials are looking for some individual with explicit conscious racist bias against Chinese or Asians. But the problem is not an individual racist.

Even if a particular investigator were biased, one wonders why the lawyers and supervisors and political appointees at every level approved the aggressive indictment and denial of bail absent any evidence of motive. The problem is a cultural environment replete with images of inscrutable waiters, insular, hard-working foreign students, and clever engineers, together with historical images of diabolical Oriental villains, relentless Jap armies, and Mongol hordes. These images are available to the consciousness of any American investigator in the same way that images of black criminality are available to a highway patrolman when selecting a motorist to pull over for a traffic stop.

What else has been happening? Hoyt Zia, a former Marine with a top-level security clearance at the Commerce Department, had been nominated for a post as

a Navy undersecretary. In his position at Commerce, he reviewed exports of technology to China, and rumors surfaced that he was connected to the spy scandal. His name was withdrawn, with no explanation. Ted Lieu, an Air Force captain, was asked whether he was a captain in the Chinese Air Force. Chi Ming Hu reports being investigated by the FBI and having his security clearance revoked, destroying his career in the military industrial complex. One scientist who had had his security clearance revoked and his career prospects with a military contractor destroyed by the FBI two years ago, who had since moved on to other employment, recently found the FBI knocking on his door again. Other reports are percolating about subtle changes in whose names are proposed for which projects, and who gets pulled off of sensitive contracts, just to be safe. Hate crimes against Asian Americans continue to rise.

The foreigner is an outsider. When the next recession comes, or when we are at war, or when national security is considered to be at stake, the outsider becomes the enemy, and the positive "model minority" image — disciplined, hard working, efficient, strong traditional family ties — easily transforms itself into the characteristics of a diabolical threat — Disciplined! Tireless! Efficient! And racially devoted to an insular ethnic identity that mere American citizenship will never weaken.

It remains to be seen whether the prosecution of Wen Ho Lee was a precursor to a broader assault on the loyalties of Asian Americans or not. One of the most provocative political commercials of the recent presidential election season featured a mushroom cloud and ominous references to the influence of "Red China." Al Gore's campaign for president was vulnerable to charges that he raised foreign money from Asians, and the public continues not to make great distinctions between Asian Americans and foreigners. Somehow, the words "Buddhist temple" became code words for dishonesty and deception. Attorney General Janet Reno and the editors of the *New York Times* continue to insist that Dr. Lee was guilty of serious security violations, implicitly justifying his treatment in this case. As an economic slowdown finally looms, the search for an enemy will inevitably follow, and Asian Americans should expect that the scapegoat will have an Asian face.

Endnotes

¹ U.S. House. 1999. Select Committee on U.S. National Security and Military/Commercial Concerns with the People's Republic of China. *U.S. National Security and Military/Commercial Concerns With the People's Republic of China*. 105th Cong., 2d sess. H. Doc. 851. (Hereinafter, "Cox Report.")

² The substantive conclusions of the Cox Report regarding whether China has in fact obtained any secret information, and whether any such information has in fact advanced their weapons program have been criticized and rebutted elsewhere. See Prather, J. G. 1999. *A Technical Reassessment of the Conclusions and Implications of the Cox Committee Report*. 8 July. (Prepared for Jack Kemp.) (Concludes that there is no evidence that the PRC has stolen any classified material from U.S. weapons labs, or incorporated any stolen information into their nuclear weapons program.) See also Johnston, A. I., W. K. H. Panofsky, M. DiCapua, and L. R.

Franklin. 1999. *The Cox Committee Report: An Assessment*. December. (Finds the Cox Report allegations generally exaggerated, uninformed, and unsubstantiated.)

³ Cox Report, 33.

⁴ Cox Report, 38-39.

⁵ Chast, Roz. 1999. *The New Yorker*. 17 May.

⁶ Cox Report, 39 (emphasis added).

⁷ Cox Report, 41.

⁸ Cox Report, 36.

⁹ Oliphant. 1999. *Washington Post*. 30 April.

¹⁰ *Akron Beacon-Journal*. 1999. 10 March.

¹¹ *Washington Times*. 1999. 29 March, A6.

¹² Other Asian American commentators, notably journalists Helen Zia and Emil Guillermo, have used the "I am not a spy" formulation.

¹³ See generally, Marvel Comics Group. 1973. *The Hands of Shang-Chi, Master of Kung Fu*. Special Marvel Edition 1(15).

¹⁴ See, e.g., Gotanda, Neil. 1985. "Other Non-Whites" in American Legal History: A Review of Justice at War. *Columbia Law Review* 85:1186; Saito, Natsu Taylor. 1997. Alien and Non-Alien Alike: Citizenship, "Foreignness," and Racial Hierarchy in American Law. *Oregon Law Review* 76:261; and Aoki, Keith. 1996. "Foreign-ness" & Asian American Identities: Yellowface, World War II Propoganda, and Bifurcated Racial Stereotypes. *UCLA Asian Pacific American Law Journal* 4:1.

¹⁵ *People v. Hall*. 1854. 4 Cal. 399.

¹⁶ *Ibid.*, 404-05.

¹⁷ One scholar has traced this identification certificate requirement as being the origin of the American passport. Torpey, J. 1999. *The Invention of the Passport: Surveillance, Citizenship and the State*, 96-101.

¹⁸ For a general discussion of administrative practices regarding Chinese immigration, see Salyer, Lucy. 1995. *Laws Harsh as Tigers*.

¹⁹ Excerpted in Wu, Cheng-Tsu, ed. 1972. "*Chink!*": A Documentary History of Anti-Chinese Prejudice in America, 99.

²⁰ 990 F. Supp 31 (D.C. Dist. 1997).

²¹ *Akron Beacon-Journal*. 1999. 10 March.

²² *Terrace v. Thompson*. 1923. 263 U.S. 197.

²³ *Webb v. O'Brien*. 1923. 263 U.S. 313 (emphasis added).

²⁴ See Knapp, Kiyoko Kamio. The Rhetoric of Exclusion: The Art of Drawing A Line Between Aliens and Citizens. *Geo. Immigration Law Journal* 10:401, 409.

²⁵ U.S. Commission on Civil Rights. 1998. *Briefing on Civil Rights Implications in the Treatment of Asian Pacific Americans During the Campaign Finance Controversy, A Summary Report, Background Paper, and Transcript*, 17-18.

²⁶ *Ibid.*, 31.

²⁷ See generally, Chang, Iris. 1995. *Thread of the Silkworm*.

²⁸ The Cox Report asserts that Tsien is presumed to have been spying for the PRC. Cox Report, 179. There does not appear to be any evidence to support this assertion. See Johnston et al., *supra* note 2, 84-85. The Cox Report appeared to rely primarily on the biography of Tsien by Iris Chang, *supra* note 27, to support its allegations regarding Tsien. However, Chang herself has stated that "in the end [the U.S.] found no convincing evidence that he was either a Communist or a spy." *Asian Week*. 1999. 3 June, 8.

²⁹ Department of Energy Task Force Against Racial Profiling. 2000. *Final Report*, January.

³⁰ The entire episode surrounding the loyalty questionnaire is discussed in Weglyn, Michi. 1979. *Years of Infamy: The Untold Story of America's Concentration Camps*, 134-155.

³¹ John Okada's *No-No Boy* (1976) is regarded as a landmark in Asian American fiction. Its protagonist is a no-no boy who returns after the war to a devastated community in Seattle.

³² The account here is gathered from a variety of news sources, including *Washington Post*. 1994. 18 March, A3; *International Examiner*. 1996. 20 February, p. 1; *All Things Considered*. 1994. 21 March; and *San Francisco Chronicle*. 1994. 5 February, p. A17.

³³ *San Francisco Chronicle*. 1994. 5 Feb, A17.

³⁴ Tateishi, John. 1984. *And Justice For All: An Oral History of the Japanese American Detention Camps*, 107.

³⁵ Cho, Jim. 2000. After the Fire. *A. Magazine*, Feb./Mar., 42, 69.

³⁶ *U.S. v. Wen Ho Lee*. 1999. Transcript of Proceedings, Motion Hearing, at 402-403, No. 99-1417-JC.

³⁷ Vrooman, Robert. 2000. What Went Wrong? Remarks presented at the New Mexico Chapter of the Association of Chinese-American Engineers and Scientists, 19 February.

The Wages of Native-Born Asian Americans at the End of the Twentieth Century

Arthur Sakamoto and Satomi Furuichi

In this paper we compare the wages of whites and Asian Americans during the period 1994 to 1998. We find little evidence to indicate that most native-born Asian American men must have higher educational attainments than white men in order to obtain equivalent wages. Except at the very highest level of educational attainment — which pertains to a relatively small fraction of the total work force — native-born Asian American men obtain wages that are at least as high as those of white men with comparable education, experience, and place of residence. Among native-born women, Asian Americans also earn wages that are similar to those for whites with comparable education, experience, and place of residence. Systematic racial discrimination against Asian Americans is often assumed to be widespread in the labor market, but our results are inconsistent with the straightforward application of this conventional wisdom to wage determination for native-born Asian Americans at the end of the 20th century.

The labor market is a key focus of attention in the debate on the effects of racial inequality. The extent of racial discrimination in the distribution of labor market rewards has a major impact on the overall well-being of individuals in modern society. The analysis of racial differences in socioeconomic attainments is thus extremely important. Differences in wages, earnings, occupational status, unemployment, and socioeconomic mobility that are attributable to racial differences need to be studied and carefully analyzed because they provide vital information about the degree of racial inequality in the labor market.

Although there are literally thousands of published studies on the socioeconomic attainments of whites and African Americans, research on the socioeconomic attainments of Asian Americans is relatively scarce. In addition, those stud-

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ies that are available are often limited in ways that compromise the extent to which their conclusions can be generalized to the broader population of Asian Americans. As a result we actually have very little systematic information about this exceedingly important and complex topic. Given this lacuna, the general objective of this paper is to improve our understanding of the socioeconomic attainments of Asian Americans.

Research on the incomes of Asian Americans often involves discussions of the "model minority" stereotype. We do not contest the view that many people may have an exaggerated image of the socioeconomic attainments of Asian Americans, nor that this image may serve to legitimate inequality in some people's eyes. While we do not dispute the importance of the "model minority" topic to the Asian American studies literature, our objective is not to discuss stereotypes and misperceptions, but rather to investigate the realities of wage inequalities as they are revealed in high-quality data for Asian Americans. We do not believe that the putatively conservative implications of the "model minority" stereotype should discourage the systematic analysis of relevant data regarding the actual socioeconomic attainments of Asian Americans. To the contrary, the existence of such stereotypes only heightens the importance of the general objective of this paper.

PREVIOUS RESEARCH AND THE CONVENTIONAL WISDOM

In the Asian American studies literature, a widely cited study of socioeconomic attainment is Cabezas and Kawaguchi (1988). For example, Cabezas and Kawaguchi serves as a major citation in Takaki's discussion of this topic in his well-known 1998 book *Strangers from A Different Shore*, in which he states:

Actually, in terms of personal incomes, Asian Americans have not reached equality. . . . The patterns of income inequality for Asian men reflect a structural problem: Asians tend to be located in the labor market's secondary sector, where wages are low and promotional prospects minimal. . . . "Labor market segmentation and restricted mobility between sectors," observe social scientists Amado Cabezas and Gary Kawaguchi, "help promote the economic interest and privilege of those with capital or those in the primary sector, who mostly are white men" (pp. 475-476).

Here, Takaki presents the conventional view that Asian Americans face systematic racial discrimination in the labor market, drawing upon the analysis presented by Cabezas and Kawaguchi.

Another example is provided by Chin et al. (1996) who present an Asian American perspective on affirmative action. Chin et al. emphasize that Asian Americans face "continuing discrimination" in the labor market and state:

As Cabezas and Kawaguchi have shown, in order to earn an income comparable to white men, Japanese American men acquired more education and worked longer hours. Males from other APA ethnic groups do not match the income level of their

white counterparts when human capital investments are controlled. Korean American men earned only 82 percent of white men's income, Chinese American men 68 percent, and Filipino men 62 percent (p. 149).

As is suggested by the quote above, Cabezas and Kawaguchi is a well-known and influential study that serves as a major reference supporting the conventional view that Asian Americans continue to face substantial racial discrimination in their labor market opportunities.

Another widely cited work is Hurh and Kim (1989) who argue that "our analyses in the light of the principle of earnings equity indicate that the success image [of Asian Americans] is largely a myth due to labor market disadvantages and other related social problems" (p. 512). The "principle of earnings equity" to which Hurh and Kim refer is the net effect of race after controlling for human capital and other productivity-related characteristics.¹ In other words, "earnings equity" refers to the extent to which a minority worker receives the same rate of pay as does a white worker who possesses equivalent work-related qualifications (e.g., educational attainment, previous work experience). Thus, even if Asian American workers received an average wage equal to that of white workers, Asian American workers would still be considered to be disadvantaged (or underpaid) if they had to obtain higher levels of education or work experience in order to obtain the wages that white workers receive. According to Hurh and Kim, "Native-born Asian males still earn less than white males under the equivalent condition of investment" (p. 525).

METHODOLOGICAL ISSUES RAISED BY PREVIOUS RESEARCH

These studies raise several methodological issues regarding the study of the socioeconomic attainments of Asian Americans. First, nationally representative data are preferable for the purpose of generalizing to Asian Americans in the United States. A major limitation of Cabezas and Kawaguchi is that it is based on data for a sample of individuals from only one metropolitan area in California (i.e., San Francisco-Oakland-San Jose). It is unreasonable to assume that the results for just one metropolitan area necessarily apply equally to everyone else residing elsewhere in the United States.

Another issue that needs to be borne in mind is that socioeconomic attainment and inequality are influenced by period and historical context. This point is underscored by Sakamoto, Liu, and Tzeng (1998) who investigate occupational attainment using 1940 and 1990 census data. Their results indicate that native-born Chinese and Japanese American men faced severe disadvantages (relative to white men) in occupational attainment in 1940, but these disadvantages were either entirely eliminated or greatly reduced by 1990. In short, we should not assume that the extent of racial discrimination in the labor market is an unchanging historical constant.²

Appropriate statistical methods must also be utilized when estimating the net effect of race on socioeconomic outcomes after controlling for human capital

investments and productivity-related characteristics. That is, although Hurh and Kim's concern with "earnings equity" identifies an important issue, researchers need to use optimal statistical techniques to assess whether their models make the most adequate and informative use of the data. This is especially true when calculating the "after controlling for" estimates of the net effect of race. Inappropriate statistical methods may lead to erroneous conclusions and misleading generalizations.

Asian American studies discussions often lament the extent to which whites may assume that an Asian American is a foreigner or immigrant (e.g., Lieu 1999; Takaki, 3, 11). Ironically, some studies — such as Hirschman and Wong (1984) — make a similar sort of assumption because their regression models do not include any interaction terms by immigrant status. That is, the effects of schooling and of work experience are assumed to be the same for the native born and the foreign born despite prior research which suggests that they differ (e.g., Duleep and Regets 1997; Reimers 1985; U.S. Commission on Civil Rights 1988). We do not mean to suggest that a naturalized citizen is any less "American" than a native-born citizen. From the point of view of the economics of competitive labor markets, however, work experience and schooling obtained overseas is often not entirely equivalent to those obtained in the United States. For this reason, statistical models need to be careful to disentangle an immigrant effect from a racial effect. This consideration is especially relevant to the study of the socioeconomic attainments of Asian Americans because many of them are foreign born.

A further limitation of the model used by Hurh and Kim — as well to a lesser extent by Cabezas and Kawaguchi — is that measures of job attainment are included as independent variables in the regression of earnings. When such independent variables are included, then the results no longer refer to the total effect of race; rather, it refers to the effect of race for an Asian American who is comparable to a white American not only in terms of measured human-capital characteristics but also in terms of job attainment. In other words, a model that includes job attainment estimates within job (or direct) discrimination does not estimate total discrimination because it treats as exogenous the job discrimination that occurs if minorities are less likely to be promoted to better-paying jobs in the first place (and thereby indirectly reducing their earnings). Given the research objective of investigating both the direct and indirect extent of racial discrimination in the labor market, the regression model should include only the human-capital investments, credentials, productive abilities, and other endowments that workers bring to the labor market for remuneration. Optimally, regional variables that indicate area differences in price levels and wages should also be included.

Another problem with the model specification used by both Hurh and Kim and by Cabezas and Kawaguchi is functional form. Because the distribution of earnings exhibits a high degree of positive skew, log-earnings is a more appropriate dependent variable in regression models. A log transformation eliminates the positive skew and corrects for the associated problem of heteroskedastic residuals (Sakamoto

and Furuichi 1997). Because Hurh and Kim and Cabezas and Kawaguchi estimate a linear model of earnings, their estimates are statistically inefficient. Intuitively speaking, this means that their estimates are less reliable regarding the extent to which they may be generalized to the broader population.

Appropriate model specification also requires more careful construction of the independent variable. For example, although the effect of years of schooling is well known to be nonlinear (Jencks 1979; Sakamoto, Wu, and Tzeng 2000), neither Hurh and Kim nor Cabezas and Kawaguchi take this into account. This issue is especially relevant to our research concerns because Asian Americans tend to have higher levels of education (Barringer et al. 1993). The inclusion of hours worked as an independent variable may also be a weak model specification, especially when the time period for the measurement of hours worked is not identical to the time period for the measurement of earnings (Petersen 1989). Including mean income for the individual's state of residence (as does Hurh and Kim [p. 521]) as an independent variable is undoubtedly poor practice because it creates an obvious endogeneity problem; in other words, it creates a sort of circular tautology because part of the dependent variable is used to explain itself. Hurh and Kim and Cabezas and Kawaguchi also fail to include a quadratic term for age (which is used as an indicator of work experience).

A final important issue is statistical significance. Generally speaking, strong generalizations are inappropriate when they are based on results that are not statistically significant. When a result is not statistically significant, we cannot be sure that the effect is not due to random sampling error rather than real differences between two different populations of racial groups. Unfortunately, neither Hurh and Kim nor Cabezas and Kawaguchi clarify whether their reported racial differentials are statistically significant.

It is also worth noting that the research objective of estimating the net racial effect is not synonymous with estimating the returns to education. Although the two concerns are certainly related, they are not identical. Indeed, a minority group may have lower returns to schooling than do whites but this result in itself does not necessarily imply that minority group is disadvantaged in the labor market relative to whites (i.e., lower returns to schooling for a given minority group do not necessarily imply that the net racial effect of being a member of that minority group is negative). For example, the results of Sakamoto and Furuichi (1997, 190-191) suggest that the returns to educational attainment are smaller for Japanese American male employees (relative to those for white male employees) although their net racial effect tends to be close to zero and may actually be slightly positive at lower levels of educational attainment.

In sum, Hurh and Kim and Cabezas and Kawaguchi are methodologically weak studies. As such, they do not provide sufficient empirical evidence for strong generalizations about current labor market outcomes for Asian Americans. Research on the socioeconomic attainments of Asian Americans needs to be based on more reliable statistical analysis and more current data.

DATA AND METHODS

In this paper we use the Current Population Survey (CPS) which is gathered annually by the U.S. Bureau of Labor to monitor unemployment and other labor force and demographic variables. The CPS is nationally representative and includes data on broad racial categories. In order to obtain a large sample of Asian Americans, we pool together the CPS data for 1994, 1995, 1996, 1997, and 1998. Our results thus pertain to the period 1994 through 1998.

We compare the wages of Asian Americans with those of non-Hispanic whites. Because these data do not distinguish between the specific ethnic groups among Asian Americans, we can only examine the population of Asian Americans as a whole. Although this is certainly a limitation of our research, we do believe that studies of the socioeconomic attainments of Asian Americans as a whole are warranted because generalizations about this group continue to abound.

Due to space limitations, we limit this study to the native born. As we allude to above, the labor market processes relating to the wages of immigrants are complex and are often affected by selectivity as well as unobserved heterogeneity. Because our research objective is to estimate the net effect of race in the labor market, restricting the analysis to the native born eliminates much of the unobserved heterogeneity and thereby renders our results more convincing estimates of the net effect of race per se.

For the regression model that we estimate, the dependent variable is the log of the hourly wage rate where the latter is implied by total earnings during the year prior to the survey divided by total hours worked during that year. Thus, our dependent variable refers to monetary remuneration per unit of labor supply, and the log transformation is used in order to improve the fit of the regression model. The regression models are estimated separately for men and for women to allow for the effects of the independent variables to vary by gender.

RESULTS

Table 1 shows the descriptive statistics by race and gender. Asian American men and women are far more likely to live in California or Hawaii than are whites while the latter are relatively more likely to live in the Northeast or South. Regarding educational attainment, Asian Americans are less likely than are whites to have completed only high school. Asian Americans are relatively more likely to have completed at least some college or to have a bachelor's degree. These results are generally consistent with the conventional view that native-born Asian Americans tend to have higher levels of educational attainment.

The mean wage for Asian American men is \$19.77 while for white men it is \$18.89. The t-value for this difference is 1.56, which is not statistically significant at the 0.10 level. Thus, we can not confidently generalize this difference to the populations of native-born Asian American and white men. Rather, this evidence suggests that the mean wages for the two groups do not differ.

TABLE 1. DESCRIPTIVE STATISTICS FOR ASIAN AMERICANS AND WHITES BY GENDER (CURRENT POPULATION SURVEY, 1994-1998)

MEN

Variable	Asian American (N=1122)		White (N=108,894)		T-Value
	Mean	Std. Dev.	Mean	Std. Dev.	
Age	40.250	10.464	41.821	10.201	5.00*
Experience	19.787	10.766	21.793	10.427	6.21*
Experience-square	507.318	491.003	583.656	501.714	5.18*
Central City	0.299	0.458	0.159	0.366	10.21*
Other City	0.466	0.499	0.389	0.488	5.14*
California	0.216	0.411	0.054	0.226	13.18*
Hawaii	0.509	0.500	0.004	0.060	33.83*
Other Pacific	0.040	0.196	0.043	0.203	0.51
Northeast	0.072	0.259	0.191	0.393	15.21*
South	0.054	0.227	0.260	0.439	29.83*
High school	0.258	0.438	0.332	0.471	5.63*
Some college	0.333	0.472	0.271	0.444	4.38*
B.A.	0.258	0.438	0.204	0.403	4.11*
M.A.	0.069	0.253	0.069	0.254	0.00
Ph.D.	0.045	0.206	0.042	0.201	0.49
Poverty	0.027	0.161	0.036	0.187	1.86
Dollar-wage	19.771	18.942	18.886	20.420	1.56
Log-wage	2.742	0.716	2.668	0.742	3.44*

WOMEN

Variable	Asian American (N=1163)		White (N=98,264)		T-Value
	Mean	Std. Dev.	Mean	Std. Dev.	
Age	39.789	10.222	41.474	10.121	5.59*
Experience	19.243	10.727	21.559	10.539	7.32*
Experience-square	485.267	478.368	575.887	501.409	6.42*
Central City	0.345	0.476	0.159	0.365	13.28*
Other City	0.426	0.495	0.388	0.487	2.60*
California	0.199	0.399	0.052	0.223	12.54*
Hawaii	0.561	0.496	0.003	0.058	38.36*
Other Pacific	0.034	0.180	0.042	0.201	1.50
Northeast	0.062	0.241	0.192	0.394	18.11*
South	0.040	0.195	0.257	0.437	36.87*
High school	0.232	0.422	0.350	0.477	9.46*
Some colleg	0.337	0.473	0.302	0.459	2.51*
B.A.	0.301	0.459	0.200	0.400	7.47*
M.A.	0.075	0.263	0.072	0.258	0.39
Ph.D.	0.028	0.166	0.019	0.136	1.84
Poverty	0.046	0.209	0.047	0.211	0.16
Dollar-wage	14.710	10.748	13.411	16.922	4.06*
Log-wage	2.499	0.641	2.330	0.725	8.92*

Note: An asterisk indicates that the racial difference between the means (within gender groups) for the variable is statistically significant at the .05 level (for a two-tailed test), and the associated t-test statistic is shown in the last column.

The mean difference for log-wage is, however, statistically significant. The mean log-wage for Asian American men is 2.74 while for white men it is 2.67. The *t*-value for this difference is 3.44 which is statistically significant at the 0.01 level. Therefore, these results indicate that the means for this measure of income (i.e., log-wage) probably do differ between the two populations, and that the mean is greater for native-born Asian American men than it is for white men.

Among women, the results unambiguously indicate higher incomes for native-born Asian Americans. The mean wage for Asian American women is \$14.71 while for white women it is \$13.41 (i.e., the mean is \$1.30 greater for Asian American women). The mean log-wage for Asian American women is 2.50 while for white women it is 2.33. Both of these results are statistically significant at any conventional level.

Table 2 shows the mean wages by race, gender, and educational level. As is noted above, a common theme in previous literature is the view that Asian Americans must achieve a higher level of educational attainment in order to obtain comparable wages. This view implies that for any given level of educational attainment, Asian Americans will have a lower mean wage. That is, the labor market disadvantage against Asian Americans is said to be more evident after comparing workers who have the same level of educational attainment rather than comparing workers of all educational levels together as is done in Table 1.

The results for men in the top panel of Table 2 do not clearly support this view except at the Ph.D. level. That is, mean wages among men who have less than a Ph.D. (which constitutes about 95% of all male workers) are not consistently lower for native-born Asian Americans. If anything, the mean wages of Asian Americans by education level are often greater than those for whites. We note that none of the racial differences for men are statistically significant (except at the Ph.D. level) and therefore conclude that there are no differences in mean wages by most educational levels in the populations of native-born Asian American and white men.

At the Ph.D. level, the racial difference is statistically significant at the 0.05 level. As shown in Table 2, the mean wage for Asian American men is \$7.41 less than that for white men. This difference is substantively large and implies a percentage difference of 20% to 25% (depending upon which base is used). Although this sort of crosstabular result is not conclusive evidence of racial discrimination, it is certainly consistent with the view that Asian American men — at least at the Ph.D. level — are significantly underpaid relative to white men.

The results for women are shown in the bottom panel of Table 2. There is no evidence that the mean wages of Asian American women by educational level are systematically lower than those for white women. The only statistically significant racial difference for women is at the level of some college, and in this case the mean wage among Asian American women is greater by about one dollar.

While educational level is an important productivity-related characteristic that is widely viewed as an important determinant of wages, there are other factors that may impact the level of wages, including years of labor force experience and regional differences. The purpose of our regression model is to control for all of these

TABLE 2: MEAN WAGE FOR ASIAN AMERICANS AND WHITES BY EDUCATIONAL LEVEL AND GENDER (CURRENT POPULATION SURVEY, 1994-1998)

MEN

Education	Mean Wage		T-Value
	Asian American	White	
Less than high school	15.698	12.608	0.84
High school	15.446	15.330	0.21
Some college	17.585	17.206	0.59
B.A.	22.001	22.924	0.90
M.A.	34.079	26.957	1.39
Ph.D.	29.574	36.977	2.22*

WOMEN

Education	Mean Wage		T-Value
	Asian American	White	
Less than high school	7.664	8.719	1.23
High school	10.897	10.686	0.56
Some college	13.667	12.689	2.61*
B.A.	16.867	17.053	0.28
M.A.	20.131	19.955	0.16
Ph.D.	27.760	26.426	0.26

Note: An asterisk indicates that the racial difference between the means (within gender groups) for the variable is statistically significant at the .05 level (for a two-tailed test).

various factors simultaneously in order to estimate the net effect of being Asian American per se. While suggestive, the results of Table 2 are not highly convincing evidence of racial disadvantage because only one factor — education — is taken into account. By contrast, multiple regression is a multivariate model that can estimate the difference in wages that may be associated with race, after controlling for all independent variables included in the equation.

The multivariate regression results are shown in Table 3. Model 1 includes education, experience, and an extensive set of regional control variables. The results for men in the top panel of Table 3 indicate that the net effect of being Asian American in Model 1 is zero; the coefficient of 0.0029 is very close to zero, and it is not statistically significant at any conventional level. The results for women in the bottom panel of Table 3 also suggest that the net racial effect is small or at least close to zero. For women the coefficient for being Asian American in Model 1 is 0.0465, and this estimate is not statistically significant at the 0.05 level (although it is statistically significant at the 0.10 level). None of these results indicate that either Asian American men or women are underpaid relative to whites who are comparable in terms of gender, experience, education, and place of residence.

In order to investigate even more refined results, we estimate additional models which include interaction terms between educational level and race. The purpose of these models is to ascertain whether more detailed generalizations about the net racial effect is warranted by the different educational groups. The analyses

TABLE 3: OLS ESTIMATES OF REGRESSIONS OF LOG-WAGE FOR ASIAN AMERICANS AND WHITES BY GENDER (CURRENT POPULATION SURVEY, 1994-1998)**MEN (N=110,016)**

Variable	(1)		(2)	
	Coefficient	T-Ratio	Coefficient	T-Ratio
Intercept	1.6633*	140.44	1.6634*	140.46
Experience	0.0382*	45.74	0.0382*	45.73
Experience-square	-0.0006*	36.23	-0.0006*	36.22
Center City	0.1255*	17.96	0.1255*	17.96
Other City	0.2237*	42.35	0.2237*	42.34
California	0.1446*	4.93	0.1446*	4.93
Hawaii	0.0403	1.53	0.0418	1.57
Other Pacific	0.0814*	7.82	0.0812*	7.80
Northeast	0.1710*	18.16	0.1709*	18.15
South	-0.0088	1.73	-0.0088	1.73
High school	0.2422*	29.77	0.2422*	29.77
Some college	0.3641*	43.37	0.3642*	43.37
B.A.	0.6405*	73.01	0.6405*	73.02
M.A.	0.7821*	72.38	0.7804*	72.02
Ph.D.	1.0702*	85.37	1.0723*	85.25
Center City*CA	-0.0230	0.68	-0.0231	0.69
Other City*CA	-0.0952*	3.01	-0.0952*	3.01
Center City*NE	-0.0744*	4.50	-0.0743*	4.49
Other City*NE	-0.1172*	9.83	-0.1171*	9.82
Asian American	0.0029	0.12	-0.0015	0.06
Asian American*M.A.			0.1808*	2.23
Asian American*Ph.D.			-0.1966*	1.98
R-square		0.1583		0.1584

indicate that most of the interaction terms are not statistically significant. For men, however, two interaction terms — those for the master's and Ph.D. levels — were statistically significant. We report the expanded regression model that contains these two interaction terms in Model 2 shown in Table 3.

For men, the results for Model 2 indicate that the coefficient for the interaction term between Asian American and a master's degree is 0.1808 while that between Asian American and a Ph.D. is -0.1966. When added to the "main effect" coefficient for being Asian American (-0.0015), these results imply that Asian American men with a master's degree earn about 20% more than do white men with comparable experience and place of residence, while Asian American men with a Ph.D. earn about 18% less than do white men with comparable experience and place of residence.³ Because the "main effect" coefficient is so close to zero (as well as not statistically significant), it implies that Asian American men whose educational attainment is less than a master's degree earn wages that are, on average, the same as those for comparable white men. Among men with a master's degree, however, Asian Americans are paid 20% more, while they are paid 18% less among men with a Ph.D.

TABLE 3 (CONTINUED)

WOMEN (*N*=99,427)

Variable	(1)		(2)	
	Coefficient	T-Ratio	Coefficient	T-Ratio
Intercept	1.5259*	117.70	1.5259*	117.70
Experience	0.0187*	22.27	0.0187*	22.27
Experience-square	-0.0003*	18.14	-0.0003*	18.14
Center City	0.1773*	24.83	0.1773*	24.83
Other City	0.2142*	39.48	0.2142*	39.48
California	0.0346	1.14	0.0346	1.14
Hawaii	0.0526	1.95	0.0518	1.91
Other Pacific	0.0732*	6.77	0.0733*	6.77
Northeast	0.2010*	20.83	0.2010*	20.83
South	0.0024	0.46	0.0024	0.46
High school	0.2418*	25.22	0.2418*	25.22
Some college	0.4175*	42.59	0.4175*	42.59
B.A.	0.7094*	68.84	0.7094*	68.83
M.A.	0.9090*	75.43	0.9097*	75.29
Ph.D.	1.1249*	62.56	1.1245*	62.13
Center City*CA	0.0996*	2.84	0.0994*	2.84
Other City*CA	0.0698*	2.13	0.0698*	2.13
Center City*NE	-0.0638*	3.78	-0.0639*	3.78
Other City*NE	-0.1125*	9.19	-0.1125	9.19
Asian American	0.0427	1.72	0.0470	1.79
Asian American*M.A.			-0.0593	0.79
Asian American*Ph.D.			0.0213	0.18
R-square		0.1575		0.1575

Note: An asterisk indicates that the coefficient is statistically significant at the .05 level (for a two-tailed test). CA refers to California while NE refers to Northeast.

For women, none of the interaction terms between educational attainment and race are statistically significant. This is evident in the results for women for Model 2 in the bottom panel of Table 3; neither the coefficients for the interaction terms by a master's degree or by a Ph.D. are statistically significant at any conventional level. Thus, for women, generalizations about the net effect of race may be made using the results from Model 1.

DISCUSSION AND CONCLUSIONS

In this paper we have investigated the wages of native-born Asian Americans using nationally representative data from the period of 1994 to 1998. Among women, native-born Asian Americans have a higher mean wage and a higher mean log-wage than do whites. Among men, the mean log-wage is clearly higher for native-born Asian Americans while the racial difference in the mean wage (though higher for Asian Americans) is not statistically significant at the .05 level.⁴ Thus, in general, it is clear that the mean hourly-earnings of Asian Americans are at least as high as those of whites.

We find little evidence to indicate that native-born Asian Americans must have higher educational attainments than do whites in order to obtain equivalent wages. Among women, we find no evidence that the wages of Asian Americans systematically differ from those of whites after controlling for education, place of residence, and experience. Among men, the results indicate that the wages of Asian Americans are similar to those of whites at educational levels below that of a master's degree. Because about 89% of the male labor force has an educational level below that of a master's degree, these results imply that the wages of most native-born Asian American men do not differ systematically from those of comparable white men.

Some differences are evident, however, at the highest educational levels for men. Among men with a master's degree (which represents about 7% of the male labor force), the mean wage of Asian Americans is about 20% higher than that for white men who are also comparable in terms of experience and place of residence. Among men with a Ph.D. (which represents about 4% of the male labor force), the mean wage of Asian Americans is about 18% lower than that for white men who are also comparable in terms of experience and place of residence. Thus, while Asian American men seem to have some advantage at the master's level, they are at a disadvantage at the Ph.D. level.

These latter two findings merit detailed analysis in future research. While our data do not contain the information that would be useful in trying to understand the processes underlying these findings, one might speculate that the positive effect at the master's level for Asian American men perhaps derives from their higher propensity to have studied in scientific and engineering fields; that is, the positive effect at the master's level may be due to the possibility that having a scientific major field of study tends to be highly rewarded in the labor market. On the other hand, the negative effect at the Ph.D. level may perhaps derive from some sort of "glass ceiling" process whereby Asian American men with Ph.D.'s are less likely to be promoted to the higher paying positions of administrative authority. We emphasize that these explanations are purely speculative, and that further research on this topic is needed.

From a broader historical perspective, one might interpret these results as being consistent with Wilson's (1980) thesis of the declining significance of race. In brief, Wilson argues that the net effect of race in the labor market has substantially declined with the modernization of American society, and that in the current post-Civil Rights era, class characteristics have become more important than racial status per se in determining wages. Although Wilson's discussion focuses on the relations between whites and African Americans, his thesis has been extended to Chinese American and Japanese American men by Sakamoto, Liu, and Tzeng (1998).

As is well known, a key class characteristic in modern society is educational attainment. The coefficients for the net effects of educational attainment as shown in Table 3 (for either Models 1 or 2) are clearly quite large. For example, the coefficient for a bachelor's degree for men is 0.6405 which implies that the average wage for men with that level of educational attainment is 90% greater than the average

wage for men who did not finish high school (after taking into account experience and place of residence). The corresponding figure for women is even larger (103%). These net effects are much larger than the net effect of being Asian American, as the latter is approximately zero for women and for men with less than a master's degree. Even for men with a Ph.D., we recall that the net effect of race is about an 18% disadvantage for Asian Americans. This figure is smaller (in absolute value) than the net effect of being a high school graduate (relative to being a high school dropout), which is about 27% for either men or women. Thus, our results show that the class characteristics of workers — in particular their educational attainment — are more important than is whether one is Asian American in determining wages in the contemporary labor market. These results may therefore be interpreted as supporting the application of Wilson's thesis to Asian Americans in that class is more important than is race in the post-civil rights labor market.

We emphasize that our results pertain only to the native born. Because we have excluded the foreign born from our analyses, we make no claims about their wages. We also note that our findings do not rule out the possibility that there may be discriminatory practices against Asian Americans in highly specialized labor markets — such as those for fashion models, television actors, or college presidents — that are so small that they are unlikely to affect the broad national trends that can be monitored with the sort of survey data that we have used in this paper. Finally, we also do not wish to suggest that race is unimportant in general social interactions, in politics, or in the social psychological processes pertaining to identity.

Endnotes

¹ For convenience, we use the term 'race' to refer to racial and ethnic groups.

² The empirical results presented by Cabezas and Kawaguchi and by Hurh and Kim derive from earnings data that are by now more than two decades old.

³ We note that $(0.1808 - 0.0015) - 1 = 20\%$ while $(-0.1966 - 0.0015) - 1 = -18\%$.

⁴ Because the mean log-wage is equivalent to the geometric mean of wage, these results imply that the racial difference in the arithmetic mean of wage is statistically significant at the 0.05 level while the racial difference in the geometric mean of wage is not statistically significant at the 0.05 level. Note, however, that the two-tailed p-value for the racial difference in the arithmetic mean for men is 0.12, which is not exceedingly far from 0.05.

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K-12 Education and Asian American Youth Development

Peter Nien-chu Kiang

INTRODUCTION

He can represent our pride and tradition. He understands us. Now youth has a voice in the city.

— a sixteen-year-old Cambodian American at Lowell (Mass.) High School¹

In November 1999, Rithy Uong, a high school guidance counselor in Lowell, Mass., became the first non-white ever elected to the Lowell City Council and the first Cambodian American ever to gain elective office in any major city in the United States. Uong's historic victory reflected grassroots Khmer community capacity-building and voter registration as well as strategic coalition-building with Latinos, African Americans, and progressive European Americans, and a campaign platform emphasizing commitments to the city's schools, youth, and elders.

A decade earlier, a remarkable coalition of Southeast Asian and Latino parents in Lowell had sued the city for denying equal educational opportunities to students needing bilingual services.² Renewed legal action in 1998 on behalf of Southeast Asian and Latino students at Lowell High School charged school officials with discriminatory practices that selectively excluded them from receiving college scholarship recommendations and that selectively targeted them for more frequent and severe disciplinary punishment.³ In this setting, Uong's electoral campaign represented longstanding claims for voice, space, and rights in Lowell by both Southeast Asians and Latinos, particularly in relation to education policy and the schools.⁴

In contrast to these immigrant, working class, coalition-building efforts, a group of predominantly middle class Chinese American parents in 1999 successfully sued a different Lowell High School — the selective magnet school in San Francisco that feeds the University of California system — to abolish the use of race as a consideration in high school admissions policies. Like other local and national efforts to

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dismantle affirmative action policies, the initiative of these parents was opposed by many African Americans, Latinos, Filipinos, and other Asian Americans who viewed race-sensitive policies as providing much-needed possibilities of access to stratified educational structures.⁵

Dynamics of race, class, power, and culture in education converged in both Lowell High School struggles, but with distinctly different processes and outcomes. Both cases illustrate the increasingly visible advocacy roles played by Asian Americans, as well as the complex perspectives and contradictory interests that exist within the diverse Asian American population at the turn of the twenty-first century, particularly in relation to critical education issues that are the focus of this article.

LOCALITY, DIVERSITY, AND THE TURNING OF GENERATIONS

The complexity of the Asian American population, in part, simply reflects its spectacular demographic growth. During the 1980s, the school-age Asian American population in the United States nearly doubled. From 1990 to 2020, U.S. census data suggest that the aggregate number of Asian American children and young adults (age 0-24) will increase by an additional 150 percent.⁶ In many local school districts, the magnitude of growth has been even more dramatic. In Rithy Uong's home city of Lowell, Mass., for example, the influx from refugee secondary migration was so rapid during 1987 that between thirty-five and fifty new Cambodian and Lao children entered the Lowell public schools each week. Across the country, demographic changes in schools have emerged as both immediate crises and long-term challenges for practitioners and policy-makers.⁷

Along with growth, locality is important because the development and implementation of K-12 educational policy typically occurs at the local school district level, albeit within the parameters of state guidelines. For example, although roughly 80 percent of the 62,000 students in both Boston's and San Francisco's public schools are children of color, four out of ten in San Francisco are Asian Americans compared with only one out of ten in Boston. Effective educational policy and practice must take into account these kinds of contextual differences based on locality.

Disaggregated differences based on ethnicity are also crucial to recognize, especially in terms of educational background. For example, among Asian immigrants aged sixteen and older in 1990, one out of four Filipinos and one out of five Indians had undergraduate degrees, compared with one out of eleven Vietnamese, one out of forty Cambodians, and one out of eighty-five Hmong.⁸ Wide differences exist in educational achievement among immigrant parents that, in turn, influence what human capital resources are available to school-age children in various Asian American communities.

In addition, factors such as socioeconomic status, migration wave, and generation also matter. For example, in Boston, a city renowned for its universities, 32 percent of the adult Asian American population in 1990 had attained a bachelor's

degree or higher, compared to 37 percent of the white population and 14 percent of the black population. But an even higher percentage of the Asian American adult population (38%) had less than a twelfth grade education, compared with 19 percent of the white population and 33 percent of the black population — illustrating the bimodal distribution of Asian American professionals and workers in the city.⁹ Examinations of educational policy need to consider how the stratified nature of the Asian American population — resulting from specific U.S. immigration preferences and the structure of the U.S. post-industrial economy — intersects with and is reproduced by the stratified system of public/private and urban/suburban schooling in the United States.

Other factors also contribute to the diversity and complexity of the school-age Asian American population, including the high rates of interracial marriage among some Asian American groups who now have growing numbers of biracial/multiracial Asian American and Amerasian children and even grandchildren.¹⁰ Furthermore, many thousands of Asian children, particularly from Korea, China, and Vietnam, have been adopted by families in the United States in the 1990s and are also now in schools across the country.¹¹

Beyond the simple growth projected for during the next two decades, a dramatic demographic shift will occur as Asian American children and young adults become overwhelmingly U.S.-born with immigrant parents. For example, during the first decade of the twenty-first century, the third generation of Vietnamese Americans — the children of the U.S.-born children of the first-wave refugees who escaped Vietnam in 1975 — will enter elementary school. Their realities as “sansei” require radical redefinitions of the Vietnamese communities as “refugees” and “newcomers.” Indeed, by 2020, the immigrant and refugee waves of the 1970s and 1980s will have matured as a generation of immigrant elders with third-generation grandchildren. Even with continued immigration from Asia, this generational turning toward children born in the United States has significant implications for educational policy and practice.

TRANSFORMING THE CURRICULUM

I'm not black. I'm not white. I'm Asian. They don't talk about us.

— a Vietnamese American high school student¹²

During the 1990s, state and national curriculum standards, together with high stakes testing and other policy assaults on equity, language, and culture, were imposed across the United States in unprecedented ways under the banner of educational accountability. The curriculum — the formal definition of what students are expected to know/learn and what educators are expected to know/teach — reflects and reproduces the knowledge and ways of knowing that are most valued or dominant in society. In the curriculum policy documents of most states and key professional associations such as the National Council for the Social Studies (NCSS), which define what curricular content teachers and students must

know in order to gain licensure, there is no mention of anything about Asian Americans. Given the continuing growth and generational turning of the Asian American population, however, this absence in the curriculum — and with it, the implication that Asian Americans have no voices or contributions worth studying — must change. The central educational policy recommendation offered in this essay, therefore, is:

Teachers, schools, and school districts — supported by appropriate teacher training and instructional resources — must provide systematic, in-depth opportunities throughout the K-12 curriculum for all students to learn about the perspectives, historical experiences, and contemporary realities of Asian Americans and their communities.

This transformation of the curriculum is imperative to implement at the levels of both policy and practice, whether or not Asian American students are present in individual classrooms.

Most students and teachers have never had substantial exposure to authentic Asian American perspectives in their formal education. This is a serious limitation, given the power and pervasiveness of stereotypes of Asians and Asian Americans in movies, television, advertising, cartoons, and other media, as well as in school textbooks and children's literature, which continue to distort how educators, students, and the public perceive Asian Americans, and how Asian Americans often view themselves.¹³ When mis/dis-information about Asian Americans in society is uncorrected, or worse, transmitted by the school curriculum, the consequences cost lives.

ADDRESSING SCHOOL CLIMATE

We were coming from a meeting of the Asian Club, and white students threw oranges at us. Before that we had been standing in the hall and the supervisor kicked us out. So we went outside and they threw oranges. There's nowhere to go.
— a California-born Punjabi girl¹⁴

In their landmark 1992 study, the U.S. Commission on Civil Rights documented numerous cases of anti-Asian violence throughout the country's neighborhoods, workplaces, and schools that were fueled by stereotypes, "Japan-bashing," and a national climate of anti-Asian violence. The report states:

The pervasive anti-Asian climate and the frequent acts of bigotry and violence in our schools not only inflict hidden injuries and lasting damage, but also create barriers to the educational attainment of the Asian American student victims, such as suspension from school and dropping out of school... These consequences forebode a high price that not only the individuals involved but also our society as a whole are bound to pay in the future.¹⁵

The national media attention and collective outpouring of grief following the shootings at Columbine High School in Littleton, Colo., in 1999 were absent when Patrick Purdy fired more than 100 rounds from an automatic assault rifle into the Cleveland Elementary School yard in Stockton, Calif., a decade earlier, killing five Cambodian and Vietnamese children. Although news reports treated him as a generic mass murderer who fired at random, witnesses said Purdy aimed specifically at Southeast Asian children. The California attorney general concluded in his investigation that "Purdy attacked Southeast Asian immigrants out of a festering sense of racial resentment and hatred," and that Purdy had often confronted people speaking a foreign language, telling them to speak English in America.¹⁶

The Stockton massacre, like the racist killings of Vandy Phornng, a thirteen-year-old Cambodian boy in Lowell, Mass., and seventeen-year-old Vietnamese high school student Thong Hy Huynh in Davis, Calif., by schoolmates, has been especially tragic, given that Southeast Asian refugees survived so much trauma and loss in their home countries. Their children were not supposed to die here in the United States.¹⁷ Regrettably, the media and public-policy-makers pay attention to school climate issues only after fatal incidents. But the responsibility for addressing those issues is ongoing because, as one Vietnamese American high school student from Boston notes: "I feel like I get stepped on every day in that school."¹⁸

Educational practitioners and policy-makers must not only develop timely measures to respond to specific anti-Asian incidents, but, more importantly, must address the underlying causes of violence and establish alternative environments characterized by respect and cooperation. Research has shown, for example, that the process of multicultural curriculum transformation described above not only strengthens students' knowledge and critical thinking skills, but also improves the climate and learning environment of the school or classroom.¹⁹

TEACHER TRAINING AND RECRUITMENT

I finally decided to become a teacher of English as a second language, and I am sure that the Asian American course had some effect on that decision, partly by giving me a stronger sense of empathy for the immigrants' experience and at the same time giving me a greater sense of respect.

— a European American teacher in Boston²⁰

To transform the curriculum and address school climate issues, it is essential to provide current and future educators with professional development and training. A wide range of Asian American studies curriculum materials is now available in print, video, and online. But, most teachers are not familiar with these resources and do not have sufficient content knowledge or pedagogical training to adapt them effectively for classroom use.

University programs in teacher preparation and Asian American Studies, therefore, must increasingly collaborate in designing appropriate courses and certificate

pathways to ensure that current and future teachers will have the knowledge, skills, and dispositions to be effective. This is also a larger policy issue for regional and national accrediting bodies such as the National Council for the Accreditation of Teacher Education (NCATE) which currently makes no mention of Asian American content in any of their elaborately articulated policy guidelines despite research that has documented the long-term added value of Asian American studies coursework for teachers. In a recent study supported by the Ford Foundation, for example, an African American elementary school teacher, noted: "The Asian American studies courses I took [ten years ago] definitely had an impact on my ability to interact with my students and their families."²¹

The urgency for teacher training and professional development to address these issues is also intensified by policies such as California Proposition 227 and parallel initiatives in other states that seek to eliminate both the practice and principle of bilingual education by requiring English-only instruction as quickly as possible within one year for limited English proficient (LEP) students. One impact of these trends in bilingual education policy is that all teachers and school personnel, not just the bilingual teachers, are increasingly expected to establish a supportive learning environment for the diverse, multicultural populations of immigrant students in school. Policy supporters of English immersion, however, have typically not proposed or provided any mechanisms or resources to support mainstream teachers to work effectively with LEP students.

In addition to developing policies and programs that can more effectively prepare all teachers, a related and equally urgent need is to produce more Asian American teachers. Asian Americans constitute nearly 4 percent of the nation's school-age children, but only 1 percent of the nation's teachers, and even less of the pool of school administrators, guidance counselors, educational researchers, and policy-makers.²² Furthermore, Asian Americans are proportionately far less committed to the field of education than all other groups in the graduate degree pipeline. Roughly 30 percent of those who received who received master's degrees in 1994 did so in the field of education (white 29 percent, black 33 percent, Hispanic 30 percent, Native American 36%), but only 10 percent of Asian American master's degrees were in the education field. Similarly, for Asian Americans at the doctoral level, only 7.5 percent of their doctorates were in education, compared to much higher percentages for all other racial groups (white 20 percent, black 38 percent, Hispanic 22 percent, Native American 31%).²³ Thus, most Asian Americans are choosing degree pathways that move them away from intervening professionally in educational practice or policy. This is a tremendous irony because Asian Americans invest so heavily in educational institutions, but have left the shaping of those institutions to others. While it may be imperative for schools of education to develop more effective outreach and recruitment mechanisms, it is undeniable that Asian American families and communities must also take the lead in addressing this severe under-representation of Asian Americans throughout the education field.

THE POLICY ASSAULT ON EQUITY THROUGH HIGH STAKES ASSESSMENT

Current commitments by teachers to transform the curriculum, however, have been severely undermined by recent state policies that have imposed narrow curricular standards and rigid testing policies. The premise and promise of education reform in the early 1990s that emphasized learner-centered approaches to assessment, including the use of portfolios and exhibitions of student work over time in a variety of domains, was completely overturned in just a few years by a coalition of governors, state legislatures, and business leaders. This coalition positioned “high stakes” standardized testing as both the ends and the means for demanding “accountability” from teaching and learning. Despite lack of evidence showing test validity and reliability, results from these “high stakes” tests have been directly linked to decision-making about student placement and graduation, teacher hiring and salaries, and school funding.²⁴

In principle, the purpose of student assessment and evaluation is to identify areas of weakness that can be strengthened through the targeting of appropriate services and strategies. Once targeted, resources should be mobilized to enable all students to overcome those weaknesses in order to achieve their full potential. In practice, however, assessment policies, particularly those based on standardized testing, have led to the inequitable distribution of educational resources, accompanied by the sorting and labeling of students, often according to race, socioeconomic status, gender, and English proficiency.²⁵

Ironically, while the discourse that compels high stakes testing is framed in terms of accountability, the policies and policy-makers have been completely unaccountable to Asian American communities and other communities of color, for whom standardized testing continues to serve as a system of sorting and exclusion. Public policy commitments to high stakes testing in Massachusetts, for example, have led to the imposition of statewide testing at the third, fourth, eighth, and tenth grades. Students must achieve passing scores at the tenth-grade level in order to receive a high school diploma. However, statewide results from the 1998 tests show 26 percent of Asian American tenth graders failing in English and 40 percent failing in math. Furthermore, Black and Latino students failed at twice those rates. The projected drop-out and force-out rates of high-school-age youth of color as a consequence of these assessment policies have grave implications for many other areas of public policy related to poverty, crime, and social services that K-12 policymakers have ignored or neglected.²⁶

THE POLICY ASSAULT ON LANGUAGE RIGHTS

Before I very silenced, afraid to talk to anybody. But now when I want to say something, I say it. . . . I want to have the right to talk, speak, or vote.

— a Vietnamese student²⁷

Three decades ago, the class action suit brought by Kinney Lau and eleven other Chinese American students against Alan Nichols and the San Francisco Board of Education in 1970 led to the historic *Lau v. Nichols* Supreme Court ruling, which provided the foundation for the nation's bilingual education mandates. The court unanimously concluded in 1974:

There is no equality of treatment merely by providing students with the same facilities, textbooks, teachers, and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education.²⁸

Like *Brown v. Board of Education*, the Supreme Court's decision in the Lau case fundamentally reformed U.S. educational policy. Thanks to the efforts of Chinese American students and parents, the educational rights of limited-English-speaking students of all nationalities were formally recognized and protected.

An enormous body of research has shown how a variety of bilingual program strategies can be effective and appropriate in promoting cognitive development and academic achievement among LEP students.²⁹ Yet despite this research and the federal mandate, relentless ideological attacks on bilingual education have succeeded through well-funded ballot initiatives in eliminating or severely undermining the opportunities for children to learn or maintain any languages other than English in growing numbers of states across the United States.³⁰

The elimination of bilingual instruction and support run directly counter to the findings of the U.S. Commission on Civil Rights, which, in its review of educational programs provided for Asian American LEP students, concluded:

Many Asian American immigrant children, particularly those who are limited English proficient (LEP), are deprived of equal access to educational opportunity. These children need to overcome both language and cultural barriers before they can participate meaningfully in the educational programs offered in public schools... Our investigation has revealed that these needs of Asian American LEP students are being drastically underserved. In particular, there is a dire national shortage of trained bilingual/ESL teachers and counselors.³¹

Other studies show that some school districts have responded to the needs of Asian Pacific LEP students by incorrectly classifying them as learning disabled instead of providing them with appropriate bilingual instruction as required by law.³² Local research reveals similar findings. For example, school ethnographers, Trueba, Jacobs, and Kirton, in their study on Hmong elementary school students, observe: "Illiteracy in English continues to be the most frequently recorded reason for classifying minority children as 'learning disabled.'"³³ At the same time, LEP students, particularly from low socioeconomic status backgrounds, are also being denied federally mandated Chapter 1 compensatory education services, according to a June 1992 report from the U.S. Department of Education.³⁴

CONSEQUENCES OF DISINVESTING IN LANGUAGE AND CULTURE

I go home and struggle. When I go outside, I struggle.

— a Vietnamese high school student³⁵

As the numbers of U.S.-born children with immigrant parents continue to increase dramatically in the coming years, one of the most important dynamics affecting the experiences of Asian American students in school will be the intergenerational relationships with their families and their struggles to bridge the often-conflicting worlds of home and school. This is cause for urgent concern, given detailed findings by Lily Wong-Fillmore and colleagues in a landmark study providing evidence that as language minority children learn English in the United States, they lose their native language and, by extension, their culture — the younger the age, the greater the effect — due to the dominant status of English in early childhood education programs and the larger society.³⁶ Wong-Fillmore clearly shows that as the home language and culture are lost in the process of acquiring English, family relations also erode. The following example may well represent the future of intergenerational relations projected for many Asian American families with immigrant parents and American-born children:

An interviewer told the story of a Korean immigrant family in which the children had all but lost the ability to speak their native language after just a few years in American schools. The parents could speak English only with difficulty, and the grandmother who lived with the family could neither speak or understand it. She felt isolated and unappreciated by her grandchildren. The adults spoke to the children exclusively in Korean. They refused to believe that the children could not understand them. They interpreted the children's unresponsiveness as disrespect and rejection. It was only when the interviewer, a bilingual Korean-English speaker, tried to question the children in both languages that the parents finally realized that the children were no longer able to speak or understand Korean. The father wept as he spoke of not being able to talk to his children. One of the children commented that she did not understand why her parents always seemed to be angry.³⁷

It is ironic that the strengths and cultural values of family support that are so often praised as explanations for the academic achievement of Asian American students are severely undercut by the lack of programmatic and policy support for broad-based bilingual instruction and native language development, particularly in early childhood education. The unfortunate cost of such policies is the sacrifice of substantive communication and meaningful relationships across generations within many Asian American families and the squandering of linguistic and cultural resources within the society.

Furthermore, given the successes of two-way Spanish/English language immersion programs across the country, in terms of students' cognitive and social

development, the lack of investment in comparable models of Asian language instruction significantly limits the options of native English-speaking students of all backgrounds, in addition to those students who only have support for Asian language learning at home.³⁸ Structures are needed to support collaboration between schools and ethnic community-based heritage language programs as well as between teachers and students in ESL and Asian bilingual programs with those who are developing Asian and Asian American studies curricular resources and strategies in mainstream classrooms.³⁹

MAKING YOUTH DEVELOPMENT A PRIORITY

My parents don't like my clothes, my hair, the way I talk. They don't like my future plans. They don't like anything about me.

— an Asian American student⁴⁰

In most school settings, however, adults with professional responsibilities for supporting Asian American youth, including teachers, counselors, and administrators, do not share their ethnic, linguistic, and racial backgrounds, and have been unable to respond effectively to the full range of academic, social, and personal challenges that face growing numbers of Asian American young people.⁴¹ At the same time, due to linguistic barriers, cultural differences, and economic pressures, Asian American parents, most of whom are immigrants, typically do not participate or intervene consistently in their children's schooling, even if they express high expectations at home for their children's educational success. Indeed, despite the rhetoric articulated by so many immigrant adults that their decisions to come to the United States represent commitments to do what they think is best for their children's futures, research suggests that Asian American parents understand little about their children's actual daily lives, struggles, and dreams. Too often, Asian American students are left on their own to manage and mediate their experiences in school and society.⁴² Community interventions, then, become critical to support youth development.

In 1998, the national advocacy organization, Asian Americans/Pacific Islanders in Philanthropy (AAPIP) implored grantmakers to recognize that "an urgent educational crisis threatens the futures of a growing number of Asian American students, both immigrant and American-born."⁴³ Foremost among its recommendations, AAPIP urged funders to support "activities that offer parents, community members, and youth opportunities for leadership development . . . and that promote a sense of well-being, community ownership, and civic pride for young people and their families."⁴⁴

Since then, funders such as the Ford Foundation, together with national advocacy organizations such as the Children's Defense Fund and National Coalition of Advocates for Students, have recently supported opportunities for various Asian American youth-led and youth-serving organizations throughout the country to share lessons, strategies, and resources and begin to articulate a collective Asian American youth agenda. Model youth development organizations such as the

Filipino Youth Association (FYA) in Seattle; the East Bay Asian Youth Center in Berkeley, Calif.; South Asian Youth Action! (SAYA!) in Queens, N.Y.; and the Coalition for Asian American Youth (CAPAY) in Massachusetts represent critical sites where Asian American young people gain skills, experiences, resources, and visions related to issues and dynamics of power, representation, and identity.⁴⁵ At the same time, researchers and community advocates who are working to address the full range of Asian American policy concerns from health and education to immigration and civil rights should consider how their own issue areas intersect specifically with the needs and interests of youth.

EMPOWERING PARENTS AND COMMUNITIES

Our parents not involved enough in our schools. One of the things is English barrier . . . and sometime they too busy with their work, trying to earn a living, trying to survive in this society. So they try so hard they just forget about us.

— a Vietnamese American high school student⁴⁶

For a variety of reasons, ranging from cultural expectations to long work hours and the language barrier, Asian American parents play limited roles in direct relation to the schools their children attend. Meanwhile, many schools exclude Asian American parents from meaningful participation because of cultural insensitivity, poor outreach and follow-up, and lack of respect. Yet, parents are the initial, and often most influential “teachers” in their children’s lives. In turn, teachers and administrators who remain unaware of their students’ home environments cannot make connections between the curriculum and students’ own experiences or provide appropriate support when students confront difficulties.

As policies for reforming school governance increasingly focus on decentralized structures of school-site management that grant greater decision-making authority to stakeholders such as principals and teachers within schools, parents must also claim their rightful place at the table. Culturally appropriate outreach, training, and follow-up are critical to enable Asian American parents to play significant roles in school reform and governance. Models for Asian American parent *organizing, training, and collaboration such as those developed through the exemplary seven-year National Asian Family/School Partnership Project* need to be shared, implemented, and adapted.⁴⁷

Inevitably, parent organizing and advocacy efforts lead to issues of political representation and empowerment on school boards. Data from the National Association of School Boards, however, show that only 0.1 percent of the nation’s school board members are Asian American. In a handful of cases, primarily in California, individuals have run successfully for election to local school boards and have had significant impact on district policies. Through her election to the St. Paul, Minn., school board in 1991, Choua Lee became the first Hmong American elected public official in the country. In 1992, Won So was appointed as the student representative and became the first Asian American to serve on the New York City school board.

New York's schools — the largest system in the country — are governed through a decentralized structure of community boards representing each district of the city. Any parent is eligible to vote in community school board elections, regardless of one's status as a registered voter. The New York City policy of parent empowerment is especially significant for immigrant parents who may not be citizens, but who desire and deserve a voice in school board decision-making. In the absence of such structures, parent and community information, voter registration, leadership development, and other foundations of political empowerment are essential to gain greater influence over school board policies.

OTHER POLICY ASSAULTS ON IMMIGRANT YOUTH AND FAMILIES

When severe restrictions in immigration and the rights/benefits available to legal immigrants were passed by Congress in 1996, one of the provisions included making legal immigrants deportable, even for minor crimes such as petty theft or burglary. This policy is particularly harsh for youth with refugee backgrounds who, following their families' ambivalence about citizenship, have remained legal permanent residents rather than becoming naturalized citizens, even though they have grown up for most of their lives in the United States. Imagine a scenario for a young person arrested and convicted of shoplifting who could be deported to a country they do not even remember because their family escaped when they were a baby. The policy threat of deportation intended by the 1996 immigration law is now reality as young people languishing in INS holding cells throughout the country can testify. Furthermore, the criminal deportation law is also being applied retroactively, even for cases in which someone already served jail time many years ago and is now working productively and raising a family. Deportation in these cases permanently separates wage-earning adults from other family members, including many children, most of whom are U.S.-born citizens.

As noted in previous sections, large numbers of Asian Pacific immigrant and refugee youth and families have critical needs that are unaddressed because of the lack of bilingual/bicultural personnel to provide appropriate counseling and guidance services. The need for targeted support services to deal with second-generation effects of post-traumatic stress disorder (PTSD) and other consequences of the Southeast Asian refugee experience is critical, for example.

In response to the impact of guns and gang violence, drugs, and sexually transmitted diseases among young people, urban schools have evolved into multi-service sites where linkages to local health centers, social service agencies, and other community-based organizations are essential to support effective teaching and learning. In cities with significant Asian American populations, the expertise and networks of Asian American community organizations represent invaluable resources for schools to cultivate much more fully in the coming years.

Furthermore, although the issues of identity, language and culture shift, and intergenerational conflict highlighted above will present major challenges to schools, families, and communities in the coming years, these issues are not new to groups

such as Japanese, Chinese, and Filipino Americans. Research and counseling methods, outreach strategies, and organizational models from those communities, for example, are adaptable. Therefore, it will be increasingly important to share lessons, expertise, and resources across communities in a coordinated manner in order to provide maximum support for the education and healthy development of new generations.

CONCLUSIONS

Our children should not be placed in any position where their youthful impressions may be affected by association with pupils of the Mongolian race.

— San Francisco School Board, 1905⁴⁸

In response to the challenge of changing demographics more than a century ago, the San Francisco School Board established a segregated Chinese Primary School for Chinese children to attend, including those who were American-born. By the turn of the century, after Japanese immigrants had settled in the wake of Chinese exclusion, the school board also applied the Chinese segregation policy to Japanese students. School superintendent, Aaron Altmann, advised the city's principals: "Any child that may apply for enrollment or at present attends your school who can be designated under the head of 'Mongolian' must be excluded, and in furtherance of this please direct them to apply at the Chinese School for enrollment."⁴⁹

Throughout their history, Asian Americans have confronted a long legacy of exclusion and inequity in relation to K-12 education, particularly during periods of changing demographics, economic recession, and war. In spite of their own historic, linguistic, and cultural differences, various Asian and Pacific nationalities have been grouped together and treated similarly in schools, while having little administrative control or political influence over the shaping of educational policies and practices.

Nevertheless, Asian Americans have individually and collectively worked to overcome and redefine exclusionary policies. Legal cases brought by Mamie and Joseph Tape in 1885 and Wong Him in 1902, for example, challenged the Chinese Primary School segregation policies that denied their children the right to attend neighborhood public schools.⁵⁰ In the process, Asian Americans have, at times, improved conditions not only for their own communities, but expanded educational opportunities for many disenfranchised groups.

Population profiles have changed dramatically in the century since then, but Asian Americans, particularly the first generation, continue to invest heavily in education and have much to contribute to debates over educational policy and the process of educational reform. In that tradition, the electoral victory of city councilor Rithy Uong, a Cambodian high school guidance counselor in Lowell, Mass., offers a contemporary example of the critical linkages between education, youth development, community organizing, and empowerment that should serve as sources of both pride and purpose in our work.

Endnotes

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² For a full discussion of this case, see: Kiang, Peter N. Southeast Asian and Latino Parent Empowerment: Lessons from Lowell, Massachusetts. In *Education Reform and Social Change: Multicultural Voices, Struggles, and Visions*, edited by Catherine E. Walsh. Mahwah, NJ: Lawrence Erlbaum Associates, 59-69.

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²⁰ Kiang, Peter. 2000. Long-Term Effects of Diversity in the Curriculum: Analyzing the Impact of Asian American Studies in the Lives of Alumni from an Urban Commuter University. Ford Diversity Research Grant Final Report, Washington, D.C.: National Association of Student Personnel Administrators, 4.

²¹ *Ibid.*

²² U.S. Department of Education, National Center for Education Statistics. 1997. *Condition of Education 1998*, Supplemental Table 43-2 and *Digest of Education Statistics*, table 67.

²³ U.S. Department of Education, National Center for Education Statistics. 1996. *Digest of Education Statistics*, table 263.

²⁴ U.S. Department of Education Office for Civil Rights. 1999. *Non-Discrimination in High Stakes Testing: A Resource Guide*. 14 December.

²⁵ First and Carrera 1988, 42-55; First, Joan, John B. Kellogg, Cheryl A. Almeida, and Richard Gray, Jr. 1991. *The Good Common School: Making the Vision Work for All Children*. Boston: National Coalition of Advocates for Students, 51-86 and 135-165.

²⁶ For further data and analysis, see: Uriarte, Miren, and Lisa Chavez. 1991. *Latino Students and Massachusetts Public Schools*. Gaston Institute, University of Massachusetts Boston. November.

²⁷ Unpublished essay, 1991.

²⁸ See: Wang, Ling-chi. 1980. *Lau v. Nichols: History of Struggle for Equal and Quality Education*. In *Asian-Americans: Social and Psychological Perspectives*, Vol. 2, edited by Russell Endo, Stanley Sue, and Nathaniel N. Wagner. Palo Alto, Calif.: Science and Behavior Books, 181-216.

²⁹ See, for example: Hakuta, Kenji, and Lucinda Pease-Alvarez, eds. 1992. *Educational Researcher*, Special Issue on Bilingual Education, American Educational Research Association 21:2; Ramirez, J. David. 1991. *Final Report: Longitudinal Study of Structured English Immersion Strategy, Early-Exit and Late Exit Transitional Bilingual Programs for Language Minority Children*. Washington, D.C.: Office of Bilingual Education; McKay, Sandra Lee, and Sau-ling Cynthia Wong. 1988. *Language Diversity: Problem or Resource?* New York: Newbury House.

³⁰ See, for example: Crawford, James, ed. 1992. *Language Loyalties: A Source Book on the Official English Controversy*. Chicago: University of Chicago Press; Hakuta, Kenji. 1986. *Mirror of Language: The Debate on Bilingualism*. New York: Basic Books.

³¹ U.S. Commission on Civil Rights. *Civil Rights Issues Facing Asian Americans in the 1990s*, 193-194.

³² See: National Education Association. 1987. *Report of the Asian and Pacific Islander Concerns Study Committee*, June.

³³ Trueba, Henry T., Lila Jacobs, and Elizabeth Kirton. 1990. *Cultural Conflict and Adaptation: The Case of Hmong Children in American Society*. Basingstroke, U.K.: Falmer Press, 91.

³⁴ See Schmidt, Peter. 1992. L.E.P. Students Denied Remedial Help, Study Finds. *Education Week*. 17 June, 11.

³⁵ Kiang and Kaplan, 114.

³⁶ See: Wong-Fillmore, Lily. 1991. When Learning a Second Language Means Losing the First. *Early Childhood Research Quarterly* 6(3):323-47.

³⁷ Wong-Fillmore, Lily. 1991. Preschoolers and Native Language Loss. *MABE Newsletter*. Massachusetts Association for Bilingual Education, Spring, 2.

³⁸ Many studies have documented these impacts. For example, see: Morrison, Sidney H. 1990. A Spanish-English Dual-Language Program in New York City. *Annals of the American Academy of Political and Social Science* 508:160-169.

³⁹ For a powerful example that suggests this type of potential, see: Fang, Fan. 1996. Traveling the Internet in Chinese. *Educational Leadership* 54(3):27-29.

⁴⁰ Gibson, 135.

⁴¹ Kiang, Peter N. 1994. When Know-Nothings Speak English Only: Analyzing Irish and Cambodian Struggles for Community Development and Educational Equity. In *The State of Asian America: Activism and Resistance in the 1990s*, edited by Karin Aguilar-San Juan. Boston: South End Press, 125-145; Kiang, Peter N., Nguyen Ngoc-Lan, and Richard L. Sheehan. 1995. Don't Ignore It: Documenting Racial Harassment in a Fourth Grade Vietnamese Bilingual Classroom. *Equity and Excellence in Education* 28(1):31-35; Sing, Rachel, and Vivian W. Lee. 1994. *Delivering on the Promise: Positive Practices for Immigrant Students*. Boston: National Coalition of Advocates for Students; Trueba, Henry T., Li-Rong Lilly Cheng, and Kenji Ima. 1993. *Myth or Reality: Adaptive Strategies of Asian Americans in California*. London: Falmer Press; Lee, Stacey J. 1996. *Unraveling the "Model Minority" Stereotype*. New York: Teachers College Press.

⁴² See: Kiang, Peter. 2001. Pathways for Asian American Youth Political Participation. In *Asian American Politics*, edited by Gordon Chang. Palo Alto, Calif.: Woodrow Wilson Center and Stanford University Press, 230-257; ———. 1998. We Could Shape It: Organizing for Asian American Student Empowerment. in Cheng, Li-Rong Lilly, and Valerie Ooka Pang, eds. *Struggling to be Heard: the Unmet Needs of Asian American Children*. Albany, N.Y.: SUNY Press, 243-264.

⁴³ Olsen, Laurie. 1998. *An Invisible Crisis: The Educational Needs of Asian American Youth*. New York: Asian Americans/Pacific Islanders in Philanthropy, 7.

⁴⁴ Olsen, 33-34.

⁴⁵ For example, CAPAY was founded in 1993 by a group of Asian American youth following a racial anti-Asian incident at one of Boston's high schools. Since then, CAPAY has emerged as a national model for youth development, with recognition by the Ford Foundation, AAPIP, and President's Commission on Race, among others. For more information, see: <http://omega.cc.umb.edu/~capay/>.

⁴⁶ Kiang and Kaplan, 114.

⁴⁷ This project of the National Coalition of Advocates for Students (NCAS) was funded by the DeWitt Wallace-Reader's Digest Fund between 1992-1999. The project developed and documented models of collaboration between school districts including Chicago, Philadelphia, Des Moines, Seattle, Minneapolis, and San Diego with various Asian immigrant communities. Among the numerous resources produced by the project, see: *Unfamiliar Partners: Asian Parents and U.S. Public Schools*. 1997. Boston: National Coalition of Advocates for Students.

⁴⁸ *San Francisco Chronicle*. 1905. May 7, cited in Low, Victor. 1982. *The Unimpressable Race*. San Francisco: East/West, 88.

⁴⁹ Superintendent's *Letter to Principals*. 1906. Circular No. 8. 12 January, cited in Low, 89.

⁵⁰ See Low 1982.

Political Clout and Equal Opportunity

S.B. Woo

Winston Churchill once said, "Democracy is the worst form of government until compared with all others." This statement truly captures the essence of democracy. Democracy is far from perfect. One defect that has been evident since the beginning of our Republic is that rights are illusory for Americans who do not have political clout. When the principle "all men are created equal" was pronounced, women in American could not vote; African Americans were slaves. African Americans and women have become first class citizens only recently, after they have toiled and struggled in order to establish their own political clout.

That new immigrants usually do not receive equal justice and equal opportunity in workplaces can similarly be attributed to their lack of political clout. Historically, we find this to be true for Irish immigrants. When the first wave of Irish immigrants came to America 150 years ago, discrimination against them was rampant. They were stereotyped as either perpetually poor or forever drunk. A newspaper advertisement for a job in Boston, at a place where the Irish often congregated, blatantly stated: "No Irish Need Apply."

However, the Irish soon figured out that in America if people discriminate against you because they do not like you as an individual, the best recourse is to go to court. If people discriminate against you because you are a member of a group or a race, then the best remedy is to build up political clout. So, the Irish organized and began to vote as a bloc. That is, they voted as a united community in order to reward those politicians who cared for their rightful aspirations and to punish those who did not. Soon, good jobs became open to the Irish. Equal justice came too. Thereafter, the Irish became integrated into the great melting pot of America.

Other immigrant groups have learned the lessons of the Irish, and have used the same political recipe to lift themselves from the immigrant underclass to being an equal class. The Polish and Italians, who immigrated to America after the Irish, met similar struggles with discrimination as the Irish, but soon built their own strength and overcame the difficulties. By the mid-twentieth century, Jewish Ameri-

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cans also built up their community political clout. And today, we find the Hispanic community similarly following in the footsteps of their immigrant predecessors.

Asian Pacific Americans (APAs) must also face the political reality that our rights in America are both fleeting and illusory. In a society like ours, where competition is perpetual and keen, there is no free lunch. Rights that we really want must be earned, and we must toil to earn them. Otherwise, our rights are illusory or fleeting. Two examples are given.

Example 1 illustrates the fleeting nature of our rights. During WWII, Japanese Americans were interned with most of their civil rights taken away. However, neither German nor Italian Americans were subjected to such harsh treatment.

Example 2 illustrates rights that are illusory for APAs. During the Civil Rights movement of the 1960's, African Americans organized and sacrificed until our nation enacted a law (Executive Order 11246) that says that any institution that discriminates against any citizen for any reason may not participate in projects involving any federal money. This was a powerful law that should have been sufficient to eliminate the glass ceiling hanging over APAs. However, it did not work for us, because we did not have political clout. As a rule, politicians do not enforce laws for which they will not be rewarded by those who benefit from the law. Had the glass ceiling been equally statistically significant for groups with such political clout, the U.S. Labor Department would have enforced that law a long time ago, as history demonstrates for us.

It is high time that we APAs begin building our own political clout. This is exactly what the 80-20 Initiative strives to do. The 80-20 Initiative, for two and a half years now, has been a nonpartisan political action committee whose goal is to win equal justice and equal opportunity in workplaces for APAs through a swing bloc vote. The 80-20 Initiative recognizes that many APAs are prevented from pursuing their maximum potential because of the glass ceiling above them. We believe that equal opportunity is for every man, woman, and child, including APAs, and we should be allowed to go as far and rise as high as our ambition and ability will take us.

Why is a bloc vote so powerful? Here is an illustration: Suppose that two candidates run against each other in a political division that has only two constituent groups. One group has one million votes and the other has ten million votes. Candidate A, a novice, eagerly courts the larger group, not being aware that the smaller constituent group has the internal political cohesion necessary to deliver a bloc-vote while the larger group does not. Candidate A wins the endorsement of most community leaders in the larger group. When the ballots are open, he wins 52 percent of that community's votes, while his opponent receives just 48 percent. The difference is 4 percent. Since the larger group has ten millions votes, 4 percent of ten million votes provides a margin of "profit" of 400,000 votes. His opponent, candidate B, is a seasoned politician. She courts the smaller group and wins that community by a ratio of eighty to twenty, the namesake of the 80-20 Initiative. The difference between 80 percent and 20 percent is 60 percent. 60 percent of one million votes is 600,000. As a result, candidate B wins the election by 200,000 votes. That is the power of a bloc-vote.

80-20's strategy is to organize an APA bloc vote in a number of critical states in the presidential election, such that every presidential candidate must work with the APA community in order to assure his/her own election victory. The selected states are California, Washington, Oregon, and a few others. The states are those in which an APA bloc vote may decide who will win the electoral votes of those states. In California, for example, APAs represent 11 percent of California's population. In addition, California will have fifty-five electoral votes in 2004, roughly 20 percent of what is needed to elect the next president. With the APA community voting 80-20, we will be able to deliver California to the presidential candidate of either major political party, unless that presidential candidate is behind his/her opponent by more than seven points without the help of the APA community.

Furthermore, ensuring that this bloc vote is a swing bloc vote is essential in forcing the particular political party to work for the interests of the APA community. If APAs deliver a bloc vote to one party only, again and again, then only that party will help APAs to achieve first class citizenship. If we deliver a block vote to whichever party has worked harder for us in the 4 years preceding the presidential election, then both parties will compete to serve our rightful interests.

The 80-20 Initiative's strategy is to achieve "first class citizenship" for APAs in the shortest possible time by developing a swing bloc vote. Evidence from this past presidential election tells us that the strategy has worked. Last fall, 80-20 held an endorsement committee meeting composed of an equal number of Democrats, Independents, and Republicans. Representatives from the national committees of both political parties were there to state what the respective party had done for the APA community in the two preceding years. After discussion, the endorsement went to Gore. According to a post-election survey, funded by the National Science Foundation and KSCI-TV of Los Angeles and conducted by professors from the University of Utah, Harvard University, Yale University, and the University of Florida, APAs voted "more than two to one for Gore nationwide," and "70.5 percent to 27.5 percent in California." That survey is the best scientific estimate of how APAs voted in the last presidential election.

With growing political clout, 80-20 has induced both parties to respond to our rightful aspirations. Two years ago, 80-20 wrote to both Bush and Gore asking each to promise the appointment of the first historic APA cabinet member, should one of them be elected. Soon President Clinton upped the Democratic Party's bid for our help by appointing Norman Mineta as Secretary of Commerce even before the 2000 election. When Bush was elected, he upped the ante again by appointing two cabinet members under one Administration (Norman Mineta and Elaine Chao), another historic feat.

If you think 80-20's strategy makes sense, support it by subscribing to its e-mail newsletter. Send an e-mail to s_b_woo@80-20.to with the word "subscribe." 80-20 already has 430,000 APAs on its e-mail list, which has been principally responsible for 80-20's effectiveness. The ability to communicate with one of every twenty-five APAs in just a matter of days provides the internal political cohesion that is the essence of a community's political clout. Please step up and be counted. Together, we shall overcome.

The 80-20 Initiative and the 2000 Election: An Assessment

Paul Y. Watanabe

“Great News: 80-20’s Effectiveness Verified” was the upbeat headline for the 80-20 Initiative’s post-election summary. With an ambitious goal of delivering four out of five Asian American votes to one presidential candidate, S. B. Woo, a former lieutenant governor of Delaware and 80-20’s guiding light, challenged those interested in assessing the initiative’s effectiveness in 2000 to “read the data and judge it for yourself.”¹

The results of nationwide exit polls indicated in a very tight election many Asian Americans provided strong backing for Vice President Al Gore, the candidate endorsed by the 80-20 Initiative. The Asian American vote for Gore, however, fell considerably short of the 80 percent standard. In the Voter News Service poll, 55 percent of Asian Americans voted for Gore and 41 percent for Texas Governor George W. Bush.² The *Los Angeles Times* poll reported that Asian Americans favored Gore by 62 percent to 37 percent.³ By comparison, black and Jewish voters, who were often identified by 80-20 as models of effective bloc voting, met or exceeded the 80-20 goal. According to the Voter News Service, Jews stood solidly behind Gore 79 percent to 19 percent. Black support for Gore was even more overwhelming, 90 percent to just 9 percent.⁴

The 80-20 Initiative placed particular significance throughout the campaign on electoral-vote-rich California. Here support for Gore from the state’s sizable Asian American population was deemed especially crucial. A *Los Angeles Times* poll showed that Al Gore garnered 63 percent of the state’s Asian American vote to 33 percent for Bush. In Los Angeles and Orange counties, the Asian Pacific American Legal Center’s exit poll produced similar findings, 62 percent for Gore and 35 percent for Bush. San Francisco’s Asian American voters, according to a poll by the Chinese American Voter Education Committee, were even more staunchly supportive of Gore, 82 percent to 16 percent.⁵

The California results were touted by the 80-20 Initiative as evidence of its ability to deliver a large Asian American vote in a key state. This assertion was a tad overstated. The influence of the Asian American vote on the eventual California outcome was tempered by the fact that even if every Asian American vote in

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California had gone to Bush, Gore still would have carried the state by a comfortable margin.

A fuller determination of the 80-20 Initiative's "effectiveness" should not be measured alone by election data and by whether or not a hefty Asian American bloc vote was delivered in November. Indeed, it is nearly impossible to determine precisely the relationship between 80-20's efforts and the eventual electoral decisions of individual Asian Americans. What can be assessed more readily and fairly are the initiative's own objectives and actions. In what ways did the 80-20 Initiative make solid contributions? What were its mistakes? And what about its future?

The 80-20 Initiative made a significant contribution by regularly distributing simple, yet critical information on matters related to voting. For example, by offering guidance on procedures such as how to register to vote via the Internet and how to acquire an absentee ballot, 80-20 performed a very useful function particularly for the large number of first-time Asian American voters.

In addition, at times during the election year the 80-20 Initiative joined with other Asian American organizations in support of efforts that were not directly related to the presidential campaign but nevertheless furthered Asian American interests. The initiative, for example, called upon individuals and organizations to contact the White House to urge the appointment of former congressman Norman Mineta as secretary of commerce.

In another example, the 80-20 Initiative was quick to unite with others in condemning a television attack advertisement aimed at Al Gore. Directly reminiscent of the so-called "Daisy" commercial from the 1964 presidential campaign, the ad contained a dramatic countdown ending in a nuclear bomb blast. Fears of the "yellow peril" were overtly invoked by charges that President Clinton and Gore compromised the nation's security by selling out "to Communist Red China in exchange for campaign contributions."⁶

In a mass e-mail, the 80-20 Initiative asked its followers to demand that the commercial be pulled immediately. Eventually the advertisement was withdrawn by its sponsors, but without any acknowledgement of the ad's troublesome insinuations. S. B. Woo was quick to note that this "demonstrates the effectiveness of an organization like the 80-20 PAC."⁷

On other occasions, the leaders of the 80-20 Initiative diminished their credibility in the eyes of some people by embellishing their influence. For example, a communication from the Initiative in the early stages of the effort to secure Mineta's selection asserted: "80-20 was the one that formally asked for the historic first APA cabinet secretary via its *Declaration*."⁸ In truth, the *Declaration Concerning the 2000 Presidential Election*'s language regarding a cabinet post was hardly a demand. It merely asked that the president give "due recognition to the services and talents of Asian Americans by appointing qualified persons . . . possibly including a historic first cabinet position."⁹ Furthermore, other Asian American groups and individuals had on numerous occasions issued requests for a cabinet appointment from their ranks.

At other times, the 80-20 Initiative was initially boastful but later was appropriately modest. In its *Biannual Report*, 80-20 noted that “three and half years ago, during the campaign finance scandal, both political parties were trashing Asian Americans with abandon. . . . Then 80-20 grew exponentially and played real politik. Things began to change. . . . What has caused the drastic REVERSAL and the history-making IMPROVEMENTS? 80-20’s exponential growth, strength, and effective political strategy have a lot to do with it. Please note that 80-20 did not lobby for some of the issues...Those individuals and organizations who put in time and effort for specific issues deserve credit and our thanks.”¹⁰

An example of the initiative doing the right thing but with a slightly disconcerting twist was its full-page election-week newspaper advertisement calling upon Asian Americans to deliver a bloc vote for Vice President Gore. Although the ad was a good idea, 80-20 chose to center the ad around an excerpt from the *New York Times*’ endorsement of Gore that said absolutely nothing about Gore and, instead, detailed Bush’s shortcomings. Surely, 80-20 could have offered Asian American voters a better reason to support Gore other than that he was not George W. And why rely so heavily on the *New York Times*, which often in its questionable reports and commentaries on the Asian American fund raising and Wen Ho Lee matters, hardly stood as a fair and respected resource for Asian Americans?

S. B. Woo was also quite adept at uncovering some dirty tricks. For example, when the Asia Society conducted an on-line presidential poll for Asian Americans, Woo at one point questioned some of the reported tallies. In a letter to the Asia Society, he warned that “either there is a computer program mistake, or the person in charge of the computer is distorting the poll result with his/her program, or your computer has been hacked into.”¹¹ Sure enough, it was soon discovered that on at least one conservative Web site a message was posted for all Republicans to vote for Bush in the Asia Society poll in open violation of the Asian American voters-only rule. Of course, Woo had earlier sent a message to the legion of voters on 80-20’s massive e-mail list informing them about the Asia Society poll and urging them to “please go vote.”¹²

One of the 80-20 Initiative’s impressive accomplishments was its vast and fairly sophisticated communication network centered on e-mail and the Internet. The ubiquitous e-mail dispatches were the principal ways the initiative conveyed critical information, rallied support, solicited money, and kept the faithful pumped-up and committed to the cause. The sheer volume of messages distributed was extraordinary. Several times a week more than 400,000 individuals, referred to by 80-20 as its “air force,” received messages. The work of local chapters, of which there were only a few, and affiliates were characterized as the “ground forces.”¹³

Unfortunately, the 80-20 Initiative’s strong organizational and communication capabilities were employed in support of a weak and narrow set of demands developed as a litmus test for presidential aspirants. The initiative proclaimed: “We proudly place our community interests above the partisan interest.”¹⁴ But, how did it define those Asian American community interests? A strong indication of 80-20’s

answer can be found in its manifesto *Declaration Concerning the 2000 Presidential Election*.

In general, the *Declaration's* outline of critical Asian American interests and the demands that followed from them was disappointing in its breadth and depth. Although the document concluded with the proclamation, "Together we shall overcome," to many Asian Americans the "we" did not appear to include them.¹⁵ The critical needs identified largely focused on the aspirations of Asian Americans ensconced in academia, big business, high technology, the legal world, and the federal government. Given short shrift in the cataloging of concerns were other legitimate interests of Asian Americans in strata outside of these somewhat lofty realms.

Legitimate principles were expressed by the 80-20 Initiative with proper passion and simplicity, but, in their application to Asian American interests, they were too narrowly framed. The *Declaration*, for example, appropriately noted that "unfortunately liberty and justice remain an unrealized dream [sic] for Asian Americans." The document, however, then went on to concentrate almost exclusively on the "low glass ceiling [that] hangs instead over our heads" as the major manifestation of the "unrealized dream."¹⁶

The *Declaration*, in short, brimmed with convincing evidence of the failure of Asian Americans to rise to the top in universities as administrators, to secure a fair share of federal judgeships and high government positions, and to be appointed as "CEOs of Fortune 500 companies." Because of these inequities, 80-20 then called upon presidential candidates to commit themselves to "work to induce the lifting of the glass ceilings, so that Asian Americans will be well on our way to equal opportunity to 'rise to the top' within the first term. . . . It is time we are finally given equal opportunity for professional advancement, and to serve in the federal government in positions we deserve."¹⁷

These were sensible requests. But what about acknowledging and addressing other barriers to "equal opportunity" and "liberty and justice"? Why was there no mention of assuring affordable housing, promoting access to culturally competent health care and legal services, protecting language rights and bilingual education, preserving social services for immigrants, calling for a pardon of Wen Ho Lee, ending the dangerous exploitation of workers in sweatshops and assembly lines, combating domestic violence and AIDS and other diseases, and fighting back against attempts to drastically curtail certain categories of immigration? By leaving these and other elements out of the mix, the 80-20 Initiative's call for dramatic changes and genuine Asian American political empowerment was stripped of much of its relevance and credibility.

Certainly an argument can be made that by broadening the agenda, disagreements over specific items would have grown as well. For a movement presumably intent on capturing 80 percent of the Asian American presidential vote, the expansion of potential conflicts may indeed have resulted in the contraction of the potential bloc. Of course an opposing argument that might be made is that a more comprehensive agenda may have attracted a wider following. Perhaps by augmenting its

platform, 80-20 might be able in the future to stand for something broader and more meaningful and thereby increase its appeal.

The less than overwhelming demands in the *Declaration* should have made it relatively easy for the candidates to sign on. Gore predictably anteed up. Bush backed away. Indeed, what was most notable was not Gore's embrace of the 80-20 Initiative but Bush's rebuff. It is probably fair to assume that, largely because of S. B. Woo's dominant role and his long established record as a Democratic Party candidate and activist, key Bush operatives were more than a little suspicious of the whole concoction, and they surmised that the deck was unfairly stacked against their candidate. The Bush campaign did play along to a degree by sending a non-high-ranking official to 80-20's endorsement meeting in Los Angeles in a futile attempt to make the case for Bush. In 2000, the handwriting was on the wall pretty early on. Vice President Gore was destined to be the anointed one.

In summary, the 80-20 Initiative's legacy in the context of the 2000 presidential election was mixed. S. B. Woo's energetic leadership defined and fueled the Initiative. His actions attracted some people and repelled others. The communication network established by 80-20 was especially notable. This "air force," if properly nurtured and expanded, could prove to be a formidable resource in future political battles. If 80-20 is determined to continue to fight on, however, the "ground forces" must be strengthened. Individuals and organizations committed to hard work are indispensable assets, particularly in the more localized arenas where the potential exists for Asian Americans to have the greatest electoral impact.

Finally, in their understandable fervor to build a respected political organization, the 80-20 Initiative's supporters should make certain that the admirable purposes they have espoused will guide all of their efforts. There are many paths to political empowerment, and there are many strategies in many different arenas that can be pursued. By first being clear about what policies, programs, and actions Asian Americans committed to equal opportunity, justice, and full participation should stand and fight for, the 80-20 Initiative will help to advance the broad interests of Asian Americans in important ways that encompass but also transcend the endorsement of candidates for president of the United States.

Endnotes

¹ S. B. Woo. 2000. E-mail to 80-20 Initiative list. Great News: 80-20's Effectiveness Verified. E-mail. 9 November.

² Vote for President in Today's Election. 2000. MSNBC.com. 7 November.

³ The *Los Angeles Times* Poll. 2000. Pollingreport.com. 8 November.

⁴ MSNBC.com.

⁵ Uba, Tracy. 2000. Exit Polls Track APA Voter Trends. *Pacific Citizen*. 17 November-14 December.

⁶ Wayne, Leslie. 2000. Infamous Political Commercial is Turned on Gore. *New York Times*. 27 October.

⁷ S. B. Woo. 2000. E-mail to 80-20 Initiative list. Unity is Power: The Ad was Pulled. 29 October.

⁸ S. B. Woo. 2000. E-mail to 80-20 Initiative list. The Historic First APA Cabinet Secretary? 24 June.

⁹ 80-20 Initiative. Declaration Concerning the 2000 Presidential Election. 80-20initiative.net.

¹⁰ S. B. Woo. 2000. E-mail to 80-20 Initiative list. A Biannual Report from the 80-20 Initiative. 9 August.

¹¹ S. B. Woo. 2000. E-mail to 80-20 Initiative list. Asia Society's Poll Tampered With? 6 October.

¹² S. B. Woo. 2000. E-mail to 80-20 Initiative list. Please Go Vote. 5 October.

¹³ S. B. Woo. 2000. E-mail to 80-20 Initiative list. Lots of Good News. 1 August.

¹⁴ S. B. Woo. 2000. E-mail to 80-20 Initiative list. Lots of Good News. 80-20 has the Big Mo. 3 September.

¹⁵ 80-20 Initiative. Declaration Concerning the 2000 Presidential Election.

¹⁶ Ibid.

¹⁷ Ibid.

Asian Pacific Americans: Are We Ready to Be at the Political Table?

Daphne Kwok

Spring 2001. The Asian Pacific American (APA) community is entering the twenty-first century. As the executive director of the Organization of Chinese Americans (OCA) for the past decade, I have witnessed the progress that our community has made and still needs to make in the political arena.

Leading up to the November 2000 presidential elections, a great deal of media attention was focused on the Latino vote. Newspaper articles throughout the country reported on the rapidly growing Latino community and the nascent power of its vote. Responding to that power, politicians and the media actively courted Latinos. In a span of six years from the passage of Proposition 187 in California in 1994, the Latino community has managed to mobilize, educate, register, and bring its community together to deliver the promise of a new political constituency.

If the APA community could galvanize and energize in such a short period of time over single issues as Latinos have for Proposition 187, we could be sought after as a constituency as well. What issues are APAs willing to come together on to mobilize our community to bring media attention and prompt politicians to seek our vote and input in public policy?

APA advocates in Washington, D.C., face this dilemma every day as we fight for stronger hate crimes laws, press to make Bill Lann Lee the official assistant attorney general for civil rights, preserve welfare reform for legal permanent residents, support 2000 census statistical sampling, battle the campaign fund-raising controversy and the Wen Ho Lee case, obtain justice for Wards Cove, and fight to save affirmative action. The list goes on. The issues are never-ending, and the battles are extremely time-consuming. In order to consolidate our resources and strategies, it is crucial that we learn the importance of coalition-building with other civil rights groups including other APA and non-APA groups inside the Beltway.

We see that the APA community is moving in the direction the Latino community has moved, where we are reaching out and educating APAs on issues and legislation affecting us. We recognize it will take many years before our demographics increase enough to draw attention toward us. Meanwhile, as advocates, we

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have made incredible strides in building our reputation and credibility as well as accessibility to the Hill and the White House over the past decade. Our advocacy groups inside the Beltway serve as the portals to the community and even more importantly, as resources for influential political figures in Washington. We ultimately aim to become decision-makers who are present at the political "table" to be able to shape public policies affecting APAs.

However, as much as we keep building our political clout, the reality is that we have yet to secure a permanent position at the political table. When the rare opportunities do emerge, we are confronted with internal pressures from members of our own community, who seem to believe that nothing positive can come out of being associated with the government and fail to understand the urgent need to be at the table. Our organization's integrity is at stake when we can no longer be the advocate for the community. Would the government offer a position to placate APAs? Would an offered government position enable us to shape policies? Was the position created to defend the government's policies?

For those who have been offered such positions, it is discouraging to witness members of our own community forgo support and instead question our motivations for accepting. This derails our unity as a community and extracts the precious resources we have by forcing us to combat misperceptions against one another. Fighting amongst ourselves is disruptive and should not be tolerated. We have come a long way to reach this point, and it is critical to have earnest discussions in order to address any misunderstandings.

I write this piece on a plane ride back from two days at the Los Alamos National Laboratory reflecting on my years at OCA as an APA civil rights advocate. As an appointee for the past year on the secretary of energy's advisory board — the highest policy and advisory board to the secretary — my work at Los Alamos focuses on improving the livelihood of APAs at the lab in the two years since the Wen Ho Lee case. Along with the Office of Diversity and Equal Employment Opportunity and the Honorable Yvonne Lee of the U.S. Commission on Civil Rights, our work on behalf of the APA employees at the national labs demonstrates that advocates can make a difference at the table despite criticism from some members of the community.

Are we ready to be at the political table? Certainly. In order to be effective when we get there, however, we need to reach a higher level of political maturity.

Transforming Patterns of Contemporary Asian American Community Politics

Pei-te Lien

This research reviews the changing patterns of community politics in the post-1965 era. The shifts in style, involvement, and domain of political participation among Asian American organizational elites are identified and discussed. The implications on the future of community politics are speculated by examining the divergent reactions to campaign finance scandals and the Wen Ho Lee case.

Many have observed that the contemporary Asian American community is not a product of natural cohesion rooted in the commonness of home language, beliefs, customs, or values. It is rather a product of panethnic political coalition-building promoted by community activists and organizational elites who were concerned about issues of racial subordination, economic exploitation, and cultural deprivation that affected Asians and other people of color (Wei 1993). The concept of panethnic organizing is not one co-generic to the American communities of Asian descent but is a political awakening that sprouted in the antiwar, Black Power, women's liberation, and other post-1965 social movements among the young and U.S.-born generation (Espiritu 1992; Omatsu 1994). In a realistic sense, the Asian American panethnicity is an *imaginary* concept used to describe a community that will be difficult to achieve (Anderson 1983). Nevertheless, as documented elsewhere, one of the most important developments in the post-1965 history of Asians in America is the formation and transformation of the panethnic group identity through movements for liberation, justice, and empowerment (Lien forthcoming). This research focuses on addressing recent shifts in Asian American community politics from the margins to the mainstreams of American politics and in arenas from panethnic to trans-Pacific and extraterritorial politics.

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ASIAN AMERICAN MOVEMENT: THE FIRST PHASE

The first major attempt to build a political coalition across communities of Asian origins occurred in the late 1960s when groups of college-aged, U.S.-born, middle-class male and female activists mostly of Chinese and Japanese, but also of Filipino and Korean, origin protested against racist killings in the Vietnam War and mistreatment of Third World people (Wong 1972; Umemoto 1989; Espiritu 1992, 19-52; Wei 1993; Omatsu 1994). Their demand for liberation and assertion of racial justice were echoed by large numbers of community forces, including the elderly, workers, and high school youth (Omatsu 1994, 21). Campus and community-based organizations such as the Asian American Political Alliance, Inter-collegiate Chinese for Social Action, Asian Americans for Action, East Wind, and "serve the people" organizations formed spontaneously in the late 1960s and early 1970s on the Pacific Coast, the East Coast, and in the Midwest (Wei 1993, 11-43). Their purposes were to raise consciousness, to provide social services to the needy, and to offer mutual support. It was during a meeting in 1968 on the campus of the University of California at Berkeley that the term "Asian America" was coined as an unoffensive and composite label to encompass peoples of all Asian origins (Espiritu 1992, 34; Dirlik 1999, 33).

The initial phase of the Asian American movement resulted from a convergence of sociodemographic changes inside the ethnic community and of social and political developments in and outside of the American society and polity since the end of the World War II. It was born in the same era that produced the Black Power, Red Power, Chicano, Young Lords, antiwar, the New Left, and women's liberation movements and was led by a group of primarily English-speaking college students and young social service professionals. These participants came of age in the Civil Rights era. Sensitized to issues of race, inequality, and the colonial exploitation and subordination of people in Asia and other parts of the Third World, they believed in the efficacy of grassroots organizing and social change. Based on an awakened sense of a common destiny, the movement helped transform previously isolated instances of political activism into a nationwide, panethnic political movement for racial equality, social justice, and political empowerment (Wei 1993). Young activists demanded an education more relevant and accessible to their communities so that they could better understand the historical forces shaping the relationships between power and domination and use that knowledge to build a community of common identity and culture. The establishment of the nation's first school of ethnic studies at San Francisco State College (which includes the first Asian American Studies department) was the most obvious accomplishment of the strikes of 1968-69. It set a precedent for later protests that helped establish many Asian American Studies programs across the country and inspired a new generation of activists on campuses across the nation in the 1980s and 1990s. The most important legacy of the movement from this era, however, was the redefinition of the Asian American experience from the power perspective, which presented a knowledge base and an action strategy for activists to make future changes (Omatsu 1994, 33).

Important as it may have been, a basic problem with the movement was its lack of visibility, which could be attributed to the lack of a nationally known leader, an appealing ideology, and a coherent plan of action (Wei 1993, 3-4). The number of participants was small and geographically dispersed. The call for action was based on the rather obscure and ambiguous racial status of Asian Americans, which was outside of the dominant and dichotomous racial discourse of blacks and whites. From the eyes of the immigrant generation who generally took the conservative and legalistic approach to politics (Lien 2000), the political style of movement activists was considered too radical to praise or embrace. Women activists were frustrated with male chauvinism even in the most avant-garde organizations (Espiritu 1992, 47-8; Wei 1993, 72-100). In addition to government repression and co-optation, the movement also suffered from rivalries between reformists and revolutionaries — with the former focusing their efforts on working within the political system, and the latter lapsing into sectarianism, unable to attract many alienated youths after the late 1970s. Furthermore, the ensuing professionalization and institutionalization of what remained of the movement not only distanced community activists from the communities that they served, but also exacerbated the division between an emergent professional-managerial class and its working class constituents (Espiritu 1992, 82-111; Espiritu and Ong 1994). Yet, according to a leading scholar, the most devastating factor accounting for the demise of the original movement was the broad attack against the poor launched by transnational corporations in the mid-1970s via plant closings, runaway shops, and domestic disinvestments as well as the culmination of the neo-conservative policies adopted by the Reagan Administration in the early 1980s (Omatsu 1994, 33-36). As a result, social programs for the poor dwindled, the gap between the rich and the poor sharpened, and the young, middle-class professionals of the community shifted toward neo-conservative interests emphasizing individual advancement and opposing affirmative action and other “entitlement” programs. Because of these internal and external forces, the progressive movement entered a dormant phase. The collective identity it promoted failed to resonate with the communities at large and to reach the constant inflow of new arrivals from Asia who would be hard-pressed to be informed about the Asian American history of oppression and resistance and inspired by the ethos of grassroots coalition-building of the 1960s.

THE TURNING POINT:

VINCENT CHIN AND THE SECOND PHASE OF THE MOVEMENT

The conservative shift in the social, economic, and political arenas in recent decades has strangled the original Asian American movement, but the deterioration of race relations and the rise of anti-Asian violence have also provided new opportunities to organize an otherwise disparate community. The watershed event in the constructing of a panethnic consciousness regarding the status of Asian Americans as a community was the murder of Vincent Chin. Vincent Chin was a Chinese American draftsman bludgeoned to death by two unemployed Detroit

autoworkers who mistook him as a Japanese from a country thought to be responsible for ruining the American auto industry in the early 1980s. The murder might not have engaged the attention of Asian Americans from all over the nation had it not been for the light sentencing given to the father-stepson team of assailants.¹ In shock and disbelief, the small and fragmented local community formed an organization called American Citizens for Justice (ACJ) to seek prosecution of Chin's killers (Espiritu 1992, 141-155). At first, only Chinese Americans and their traditional ethnic associations were involved in the case, but the issue quickly drew participation from other ethnic groups and other Asians and non-Asians across the country. Even though ACJ was successful in petitioning the Justice Department to try and retry the case on civil rights grounds, neither of the perpetrators was eventually convicted of any crime.

The Vincent Chin case highlighted Asian American community's vulnerability to anti-Asian violence as well as their feelings of defenselessness in the American legal system. It rekindled the fear in established Asian Americans and exposed new Asian immigrants to the dark side of the American democracy — the remnants of an unjust and racist system in the post-Civil Rights Era. The tragic case of mistaken identity sensitized Asians of different ethnic origins to the meaning of a common fate and created an opportunity for them to construct a common culture. The blaming of U.S. economic woes on an Asian American who looked like someone from the Asian country suspected of causing those woes compelled others in the Asian American community to confront once again the inseparable ties between their homelands in Asia and their experiences in the United States. The Chin case also provided a blueprint of action for both the community and the government on how to react to similar incidents. As a result, the case became a galvanizing force that created coalescing opportunities for Asians of all ethnic, class, generational, gender, and racial backgrounds to form new panethnic organizations across the nation to monitor, report, and protest anti-Asian activities as well as other issues of concern to the Asian American community.

The national campaign to seek justice for Vincent Chin ushered in the second phase of the Asian American movement. Although it was difficult to characterize with any precision the shape of the movement, participation patterns in and after the Chin case suggested both continuity and change from the previous phase. As in the first phase, participants were mobilized by issues of subordination, injustice, and disenfranchisement that they perceived as affecting all Asian Americans. They inherited the tradition of grassroots organizing in structuring the multi-ethnic community to become more politically cohesive and vocal. They formed panethnic and multiracial coalitions with other ethnic and racial groups to strengthen their positions. However, they also shared the original movement's deficiencies in the absence of prominent national leaders, a programmatic pan-Asian agenda, and an umbrella organization to implement such an agenda. Still, much of the landscape of Asian American political activism was energized in the post-Vincent Chin era because of the growing anti-immigrant and anti-minority sentiments in the local and national political scenes.

MORE THAN THE IMAGINARY: PANETHNIC POLITICAL ORGANIZING

Owing in part to the expansion and transfiguration of the demographic base of the community, the second phase of the Asian American movement was reinvigorated by the participation of a much broader range of constituency in ethnicity, class, ideology, and nativity. In addition to Chinese and Japanese, movement activists included persons from Filipino, Korean, Asian Indian, Vietnamese, and other South and Southeast Asian origins. Together, they resisted attempts to roll back affirmative action, ethnic studies, family immigration, bilingual education, and social welfare for legal permanent residents. Rather than being in the periphery, these were major issue areas that linked activists' concerns to the core of American mainstream politics. Fighting alongside the traditional assemblage of young, liberal-minded, college-educated students and social service professionals against limitations on family immigration and social welfare, for instance, were the politically conservative new immigrants and a growing number of active senior citizens. Equally important, their actions have been channeled through a vibrant network of new panethnic organizations or ethnic-specific organizations with panethnic concerns. These organizations increasingly view issues affecting all Asian Americans from a policy framework and attempt to find solutions through legal and political recourse. With this new perspective, the movement has been transformed to election-centered politics, and community organizations have behaved increasingly like interest groups.² New political organizations specializing on voter education, voter registration and turnout drives, leadership training, and other aspects of an election campaign were erected to raise political consciousness and mobilize mass-based political participation.

Organized either at ethnic-specific or panethnic level, these organizations generally share the same mission of advocacy, education, information, and networking. Nearly all have a national office in Washington, D.C., to facilitate advocacy and coalition-building, which has primarily been on left-wing, liberal issues.³ Forces that compel the formation of panethnic organizations also demand ethnic-specific organizations to address issues that are increasingly pan-Asian in scope and beyond. Importantly, the rise of panethnicity has apparently not taken place at the expense of ethnic-specific interests. To the contrary, as clearly shown in a study on ethnic enumeration politics for the 1980 and 1990 censuses (Espiritu 1992, 112-133), ethnic-specific concerns have received greater attention because of efforts made by panethnic organizations to promote an awareness of different cultures and needs.

The most significant political development in recent Asian American history, pronounced Espiritu, may be "the emergence of the pan-Asian entity" (1992, 163). In truth, given the renewed antagonism against immigrants and minorities in recent decades (Perea 1997), a survey of recent political actions taken by community organizations at the national level strongly suggests that ethnic politics has become panethnic politics and more. Each call for action is a call to look beyond primordial boundaries and to work with mainstream institutions on mainstream

issues. Furthermore, because the new Asian immigration in the post-1965 era coincided with the crucial transformation of the Pacific Rim into new centers of global economic power, the sharp growth in the levels of trans-Pacific transfer in capital, personnel, and commodity have necessitated a reconceptualization of the very boundaries of Asian America in diasporic or transnational terms (Dirlik 1999). Increasingly, the community has been asked to address transnational rather than panethnic politics. This trend toward panethnic and transnational politics was illustrated in some of the most prominent examples of political organizing in the late 1990s. A case in point was the community's reaction to the campaign finance scandal.

In 1996, citing continuous assaults from Congress on the immigrant community, a coalition of nineteen Asian American national organizations led by the Organization of Chinese Americans (OCA) formed the first National Asian Pacific American Voter Registration Campaign. More than 100 Asian American groups and agencies across the country participated in the unprecedented and multi-ethnic effort that eventually registered 75,000 new voters. With the national voter registration drive in full gear, accompanied by an unprecedented number of appealing Asian American candidates running in all levels of office and the positioning of Asian Americans in prominent fund-raising roles,⁴ the election year of 1996 was poised to be a watershed for Asian Americans in politics. Instead, the fund-raising scandal, which broke into the newswire weeks before the general election, not only rocked the community's dream for meaningful participation, but left behind feelings of stigmatization and alienation for the politically-involved (Wu 1997a, 1997b, 1997c). In November 1996, following allegations of improper political contributions solicited by three individuals (John Huang, Charles Trie, and Johnny Chung) during an April 1996 event at the Hsi Lai Buddhist Temple in California, the Democratic Party's Democratic National Committee (DNC) directed an audit of approximate 1,200 contributions made from 1994 to 1996 by Asians. Donors with Asian surnames were investigated and interrogated by anonymous callers about their citizenship, source of the donation, and personal finances, and they were asked to authorize release of a credit report to the DNC. Some were told that if they refused to provide the requested information, their names would be released to the press (Chen and Minami 1998). For many Asian Americans, what transpired in the 1996 presidential elections and afterward constituted the most severe infringement on civil rights in the group's recent political history. Biased assumptions and stereotypes about the Asian American community were perpetuated by the national media and prominent politicians.

Organized protest, however, did not emerge until the appearance of Chinese stereotypes on the cover of a 24 March 1997 issue of the biweekly magazine *National Review*. Major Asian American community and advocacy groups initiated a media education campaign to teach the difference between Asian Americans and Asian foreigners (Wu 1997b). According to various media reports, community individuals and campus groups also protested vehemently against remarks made by John O'Sullivan, editor of the conservative magazine, who openly debated with the

executive director of the Organization of Chinese Americans, Daphne Kwok, about the editorial decision to use the racially offensive images.

The scandal also provided an incentive for political organizing. Some community elites who had long fought for Asian American civil rights from the grassroots were convinced that money raised by John Huang and about a dozen other figures of Asian descent represented the class interest tied to transnational Asian capital and multinational corporations, which tends to undermine the American democratic process (Wang 1998). Led by Professor Ling-chi Wang of the University of California at Berkeley, a historic panethnic grassroots organization aiming to change practices in mainstream politics, Asian Americans for Campaign Finance Reform (AAFCFR), was formed. It called for a vigorous investigation of the wrongdoings of all persons involved and advocated major campaign reforms to eliminate or reduce the influence of money in the electoral process. However, other elites, especially those linked to established Asian American community civil rights organizations, considered this demand to overhaul the system and prosecute the misdeed of fellow Asian Americans to be too disruptive and harmful to the claim of equal protection and rights for all Asian Americans. Perhaps a more significant development then, from the perspective of panethnic community building at the national organizational level, was the formation of the National Council of Asian Pacific Americans (NCAPA) of more than twenty community organizations in 1997. Headed by Daphne Kwok, the council aspired to provide a much-needed and long-awaited national leadership that was sophisticated in the American system, could respond in a swift, unified, and forceful fashion, and could communicate with and command the respect of the political establishment (Kang 1997).

Meanwhile, in protest of the perverse patterns of racial stereotyping, scapegoating, and discrimination directed at the Asian American community by the nation's most important and powerful institutions, such as Congress, major political parties, public officials, and the news media, fourteen national organizations, including OCA, AAFCFR, and four individuals formed a coalition to petition for a hearing to the U.S. Commission on Civil Rights. They charged that members of the nation's most influential institutions had acted irresponsibly and carelessly to the allegations of wrongdoing by scapegoating and stereotyping Asian American citizens and immigrants.⁵ They said that the xenophobia infecting the campaign finance reform debate had made its way into legislative proposals. Both Democratic and Republican members of the House and Senate introduced nine different bills which would prohibit campaign contributions by legal permanent residents, some of which would bar independent expenditures by legal permanent residents as well. Whereas the petitioners supported a full investigation into any and all substantial allegations of misconduct, they demanded fairness and accuracy in the statements and reportage made by all mainstream institutions and individuals (Chen and Minami 1998). The petition was granted, and three official briefings to express community concerns about the campaign finance probe were held in December 1997, less than two months after the filing.

TRANSFORMING PATTERNS OF POLITICAL PARTICIPATION: FROM MOVEMENT POLITICS TO ELECTORAL POLITICS

This observation of the transformation in political participation style from movement politics to electoral politics in the post-1965 era should not be seen as a novel development or an irrevocable, uninterrupted, and complete process for Asian Americans. In fact, some early Asian American organizations attempted to change their fate through lobbying Congress and the administrative branch. Also, Asians in Hawaii ventured into electoral politics as early as the 1920s and have dominated the state's politics since the mid-1950s. Moreover, the recent recurrence of student movements for Asian American studies suggests that at the same time panethnic organizations were making waves in national politics, the grassroots base of the pan-Asian political community was fighting for a legitimate space on many college campuses. The unsteady development of panethnicity at the mass level may prove to be the Achilles' heels of these organizations when the community for which they are advocating cannot identify its interests or agree with the interests represented by these elite groups. Nevertheless, the concern over the legitimacy and representation of these advocacy groups may be mitigated by aggressive outreach efforts to structure and channel community interests. In addition to direct lobbying, many have allocated resources and developed expertise on organizing petition campaigns, forging community partnerships, sponsoring internship and leadership training programs, and conducting voter education and mobilization activities.

Perhaps more significant than a shift in the style of participation is the expansion of involvement in electoral politics. In essence, this development involves the proliferation and entrenchment of panethnic organizations in mainstream election-centered politics. The rise of Asian American panethnic organizing and consciousness may be attributed to changing community structure and political context since the mid-1960s. Despite their belated and recent entry, the growth and vitality of pan-Asian organizations in electoral politics may also be considered as part of the national phenomenon of interest group proliferation and professionalization during the same era. The system has been transformed not only in both the number and the types of representation (Petracca 1992), but also in the process of policy making (Salisbury, Heinz, Nelson, and Laumann 1992). In addition to lobbying Congress and the White House and participating in Supreme Court litigation, interest groups are now actively involved in electoral politics, armed with direct-marketing techniques for mobilizing voters, selecting candidates and issues, raising campaign funds, and maneuvering initiative and referendum campaigns in local and state politics (Rozell and Wilcox 1999). These changes in the interest group system have taken place amidst other changes in the American political system⁶ and presented an unprecedented opportunity structure for Asian American advocacy groups to take a more active role in law and policy making.

Most of the Asian American groups are of the 501(c)(3) status, which bans congressional lobbying activity or taking part in partisan electoral activity but permits issue advocacy and exempts them from income tax while allowing the re-

ceipt of money from tax-exempt foundations (Rozell and Wilcox 1999, 20-1). Groups can also provide nonpartisan information on issues to Congress and the public, advocate positions to the executive agencies, and file amicus curiae (friends of court) briefs to the courts. In addition, they can operate a voter registration or get-out-the-vote (GOTV) drive in a nonpartisan manner and campaign on ballot measures as long as the latter is treated as a lobbying activity and the expenditure is reported to state authorities. Many Asian American groups have taken advantage of this status and served triumphantly as the vanguard of Asian American civil rights. For instance, the National Asian Pacific American Legal Consortium was invited to testify in front of congressional committees on the Immigration in the National Interest Act and the Legal Immigrant Access to Public Assistance Programs in 1995 and on Census 2000 in 1997. It was asked to submit written testimony to congressional committees on the Immigration Reform Act of 1995, Hearings on Welfare Reform in 1995, reauthorization of the Hate Crime Statistics Act in 1996, Bilingual Voting Requirements Repeal Act of 1995 (H.R.351), Language of Government Act of 1995 (S.356), Affirmative Action and the California Experience, and on the Civil Rights Act of 1997 (H.R.1909). In addition, the consortium issued legislative alerts, litigation briefs, action alerts, and press releases, coordinated voter registration drives, and conducted exit polls at the grassroots level by local affiliates.

As interest groups, their rise in the last two decades can be understood in part with Truman's (1951) disturbance theory, which postulates that major disturbances within the political environment motivate people who perceive their interests as adversely affected to band together to improve their lot. Inherent in group politics, however, are a number of problems that affect the assessment of its prospect and influence. First, not all community members have the same will and capability to organize themselves. This is a problem common to all organizations but may be more pressing for Asian American ones because of the extreme heterogeneity within the multiethnic population. Second, the interests of the "haves" may be overrepresented. As observed by Schattschneider (1960), the beneficiaries of group politics are people in higher socioeconomic brackets, those with more money and better organizations. For an immigrant community such as Asian Americans, the "haves" may be better defined as those who possess greater English communication skills and social networks. The native-born minority among Asian Americans, in this regard, may have a larger say in mainstream political matters than the foreign-born majority. Third, with increased entrenchment into the system, groups may be reluctant to challenge the status quo which they have learned to maneuver. Together, these three factors may cripple the mostly U.S.-born, panethnic group leaders' ability to act on behalf of the community at large, especially on issues arising from the increased levels of capital, material, and personnel transfer across the Pacific.

A case in point was the divergent responses between Washington-based civil rights groups and the academic-centered AAFCFR toward charges of campaign finance fraud. On the one hand, focusing on the problem of foreign money, the

AAFCFR condemned the misbehavior of the accused individuals and argued that fundamental changes in the American campaign finance system were needed to uproot corruption that hurt the democracy and its people — especially the extrateritorially connected Asian Americans. On the other hand, refusing to tinker a system that had accounted for their ascendance in national politics, the Beltway groups opted to express concern only about the vulnerability of Asian Americans to guilt by association. To be sure, their emphasis on the need for equal protection and justice to all was vital and rightful. Because of the blurring of the line between Asia and America by the restructuring of the Pacific Rim economy, having real or perceived political ties with the Asian homeland could render any Asian American suspect as not fully American (Dirlik 1998, 293). However, their aversion to criticize a government and a system that had a long history of exploitation and abuse of the people who these groups existed to serve in the first place was a concept rather unsettling to supporters of the AAFCFR and to others who were concerned about the civil rights future of the community. This division in political response to the multi-dimensional transnational politics underscored the limitation of panethnicity and liberal ideology as organizing principles in the future of Asian American politics. The rift it created among panethnic elites harbingered a most serious challenge to the structuring of political unity among Asian Americans at the dawn of the new century.

COMMUNITY POLITICS ON WEN HO LEE: A GLIMPSE INTO THE FUTURE

The schism between progressive grassroots and Washington-based civil rights groups in reaction to multi-faceted contemporary community politics was evidenced again in the Wen Ho Lee case. Lee, a naturalized citizen from Taiwan, was fired from the Los Alamos National Lab for being suspected of stealing nuclear secrets for China. He was charged in December 1999 with fifty-nine counts of mishandling classified data under the Atomic Energy Act. After being denied bail twice, kept in solitary confinement for nine months, and forced to wear shackles on both hands and legs during his daily one-hour of exercise, he eventually earned his freedom by admitting to one count of mishandling classified data after he had served his 278-day sentence. Essentially, Lee negotiated his freedom by admitting to a crime of downloading data from a secure to an unsecured computer, a violation that was routinely practiced by many of his colleagues and one done as well by former FBI director John Deutch but had gone unpunished. Lee's release came after a Federal District Court judge indignantly concluded that the government had arrogantly unleashed its full force of powers to mislead the court and to keep Lee incarcerated (Sterngold 2000). His freedom also came after the Chinese and Asian American community had wedged a surprisingly strong resistance against racial and ethnic profiling and new lab employment. His supporters believed that Lee was a victim of workplace discrimination, of selective prosecution and persecution, of unusually severe and cruel punishment, and that he was singled out because of his being ethnic Chinese.

Responses from the Washington-based civil rights groups were, by contrast, subdued, belated, and inconsistent. Although organizations such as NCAPA issued statements of concern about the targeted investigation and imprisonment of Lee, many U.S.-born leaders seemed to have subscribed en masse to the mainstream institutions' national security argument and were reluctant to question the government's claim of the alleged foreign ties of Lee, a position contradictory to their maintenance of equal protection and presumed innocence in the campaign finance investigations. Moreover, a few ranking members accepted offers made by the national government to serve as community liaisons or sit on institutional advisory boards. In their expected roles by the government to defend its actions and to denounce any community's effort to question its motive and purpose, these individuals have pushed the meaning of professionalization into a new level. They were turned from civil rights advocates into semi-governmental spokespersons. This, in another context, may be celebrated as a sign of progress in political accommodation and is not necessarily troublesome for community development. Nevertheless, in this case the government is widely believed to be the culprit of Lee's and the nonwhite immigrant community's civil rights plight. The co-optation and institutionalization of these national organizational elites has thus put them in direct conflict with or removed them from the civil rights interests of the community at large. Acting either out of egoism or ignorance, these individuals, in their search for greater security and influence in the Washington establishment, have generated inevitable sparks with grassroots activists in the claim to promote the community.

At the heel of these developments, it seems logical to forecast the end of the second phase and the birth of a new phase of the Asian American Movement that returns the engine of community politics to the grassroots. The imminency of this trend was reflected in the strong, early, and persistent community protests that took place outside the Beltway. In addition to litigation, the volunteer-based grassroots community initiated a multi-pronged and bipartisan national campaign. Main features in the Justice for Wen Ho Lee Movement included, but were not limited to, a call for civil disobedience (boycotting the national labs), an organization and Web site for community education and collecting legal defense fund (www.WenHoLee.org), mass meetings and rallies, campus forums, mainstream information campaign (purchasing ads in the *New York Times*), waves of letter-writing and call-in campaigns (to news editors, congresspersons, the White House, and even the presiding judge in the Federal District Court before the third bail hearing), and the formation of a new panethnic organization, CARES (the Coalition Against Racial and Ethnic Stereotyping), which organized the eight-city National Day of Action and submitted amicus curiae briefs. These activities helped shed light on the possible features of the third phase of community politics.

In general, this may be a phase with competing dual agendas — mainstream and grassroots — for community empowerment. The pursuit for greater political incorporation shall remain the main goal of the establishment groups. They may play a leading role in seeking more political appointments, passage of new national

hate crime legislation, and more accurate census counting for redistricting and other purposes. However, the center of gravity in the community's pursuit for justice and liberation may return to the grassroots, as it was in the first phase, even though the definition of who is in the grassroots may have changed. At the dawn of the 21st century, the grassroots are no longer dominated by the U.S.-born or long-term residents of the ethnic enclaves in a few major U.S. cities. Today, thanks to the transformation of the Pacific Rim economy and the continuing influx of new Asian immigration as well as the widespread availability of the Internet and other communication technology, the composition and boundaries of the grassroots cannot be defined by any one single geographic, class, gender, age, immigration generation, ideological, ethnic, or racial term. In this phase, complex mainstream and extraterritorial political issues rather than ethnic-specific and local issues may take the center stage. Also, in this phase, grassroots individuals and groups may negotiate directly with mainstream institutions without interference or intervention by the establishment groups. That is, the community at large may no longer need to depend upon a few representatives based in Washington, D.C., to speak for them or to the "powers that be." They are expected to challenge the unjust status quo on their own initiative and play an active watchdog role in holding Asian American government elites accountable to the community. However, their chances of success to influence government politics and policy decisions may be seriously attenuated by the lack of inside connections and contacts to the political mainstream and by other common problems plaguing social movement organizations including internal personnel strife, disagreements over goals, strategies, and tactics, and such government sabotage as releasing filtered or misleading information, and by defaming and discrediting movement leaders.

In the end, Asian American community politics in the Wen Ho Lee post-release era is a critical one to watch for the future shape of the community. To obtain justice for Dr. Lee, supporters have launched a campaign to seek full presidential pardon and apology. The successful delivery of this goal may depend upon at least three factors: 1) the sustaining among the mass of the unity, interest, and involvement developed from working on the freedom of Dr. Lee, 2) the development of a working relationship between the Asian American establishment and grassroots groups, and 3) the generation of awareness and support from the mainstream and grassroots sectors of other racial groups. Because the likely distinct features of the third phase, as in previous phases, are shaped at least as much by changing community structure and sociopolitical context as by individual or group behavior, future research on community politics, in addition to studying the interactions between national and local or mainstream and grassroots organizational elites, should examine the roles of American national political institutions, ethnic and mainstream media, and actions and reactions from the non-civil rights community. Also it is worth exploring the impact of intragovernmental relations between Congress and the White House, international relations between U.S. and China/Taiwan, interethnic relations between Chinese and other Asian Americans, and interracial relations between Asian and Hispanic or African Americans. Although this slate of research

agenda does not run the gamut of possible topics, an in-depth investigation into any of the proposed will yield great insight on the prospects of and challenges to Asian American community empowerment in the new century.

Endnotes

¹In a controversial plea bargain, each killer was given a sentence of three years probation and a fine of \$3,000.

²Scholars differ on the definition of "interest groups," and it has been used inter-changeably with pressure groups, organized interests, special interests, political groups, the lobby, and so on. For this study, interest groups are simply membership- or nonmembership-based organizations or institutions that engage in activities to influence government policy (Petracca 1992, 5-7; Rozell and Wilcox 1999, 6-7).

³A clear exception is the U.S. Pan-Asian American Chamber of Commerce (USPAACC) which is a strong advocate of conservative values and policies. Although this orientation is more an exception than the norm among the capital crowd of Asian American groups, the formation of panethnic groups with such orientation is another area of departure from the original movement. The extent to which organizations like USPAACC present a threat to the validity of the panethnic concept is another question that warrants further research.

⁴The official title of John Huang, one of the most infamous Asian Americans charged with illegal conduct, was vice chair of the Finance Committee of the Democratic National Committee in the 1996 Clinton/Gore re-election campaign. It was the first time in the party's history that an APA was given a leadership role commensurate to the group's financial contributions.

⁵The discrimination experienced by petitioners includes "treating Americans of Asian descent as foreigners, using racial stereotypes, making unfounded presumptions and generalizations based on ethnicity or alienage, ascribing criminal behavior or tendencies to an entire race of people in order to explain alleged illegal acts by a few, employing double standards in examining the conduct of Asians and APAs far more critically than comparable and even more egregious conduct by others, and catering to xenophobic fears by dramatizing claims of APA involvement in international conspiracies to corrupt American elections without specific proof." (Chen and Minami 1998, 358-9).

⁶As a result of post-Watergate reforms in campaign finance, the number of political action committees (PACs) exploded, particularly those affiliated with corporations and ideological groups, and the amounts of money involved in political campaigns skyrocketed. Changes in Democratic party rules after 1972 also allowed interest groups greater influence on party nominations. Finally, the high-level involvement of interest groups in American politics also stems from the decentralized form of American government, weak political parties, and unique characteristics of U.S. elections such as frequent elections, candidate-centered campaigns, low levels of voter turnout, and the winner-take-all contests in single-member districts (Rozell and Wilcox 1999, 12-19).

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The Political Rights of Asian Americans

Angelo N. Ancheta

INTRODUCTION

Rights of political participation are among the most vital and cherished rights in the American system of democracy. Rights of free expression and association, rights of representation, and rights of electoral participation — including the right to vote — are designed to ensure engagement in democratic processes that shape national, state, and local policy. Yet full participation in the political process continues to elude many citizens and residents. For Asian Americans, the abridgement of rights of political participation has been longstanding. From the nation's founding through the early 1950's, Asian immigrants were barred because of race from becoming naturalized citizens and were denied the rights of full membership in the national community. Discrimination on the basis of race, ethnicity, language ability, and citizenship status were engrained in public policies that restricted access to voting and to the political process as a whole. Under-participation and under-representation in elected office have been direct consequences of this history.

Contemporary forms of discrimination, including the stereotyping of Asian Americans as foreigners and outsiders, continue to impede the incorporation of Asian American communities into broader political communities.¹ The most salient examples have involved campaign finance scandals that first surfaced during the 1996 presidential campaign. These scandals led to the branding of Asian Americans as agents of foreign governments and to the adoption of discriminatory policies, such as the Democratic National Committee's inquiries into citizenship status and credit history applied to an entire class of donors — U.S. citizens and lawful permanent residents alike — who possessed Asian surnames.

Consequently, the rights of many Asian Americans have been threatened by legislation that would limit the political participation of immigrants. H.R. 417, passed by the House of Representatives during the 106th Congress, would have stripped

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lawful permanent residents of their ability to contribute to political campaigns, an activity that the U.S. Supreme Court has recognized as protected by the First Amendment for over twenty-five years. Other recent proposals would impose barriers to democratic participation by creating new requirements in the naturalization process or by eliminating federal mandates to provide bilingual ballots and other forms of language assistance in voting.

But while restrictions on political involvement continue to impede community empowerment, the landscape of Asian American democratic participation is highly complex, and remedies for underparticipation and underrepresentation remain uncertain. Demographic factors such as ethnic diversity, socioeconomic differences, and residential dispersion challenge the notion that Asian Americans constitute a united voting bloc. Social science data on the voting behavior of Asian Americans are far from complete, and some studies suggest that class- and ethnic-specific voting (e.g., Chinese Americans voting as a bloc) rather than panethnic voting may be the norm. Voting rights doctrine focuses on geographic concentration and racially polarized voting as evidence of vote dilution, but Asian American populations are often less segregated than black or Latino populations, and crossover voting by white voters is not unusual. Traditional voting rights remedies are highly problematic when applied to Asian Americans.

Accordingly, this article provides an analysis of both the empirical findings and the legal rights affecting Asian American political participation. The article proceeds in three parts. First, the article presents an overview of demographic data on Asian American communities, including data affecting political participation. Second, the article surveys recent social science findings on Asian American electoral participation, including naturalization, voter registration and turnout, voting behavior, campaign contributions, and electoral candidacies. Third, the article examines the abridgement of Asian Americans' political rights, including rights related to free expression and association, rights related to political representation, and rights related to the electoral process. The article concludes by suggesting a common research and advocacy agenda to advance Asian American political participation.

I. DEMOGRAPHIC DATA

The demographic data on Asian Americans illuminate the complexity of Asian American electoral participation. First, because immigration fuels their population growth, Asian American populations will continue to have high numbers of non-citizens, many of whom will be limited-English-proficient. Second, socioeconomic status often correlates with political participation, and many Asian Americans fall among the lowest socioeconomic strata. Third, residential patterns show that Asian Americans are concentrated in the West and in major cities, which suggests different forms of political participation for different parts of the country (e.g., Asian-centered strategies in high concentration areas versus coalitional strategies in low

concentration areas). Fourth, the existence of ethnic, linguistic, and economic class diversity among Asian Americans implies that both racial (panethnic) and ethnic-specific patterns of participation must be considered in advancing political rights.

According to Census Bureau figures, Asians and Pacific Islanders constitute the fastest growing racial group in the United States. The population more than doubled between 1980 and 1990, and projections for the year 2000 place the population at over eleven million, or approximately 4% of the national population. Barring significant changes in the immigration laws, this growth is expected to continue at a similar pace for several years; estimates by the Census Bureau predict that the Asian and Pacific Islander population will be 15.3 million (5% of the national population) in 2010, 19.6 million (6% of national) in 2020, and 24.9 million (7% of national) in 2030.²

Demographic trends also suggest that the Asian American population will continue to be concentrated in the West and in major urban centers. Asian Americans have long been the majority population in Hawaii, and constitute 12% of the population in California. The Democratic National Committee has projected that at least ten congressional districts in California and Hawaii will have Asian American populations between 20 and 60 percent.³

Low-income ethnic enclaves such as the Chinatowns in San Francisco and New York City continue to draw large numbers of immigrants, as do areas of Southern California such as Orange County and Long Beach that have become home for many Southeast Asian immigrants. Refugee resettlement has led to concentrations of Southeast Asian communities throughout the country, including areas in Texas, Minnesota, and New England. Asian migration to suburban areas is also common, as demonstrated by the large Chinese American populations in Southern California's San Gabriel Valley and the large Chinese American and Filipino American populations in Northern California's suburbs.

In many urban areas, Asian Americans reside in areas with large numbers of African Americans and Latinos. Thus, in the nation's largest cities, such as New York City, Los Angeles, and Chicago, racial and ethnic minorities constitute majorities of the population. But while residential patterns show concentrations of Asians, blacks, and Latinos in many of the same neighborhoods, other patterns indicate that many Asian Americans reside in neighborhoods with significant numbers of whites. One recent analysis of Asian American residential patterns shows that racial dissimilarity indices, which measure levels of segregation, are often lowest for Asian Americans.⁴ There are, however, indications that in many metropolitan areas, including New York, Houston, San Francisco, and San Diego, the segregation of Asian Americans has increased in the past two decades. Thus, racial and ethnic enclaves have reemerged in central cities, while new enclaves such as "satellite" Chinatowns have developed in suburbs.⁵ These developments have important implications for advocacy that relies on geographic concentration and racially polarized voting to demonstrate vote dilution.

Approximately two-thirds of Asian Americans are foreign-born, and substantial numbers have limited proficiency in English.⁶ Although some Asian American

groups have higher per capita median incomes than the national average, poverty rates for Asian Americans are also higher than the national average, and for some groups, particularly Southeast Asians, the poverty rates are among the highest in the nation. Other measures of socioeconomic status, including educational achievement levels and per capita median incomes, are among the lowest in the nation.⁷

II. MEASURES OF POLITICAL PARTICIPATION

While there has been extensive data collection and analysis of the demographic characteristics of Asian Americans, empirical analyses of Asian American political participation are few and far between. Asian Americans are often ignored as subjects of national political participation studies, and polls conducted by researchers and mass media often omit or undersample Asian American populations. Most polls are conducted solely in English, thus precluding any data gathering from limited-English-speaking immigrants.

The data that have appeared, however, suggest a complex picture of both under-participation and under-representation.⁸ Low levels of citizenship have combined with relatively low levels of naturalization and voter participation to produce an Asian American voter base that is considerably smaller than its overall population. In the November 1996 election, for instance, only one out of every four Asian American adults voted. Voting behavior remains largely unanalyzed, although there is evidence that Asian Americans form blocs around issues directly affecting them, such as immigration or affirmative action. Ethnic support for candidates — both in voting and campaign donations — is also a documented trend. The next sections summarize these data.

A. *Citizenship and Naturalization*

Data on citizenship and naturalization reveal that Asian American electoral participation is largely a function of citizenship status. Census Bureau surveys in 1994 found that 55% of adult Asian Americans were not U.S. citizens, compared to 44% of Latinos, 5% of blacks, and 2% of non-Hispanic whites.⁹ Percentages were even higher in regions with high Asian American populations: in New York, 73% of adult Asians were noncitizens, and in Los Angeles County 63% were noncitizens. The implications for electoral participation are clear — most Asian Americans are locked out of the process because they are not U.S. citizens.

Naturalization is thus a key element of electoral participation, since it serves as the gateway to voting.¹⁰ Census Bureau studies of naturalization rates show that Asian immigrants are becoming naturalized citizens at a modest rate — 44% in 1997 — that is higher than Latinos (22% in 1997), but lower than non-Hispanic whites (54% in 1997). Naturalization is also a long-term process for many immigrants. Although the law requires five years of residency in the United States for eligibility for naturalization, many immigrants take much longer to naturalize. In 1997, only

24% of Asian immigrants who had lived in the U.S. between six and ten years had naturalized.

Naturalization rates also vary by ethnicity and language ability. In 1997, Filipino immigrants naturalized at a 58% rate, compared to 50% for Vietnamese immigrants, 48% for Chinese immigrants, and 37% for Korean immigrants. Because English literacy is a requirement of naturalization, rates vary by English language ability. Immigrants whose English proficiency is "very good" have been estimated to be three to six times more likely to be naturalized than those who do not speak English. Data also show that the likelihood of naturalization declines with age, but increases with educational level. Thus, less educated, elderly immigrants who have difficulty learning English may be the least likely to naturalize.

B. Voter Registration and Voter Turnout

Studies of voter registration have shown that Asian Americans have low voter registration rates compared to other racial and ethnic groups. Census Bureau survey data for 1996 indicated that only 57% of all Asian American citizens were registered to vote, compared with 73% for non-Hispanic whites, 67% for African Americans, and 59% for Latinos.¹¹ As a percent of the adult population (citizen and non-citizen), these figures show an even more marked disparity between voting age population and registered voters: only 33% of adult Asian Americans were registered to vote, compared to 72% of whites, 64% of blacks, and 36% of Latinos.

Studies of party affiliation show that Asian Americans affiliate with both major parties.¹² Unlike African Americans and Latinos (other than Cuban Americans), who register in high numbers with the Democratic Party, Asian American populations have been more closely divided between the Democratic Party and the Republican Party and also contain significant numbers of independent voters. There are variations by geographic region and among different ethnic populations — for instance, Japanese Americans register largely as Democrats, while Vietnamese Americans are predominantly Republican — but survey data from the 1990s suggest that many Asian American populations have shown roughly even support in party registration.

TABLE 1. VOTER REGISTRATION OF SELECTED ASIAN AMERICAN POPULATIONS IN SOUTHERN CALIFORNIA

	Koreans	Vietnamese	Filipinos	Chinese
Democratic	22%	14%	26%	21%
Independent	5%	8%	12%	20%
Republican	24%	36%	27%	21%
Other Party	—	1%	3%	6%
Not Registered	49%	41%	32%	31%

Source: *Los Angeles Times* Polls (1992-1997)

Voter turnout rates can compound problems of underparticipation even further. Census Bureau data show that registered Asian American voters voted at a 79% turnout rate in the November 1996 elections, compared to an 83% turnout rate for whites, an 80% turnout rate for blacks, and a 75% rate for Latinos.¹³ Thus, when taken in combination, the lower U.S. citizenship levels, naturalization rates, voter registration rates, and voting rates significantly reduce the impact of Asian American voters. For the November 1996 election, only 26% of the adult Asian American population voted, compared to 60% of whites, 51% of blacks, and 27% of Latinos.¹⁴

C. Bloc Voting

The voting behavior of Asian Americans remains largely unexplored territory, but some patterns have emerged from recent studies. Surveys of California voters during the mid-1990s support the hypothesis that Asian American voters can unite around issues that affect them as a group, such as ballot initiatives dealing with immigration or race. Exit polls found that solid majorities of Asian American voters opposed both Proposition 187, the anti-immigrant initiative that passed in 1994, and Proposition 209, the anti-affirmative action initiative that passed in 1996.¹⁵ Opposition to these initiatives was not as strong as opposition from Latinos and African Americans, but it clearly contrasted with white voters, who strongly supported the ballot initiatives. This suggests that Asian Americans may be “median voters” on issues of race and immigration, with strong but not overwhelming opposition to public policies that threaten racial and ethnic discrimination.¹⁶

Studies of candidate support have found evidence of bloc voting for Asian American candidates, particularly along ethnic lines. For example, one study of voters in Northern California during the mid-1980s examined voting patterns in support of Chinese American March Fong Eu, the Democratic Secretary of State.¹⁷ Relative to her support among the general electorate, Eu’s support was considerably stronger among Asian American voters, and it was strongest among Chinese American voters. Ethnic bloc voting was especially clear when examining specific votes across counties and ethnicities: where support for Eu declined somewhat (e.g., Japanese Americans in San Francisco), it was consistently strong across all counties among Chinese Americans.

Exit polls in more recent races support both a bloc vote hypothesis and a median voter hypothesis. In the 1998 race for the U.S. Senate seat from California, support for Republican candidate Matt Fong was 51% among Asian American voters — much of which was attributed to even higher levels of support among Chinese Americans — in contrast to Fong’s support in the general electorate of only 43%. Supporting a median voter hypothesis, votes for Governor Gray Davis in the same election was highest among blacks (76%) and Latinos (71%), somewhat lower for Asian Americans (65%), and lowest in relative terms for whites (51%). Similar percentages were found in responses to votes for U.S. House of Representative seats from California: 57% of Asian Americans supported a Democratic candidate, compared to 76% of blacks, 73% of Latinos, and 45% of whites.¹⁸

Exit poll data from the November 2000 presidential election also reinforce the median voter hypothesis. Data from the *Los Angeles Times* poll found that 54% of white voters nationwide voted for Governor George W. Bush, while 43% of whites voted for Vice President Al Gore, Jr. On the other hand, among Asian American voters, 62% voted for Gore, while 37% voted for Bush; among African American voters, 90% voted for Gore, while 9% voted for Bush; among Latino voters, 61% voted for Gore, while 38% voted for Bush.¹⁹

Exit poll data also suggest that bloc voting by Asian American voters, whether along ethnic or racial lines, can be particularly strong where Asian American candidates take steps to mobilize Asian American voters. Support can even be strong even across party lines. For example, in the March 2000 primary election, California assembly member George Nakano, an incumbent Democrat, targeted Asian American voters and received 92% of the Democratic Asian American vote and 77% of the Republican Asian American vote in an open primary.²⁰

D. Campaign Contributions

Bloc support for candidates is also seen in the area of campaign contributions, an area in which, under current law, lawful permanent residents have rights equal to those of U.S. citizens. Popular accounts of Asian American political participation often highlight the purported high levels of campaign contributions, and the recent scandals regarding illegal contributions from foreign sources have placed Asian American contributions under greater scrutiny. The data suggest that campaign contributions are an important form of political participation for Asian Americans,²¹ but the magnitude of influence may be overstated.²²

One recent study analyzed the Federal Election Commission's national database of contributors to federal campaigns (donations of \$200 or more) and developed the following conclusions about Asian American contributors: (1) Asian Americans contribute predominantly to Asian American candidates, with many contributors providing funds to candidates outside their own districts, (2) contribution patterns are strongly ethnic-specific rather than pan-Asian, and (3) contributions are primarily symbolic in nature, and not strategic investments in candidates who are likely to be successful in their campaigns for office.²³ Although the study was limited — it looked only at larger, direct contributions to federal candidates and did not analyze “soft money” donations to political parties — its findings reinforce the complexity of Asian American political participation. Bloc support of Asian American candidates was clearly present, but fell more along ethnic lines than panethnic lines.

E. Candidates and Office Holders

Political participation in the form of political candidacies and office holding is a growing component of Asian American engagement in the political process. In 2000, the *National Asian Pacific American Political Almanac* reported more than 2,200 elected and appointed officials at all levels of government in the United

States.²⁴ Hawaii has always had a large number of Asian American elected officials, and, increasingly, Asian Americans are being elected to significant positions of power throughout the country. Examples include Governor Gary Locke of Washington, and House members Robert Matsui and Michael Honda of California and David Wu of Oregon.

The ability of Asian American candidates (including Governor Locke and Representatives Matsui, Honda, and Wu) to win in areas without high concentrations of Asian American voters shows that many Asian American candidates are able to gain the support of white voters. Nevertheless, racially charged campaigns can still taint many elections. For example, in a recent primary election for the California State Senate, Chinese American candidate Paul Zee, who eventually won the Republican primary, was attacked by a white candidate for being born in "communist China" and for speaking with "a thick Chinese accent."²⁵ Still, because of the paucity of studies, there is scant empirical evidence to support widespread anti-Asian voting, or of extensive crossover voting by non-Asians.

In any case, under-representation still poses a problem in many of the most populous areas containing Asian Americans. For example, in Southern California, no Asian American sits on either the Los Angeles City Council or the Los Angeles County Board of Supervisors, even though Asian Americans constitute approximately 13% of the population in both the city and the county. The problem is even more acute in the city of Alhambra, located in the San Gabriel Valley, whose Asian American population is approaching one-half of the city's population, but whose city council contains no Asian Americans.

F. Implications of Political Participation Data

Information on Asian American political participation is thus far from complete, and the picture that does emerge from these studies is complex. Under-participation is a serious problem, and much of it can be traced to the large number of non-citizens in the Asian American population. While Asian Americans have united in advocacy around issues such as racial violence, immigration, and accurate census counts, it is also clear that the Asian American population cannot be treated as a monolithic bloc.²⁶ Both ethnicity and economic class must be considered in developing strategies to measure and understand voting and other forms of political activity. From what data are available, it is also becoming clear that Asian Americans do not fit precisely into the models used to understand the political participation of blacks or Latinos.

III. DISCRIMINATION AND RIGHTS OF POLITICAL PARTICIPATION

Political rights are a subset of the larger array of civil rights enjoyed by Asian Americans. Like other racial and ethnic minorities, Asian Americans are protected by the law from discrimination based on race and national origin, but many types of anti-Asian discrimination are not fully addressed either by constitutional guarantees or by anti-discrimination statutes. Among these are discrimination based on

citizenship status, English language ability, being perceived — regardless of actual status — as a foreigner, and being treated in an intermediate racial role, namely as a “model minority.”²⁷

Anti-Asian discrimination appears in several ways within the political arena. First, the stereotyping of Asian Americans as foreigners arises in contexts in which Asian Americans are treated as political outsiders, typically linked to foreign governmental interests. Prominent examples are in the area of campaign finance, where Asian Americans have been treated as if they are foreign nationals who do not belong in the American electoral or policy-making processes. Second, the subordination of Asian non-citizens persists in areas in which they are denied access to government employment and participation, and is being threatened in the area of campaign contributions. Third, limitations on access to government pose serious problems for Asian Americans who do not receive adequate language assistance, despite the guarantees of the Voting Rights Act. Fourth, the relative invisibility of Asian Americans and hierarchical relationships among racial groups have led to the exclusion of Asian Americans from many forms of voting rights relief, either through omission or because legal remedies fail to address the specific characteristics of Asian American populations. Each of these areas is discussed below.

A. Campaign Contributions and Racial Discrimination

The campaign finance scandals that first surfaced during the 1996 presidential campaign stereotyped Asian Americans as agents of foreign governments. Although only a handful of individuals were eventually found guilty of illegal practices, entire populations became suspect. Media stereotyping was commonplace — reviving descriptions of Asian Americans as “inscrutable” and “mysterious,” linking Asian Americans who were charged with illegal conduct with those who were engaged in lawful political activities, and failing to draw distinctions between Asians from other countries and Asian Americans making campaign contributions permitted under the law.²⁸ A cover of the magazine *National Review* even featured slant-eyed, bucktoothed caricatures of the President and First Lady that were reminiscent of the overtly racist drawings depicting Chinese and Japanese immigrants during the late nineteenth and early twentieth centuries.

Politicians and political institutions adopted both rhetorical stances and formal policies that linked Asian Americans to the interests of foreign governments. Senator Fred Thompson (R-Tenn.), who chaired Senate hearings to investigate possible violations of campaign finance laws, focused most of the hearings on Asian Americans and made allegations linking suspected individuals in the U.S. to the People’s Republic of China without ever producing substantive evidence to support the claims. During the Senate hearings, Senator Sam Brownback (R-Kan.) engaged in overt stereotyping by invoking racist images of Chinese laundrymen and characterizing the DNC’s compensation of John Huang as a system of “no raise money, no make bonus.”²⁹

Similarly, in 1997 the Democratic National Committee conducted an audit of approximately 1,200 campaign contributions that focused on Asian American contributors.³⁰ In addition to reviewing contributions linked to three individuals (John Huang, Charles Trie, and Johnny Chung) and contributions related to the Hsi Lai Buddhist Temple, the DNC investigated all contributions over \$5,000 made "in connection with any DNC fundraising event involving the Asian American community." Several Asian American contributors were telephoned and questioned about their citizenship status, the source of the contribution, and their personal finances (including employment, annual income, and assets), and they were further requested to provide authorization to release a credit report to the DNC. The primary criterion for the investigation was Asian surname, not a linkage to suspected individuals. Among those checked were several successful Asian American business leaders and Lily Chen, the former mayor of Monterey Park, California.

Responding to a petition by Asian American advocates that outlined these and many other incidents, the U.S. Commission on Civil Rights investigated the treatment of Asian Americans and found evidence of both discriminatory activity and depressed political participation.³¹ Asian Americans were left stigmatized and deterred from making campaign contributions at all levels of government. Potential candidates expressed a reluctance to run for office, and even candidates for appointed office were damaged by the campaign finance allegations.

B. Citizenship Discrimination and Political Participation

Among the policies that were adopted (and later revoked) by the Democratic National Committee was a policy excluding lawful permanent residents from contributing to the DNC and from attending any DNC events involving the President, Vice President, the First Lady, and the Vice President's spouse. The policy was justified as a means to limit foreign influence in campaigns, although there was no indication that illegal activity was a widespread problem, or that lawful permanent residents played a larger role than U.S. citizens in illegal activities. Despite federal law allowing lawful permanent residents to make campaign contributions, the DNC's policy was in effect for nearly a year, until it was revoked in early 1998.³²

Under the Federal Election Campaign Act, lawful permanent residents have been permitted to make campaign contributions on an equal basis with U.S. citizens. As Senator Lloyd Bentsen, among the strongest advocates for campaign restrictions on foreign nationals, noted in 1974: "There are many resident immigrants in the United States who have lived here for years and who spend most of their adult lives in this country; they pay American taxes and for all intents and purposes are citizens of the United States except in perhaps the strictest legal sense of the word. These individuals should not be precluded from contributing to the candidate of their choice...."³³

Yet, recent campaign finance reform proposals have threatened to change the law to prevent non-citizens from making campaign contributions. Passed by the House of Representatives in the 106th Congress, H.R. 417 contained a provision

eliminating language from the Federal Election Campaign Act that allows permanent residents to contribute to campaigns.

Although the courts have yet to directly address the issue, restrictions on campaign contributions by lawful permanent residents raise constitutional questions implicating both the equal protection clause and the First Amendment.³⁴ The equal protection argument against a citizenship-based restriction is that a policy differentiating between permanent residents and citizens is not rationally related to the goal of preventing foreign influence in American elections. Permanent residents as a class are not necessarily linked to foreign governments, and U.S. citizens could just as easily act as agents of foreign influence. And the same goal could be furthered by other policies, such as requiring greater scrutiny of the sources of campaign contributions or increasing the penalties for illegal contributions.

Yet, because the courts have traditionally deferred to the President and Congress in matters regulating lawful permanent residents, a citizenship-based restriction is likely to be upheld as rational under an equal protection analysis. As the U.S. Supreme Court noted in *Mathews v. Diaz*, Congress possesses plenary power over immigration and naturalization and can make "rules that would be unacceptable if applied to citizens."³⁵

The constitutionality of citizenship restrictions on campaign contributions is more vulnerable under a First Amendment analysis. Since the U.S. Supreme Court's ruling in *Buckley v. Valeo*,³⁶ campaign contributions and campaign spending constitute forms of expression protected under the First Amendment. A blanket ban on contributions from a single class of donors, unlike the typical dollar-based limitation on contributions, would most likely violate the standards established in *Buckley*.

A First Amendment challenge remains problematic, however, because of uncertainty in the case law regarding the applicability of the First Amendment to lawful permanent residents. Several courts have held that lawful permanent residents enjoy the same protections under the First Amendment as U.S. citizens, particularly when political expression is involved.³⁷ But other courts have deferred to federal policies that have imposed immigration consequences, such as deportation or a visa denial, after noncitizens have exercised forms of protected speech.³⁸

A fundamental tension thus exists between federal power to impose immigration consequences on prior speech, subject to the most deferential standard of review, and the extension of First Amendment protections to non-citizens, subject to the most exacting standard of review. The courts have yet to resolve this tension, but it seems likely that a court applying a *Buckley* analysis to restrictions on permanent resident contributions would find the restrictions unconstitutional. Even those courts that have upheld adverse immigration consequences for non-citizen expression have acknowledged that non-citizens do enjoy First Amendment protections.

C. Language Assistance and the Voting Rights Act

Immigrant political participation is undermined not only by governmental restrictions based on citizenship status but also by governmental restrictions based on language. In amending the Voting Rights Act in 1975 to extend its protections to language minority groups, Congress recognized language discrimination as a significant problem and found it "necessary to eliminate such discrimination by prohibiting English-only elections, and by prescribing other remedial devices," including language assistance and translated ballots.³⁹ Benchmarks established under the 1975 and 1992 amendments to the Voting Rights Act require the provision of language assistance in jurisdictions where either 5% of the voting age citizens belong to a single language minority group or there are at least 10,000 voting age citizens from a single language minority group. In both cases, a group's illiteracy rate must be higher than the national illiteracy rate.

Asian American voters living in several counties in Hawaii, California, and New York are eligible to receive language assistance under section 203 of the Voting Rights Act; but implementation of section 203 has been inconsistent. In Northern California's Alameda County, for example, the Department of Justice filed suit against the county in 1995 because it had failed to provide signs or notices of the availability of Chinese language assistance, to provide bilingual poll workers, or to make translated sample ballots available at polling sites.⁴⁰

In addition, statutory limitations have prevented full extension of the Act to immigrant voters. One limitation lies in the use of decennial census data to establish eligibility for language assistance. Because of the fast growth of Asian immigrant communities, voter populations in many jurisdictions can easily surpass the Voting Rights Act's benchmarks prior to the next census. Another limitation lies in the illiteracy requirement of the Act. In Los Angeles County, for instance, with its sizable Korean American population, Korean language assistance is not mandated because the Korean American population's illiteracy rate does not exceed the national average.

To correct these problems, advocates have suggested the use of non-decennial census data, such as Current Population Survey data, to provide more up-to-date population figures for determining language assistance eligibility. Similarly, proposals have been developed to supplement the Census Bureau's measurement of illiteracy status, which relies on education level completed anywhere (including in an immigrant's home country), rather than literacy level in English. Another proposal calls for removing the Voting Rights Act's illiteracy requirement altogether, since an individual who is highly educated and fully literate in their native language may still have little or no ability in English. To date, however, none of these proposals has been implemented, at either the congressional or the executive levels.

A more direct threat to language minority access has recently arisen because of the growth of English-only proposals in the states and in Congress. Several congressional bills were introduced during the 1990s that would make English the

official language of the United States and repeal the language assistance provisions of the Voting Rights Act. None of these bills moved beyond the committee level, but the passage of such legislation under future congresses and presidential administrations remains a very real possibility. Moreover, because language assistance mandates are based in statute rather than the constitution — language minority groups have yet to be squarely defined as a protected class under the equal protection clause — a repeal of section 203 could go unchallenged in the courts.

D. Vote Dilution and the Voting Rights Act

Despite the U.S. Supreme Court's recent decisions restricting the use of race in legislative districting, vote dilution litigation under section 2 of the Voting Rights Act remains an option for racial and ethnic minority communities. Under the standards established in *Thornburg v. Gingles*, a minority community can establish a violation of the Voting Rights Act if it can form a large and compact majority of the population within a legislative district, constitutes a politically cohesive bloc, and has been subjected to racially polarized voting by the non-minority voting bloc.⁴¹ For Asian American communities, however, section 2 litigation is highly problematic. Indeed, other than occasionally being included in lawsuits that have combined minority populations, Asian Americans have yet to file a successful vote dilution lawsuit. As discussed below, a combination of demographic and legal limitations has prevented a viable claim on behalf of Asian Americans.

Because the legal standards in *Thornburg v. Gingles* were developed in response to discrimination against African Americans in the South and focus on the potential remedy for discrimination — the creation of a majority-minority district — Asian Americans can easily fall outside the *Gingles* standards. At the most basic level, population size poses a major limitation on section 2 litigation: Asian American communities form sizable populations in many jurisdictions, but may not satisfy the majority population requirement of *Gingles*.

Several problems can arise: First, because of the large number of immigrants within Asian American communities, Asian Americans may form a majority of the *total* population within a district, but may not form either a voting age population majority or a voting-age *citizen* population majority within a district.⁴² The courts have divided on the appropriate legal standard, with some courts requiring voting age population and some requiring citizen population as the appropriate measure (with none employing total population as the measure). In order to constitute a voting age citizen majority, upward of 70 to 85 percent of a district's total population might have to be Asian American.

Second, Asian American populations tend to be more geographically dispersed than either black or Latino populations, calling into question whether Asian Americans can satisfy the compactness requirement of *Gingles*.⁴³ If Asian American populations are residentially dispersed throughout a city, it is conceivable that Asian Americans could constitute a near-majority of a city's overall population, but still not constitute a majority within a district. Asian American voters as a bloc could be consistently thwarted under a city's at-large election system, while a

Gingles claim would also fail because Asian Americans could not form a compact majority within a single district.

Third, because Asian American communities are often composed of multiple ethnic populations, the appropriate population to measure a numerical majority comes into question. Implicating the *Gingles* political cohesiveness requirement, the presence of multiple Asian American populations within a district raises a basic question: should districting be *race*-based or *ethnicity*-based?

Given these problems, several changes in the law might be proposed to relax the standards established in *Thornburg v. Gingles*, and allow other types of claims and remedies to be advanced. One possible change is allowing vote dilution claims for large minority populations that constitute less than a majority population within a district. At least one federal court has recognized an “ability-to-influence” claim for a population less than a numerical majority,⁴⁴ and the U.S. Supreme Court has assumed in deciding other voting rights claims that influence claims may be possible under the Voting Rights Act.⁴⁵ The courts have not developed a specific test — either based on percentage of population or the political influence of a voting bloc — but commentators have raised some possibilities, such as flexible standards that examine voting patterns and potential swing votes.⁴⁶

Another potential change in the law is developing legal standards based on “alternative” election schemes, such as limited voting, cumulative voting, or preference voting.⁴⁷ These systems, more commonly used in democracies outside the United States, allow voters to concentrate their votes behind particular candidates or to rank candidates in order of preference. Alternative systems allow minority populations to concentrate support for minority candidates without having to constitute a majority within a district. Large Asian American populations that are more residentially dispersed than other minority populations could benefit significantly under these types of systems. In New York City, for example, Asian Americans have been able to elect a number of Asian American candidates in school board elections using alternative election schemes.

E. Asian Americans and Multiple Minority Communities

In many jurisdictions, Asian American populations exist side-by-side with white, black, Latino, and Native American populations. The possibilities for both coalition building and competition among groups are real, and the issue has become more pressing as urban populations grow and change through immigration. Problems for Asian American populations can be exacerbated in jurisdictions where Asian Americans have sizable numbers but are relatively small compared to black and Latino populations. Given Asian American residential patterns, even the linkage of Asian American populations to other minority populations is unclear — should Asian Americans be linked with nearby white populations, as was the case in the 1990s councilmanic redistricting in New York City,⁴⁸ or should they be linked with other minority populations?

The presence of multiple minority populations in many cities raises the potential for competing legal claims under the Voting Rights Act.⁴⁹ It might be possible, for example, for one minority population to file a standard section two claim under *Gingles*, while another minority population could advance a competing claim under an “ability-to-influence” standard. Or, in addressing multiple minority claims, different population standards might come into conflict, with blacks being required to meet a threshold of 51%, while Latinos and Asians, with their large immigrant numbers, were required to meet a threshold of 70% or more. Also, in the crafting of a judicial remedy or the drawing of new district lines, different minority communities could advocate for different lines or even entirely different electoral systems. None of these problems has a ready solution, other than Solomonic decision making by the courts, and basic coalition building and negotiation among advocates.

The recent restrictions imposed by the U.S. Supreme Court in its *Shaw v. Reno*⁵⁰ and *Miller v. Johnson*⁵¹ line of cases may actually pose an advantage in addressing competing minority claims in redistricting. Because of the *Shaw* and *Miller* standards (race-conscious districting violates the equal protection clause if highly irregular shapes accommodate racial minorities or if race is used as the predominant factor), advocates must look to non-racial legal standards to advance minority voting rights.

In addition to using potential section two violations as a basis for race-conscious districts, advocates can employ traditional redistricting standards such as “communities of interest” to protect minority voting blocs.⁵² For example, in cities such as San Francisco and New York City, large Chinatown communities share common interests that transcend race or ethnicity. Commonalities in language, media, business and economic base, and transportation lines provide evidence of a community of interest that should be kept intact for political purposes.

Communities of interest criteria could also be applied to more complex residential patterns in which multiple racial and ethnic groups reside within the same district. Commonalities in socioeconomic status, transportation, and economic base might imply line drawing that links some communities with others — e.g., low-income blacks, Latinos, and Asians in urban areas or middle-income whites and Asians in suburban areas. The standards would be race-neutral, but they could still address the protection of racial minority voters.

CONCLUSION: ADVANCING A COMMON RESEARCH AND ADVOCACY AGENDA

Taken in combination, the demographic data, political science analyses, and legal theories involving the political rights of Asian Americans illuminate a complex set of problems and inquiries that need to be addressed by academic researchers and civil rights advocates. As shown in Part II, there are wide gaps in the social scientific data analyzing Asian American political participation. Under-participation and under-representation are clear problems, but the underlying causes — other than high levels of non-citizenship — are not so clear. Asian American voting

behavior has become an area of increasing study, but general theories of political behavior have not been articulated, and the targeted research necessary to assist advocates with voting rights claims is virtually nonexistent. Basic questions such as whether Asian Americans can form unified voting blocs have yet to be answered definitively.

Moreover, the research that has already been conducted has tended to focus on the largest communities within the largest population centers, such as Northern and Southern California. Growing populations in other regions of the country have not been analyzed extensively, nor have smaller Asian American populations such as Southeast Asians. Even a focus on U.S. citizens' political participation — voting behavior and non-electoral advocacy — has tended to push immigrant political participation further down the research agenda. Given the recent political attacks on immigrants, research on immigrant political participation is sorely needed. For example, Federal Election Commission data do not indicate whether a campaign contributor is a U.S. citizen or a lawful permanent resident, and survey data on noncitizen campaign contributions have been limited to small polls conducted by media.

The following areas and topics, although far from comprehensive, could fill some of the significant gaps in the current body of political research:

- *Non-citizen Political Participation and Advocacy.* Developing a stronger empirical understanding of non-citizen political activity, including campaign contributions by lawful permanent residents, and strategies for advancing immigrant rights in the political arena.
- *Ethnic versus Panethnic Behavior and Advocacy.* Measuring race-based versus ethnicity-based voting behavior and developing the appropriate legal and political strategies to advance community interests.
- *Language Access and Political Participation.* Measuring the usage and potential usage of bilingual ballots and other forms of language assistance; developing legal and political strategies for expanding political access for language minorities.
- *Community Organizing and Litigation Strategies.* Examining the intersection of bottom-up strategies (grassroots political activity) and top-down strategies (voting rights litigation) and empirical analyses to support both efforts.
- *Alternatives to Thornburg v. Gingles.* Developing legal theories and empirical tests to support influence claims and alternative election systems that could advance Asian American political interests.
- *Non-racial Criteria for Redistricting.* Developing legal theories and empirical tests to support tests (e.g., "communities of interest") permissible under *Shaw v. Reno* and *Miller v. Johnson*, and applicable to Asian American communities.
- *Coalition Strategies in Multiple Minority Communities.* Measuring voting behavior among multiple minority groups and coalition building among advocates; developing political strategies to promote coalitions.

But filling the gaps in research is only one half of a potential solution. A common agenda of research and advocacy also needs to serve as a springboard for increased collaboration and cooperation between researchers and advocates. Ad-

vocates can help define research topics, but research can also inform advocacy by defining areas in which advocacy might or might not be fruitful. For instance, strong evidence that Asian American voters tend to vote along ethnic lines rather than along racial lines would suggest that advocates pursue voting rights and redistricting strategies that consolidate single Asian ethnic populations within electoral districts rather than attempting to aggregate several populations. Similarly, research demonstrating the strength of particular incentives for increased political participation — such as Asian American candidacies or the salience of special legislative issues — could help refine advocacy strategies to advance candidates or legislation. A greater collective effort can translate not only into increased knowledge about Asian Americans, but better advocacy on behalf of Asian American interests.

Endnotes

¹ See Erie, Stephen P., Harold Brackman, and James Warren Ingram III. 1993. *Paths to Political Incorporation for Latinos and Asian Pacifics in California*. California Policy Seminar Research Report. Berkeley: Regents of the University of California.

² National Population Projections I. Summary Files Total Population by Race, Hispanic Origin, and Nativity. (Available at www.census.gov/population/www/projections/natsum-T5.html).

³ Democratic National Committee. 1999. Press Release. *Political Power of Asian Americans Increases Due to Projected Population Growth*. 13 October. (Available at www.democrats.org/archive/news/rel1999/rel101399.html).

⁴ Hum, Tarry, and Michela Zonta. 2000. Residential Patterns of Asian Americans. in *The State of Asian Pacific America: Transforming Race Relations*. Los Angeles: LEAP Asian Pacific American Public Policy Institute and UCLA Asian American Studies Center. 191, 200-04.

⁵ *Ibid.*, 205-17.

⁶ Exceptions are Japanese Americans, who are predominantly U.S.-born, and Filipinos and Asian Indians, who have high rates of English fluency because of the former colonial status of their home countries and extensive English language instruction in their home countries.

⁷ More detailed data from the 1990 census are contained in the table below:

SELECTED CHARACTERISTICS OF ASIANS AND PACIFIC ISLANDERS, 1990

	Population (% of total A/PI)	% Foreign Born	% Linguisti- cally Isolated*	% in Poverty	% with Bachelor Degree	Per Capita Median Income
Chinese	1,645,473 (22.6%)	69.3%	40.3%	14.0%	40.7%	\$13,806
Filipino	1,406,770 (19.3%)	64.4%	13.0%	6.4%	39.3%	\$14,876
Japanese	847,562 (11.7%)	32.4%	33.0%	7.0%	34.5%	\$19,373
Asian Indian	815,447 (11.2%)	75.4%	17.2%	9.7%	58.1%	\$17,777
Korean	748,849 (11.0%)	72.7%	41.4%	13.7%	34.5%	\$11,117
Vietnamese	614,547 (8.4%)	79.9%	43.9%	43.9%	17.4%	\$9,032
Hawaiian	211,014 (2.9%)	1.3%	8.1%	14.3%	11.9%	\$11,446

Laotian	149,014 (2.0%)	79.4%	52.4%	34.7%	5.4%	\$5,597
Cambodian	147,411 (2.0%)	79.1%	56.1%	42.6%	5.7%	\$5,120
Thai	91,275 (1.2%)	75.5%	31.8%	12.5%	32.8%	\$11,970
Hmong	90,082 (1.2%)	65.2%	60.5%	63.6%	4.9%	\$2,292
Samoan	62,964 (0.9%)	22.7%	9.3%	25.8%	8.0%	\$7,690
Guamanian	49,345 (0.7%)	11.4%	7.1%	15.3%	10.0%	\$10,834
Tongan	17,606 (0.2%)	60.9%	21.6%	23.1%	5.8%	\$6,144
Other A/PI	326,304 (4.5%)					
TOTAL A/PI	7,273,662 (100%)	63.1%	34.4%	14.1%	36.6%	\$13,638

* Linguistic isolation refers to persons in households in which no one fourteen years or older speaks only English, and no one who speaks a language other than English speaks English "very well."

⁸ Lien, Pei-te. 1997. *The Political Participation of Asian Americans*.

⁹ Ong, Paul, and Don T. Nakanishi. 1996. Becoming Citizens, Becoming Voters: The Naturalization and Political Participation of Asian Pacific Immigrants. In *The State of Asian Pacific America: Reframing the Immigration Debate*, edited by Bill Ong Hing and Ronald Lee. Los Angeles: LEAP Asian Pacific American Public Policy Institute and UCLA Asian American Studies Center.

¹⁰ For an analysis of the linkage between naturalization and political socialization, see Tam Cho, Wendy K. 1999. Naturalization, Socialization, Participation: Immigrants and (Non-) Voting. *Journal of Politics* 61:1140.

¹¹ Caspar, Lynne M., and Loretta E. Bass. 1998. Voting and Registration in the Election of November 1996. *U.S. Census Bureau Current Population Reports*.

¹² Cain, Bruce, et al. 1991. The Acquisition of Partisanship by Latinos and Asian Americans. *American Journal of Political Science* 35:390.

¹³ Caspar & Bass.

¹⁴ Similarly, a *Los Angeles Times* exit poll for California's November 2000 election found that Asians constituted 5% of the California voters, although they represent more than 12% of the state's overall population. Times Exit Poll: California's Presidential Vote. 2000. *Los Angeles Times*. 9 November. (Available at www.latimes.com/news/timespoll/pdf/449grph4.pdf).

¹⁵ See Asian Law Caucus and National Asian Pacific American Legal Consortium. 1997. *1996 San Francisco Bay Area Exit Poll Report*. San Francisco: Asian Law Caucus; Asian Pacific American Legal Center and National Asian Pacific American Legal Consortium; ———. 1997. *1996 Southern California Asian American Exit Poll Report*. Los Angeles: Asian Pacific American Legal Center.

¹⁶ See Tam Cho, Wendy K., and Bruce E. Cain. Forthcoming. Asian Americans as the Median Voters: An Exploration of Attitudes and Initiative Vote Patterns. In *Asian American Politics: An Exploration*, edited by Gordon H. Chang. Stanford: Stanford University Press.

¹⁷ Tam, Wendy K. 1995. Asians — A Monolithic Voting Bloc? *Political Behavior* 17:223.

¹⁸ *Los Angeles Times* Poll. 1998. Study #420/Exit Poll California General Election. *Los Angeles Times*. 3 November. (Available at www.latimes.com/news/timespoll/stats/pdf/420ss.pdf.)

¹⁹ Exit Poll Demographics: The National Electorate. 2000. *Los Angeles Times*. 9 November. (Available at www.latimes.com/news/timespoll/pdf/449grph2.pdf.)

- ²⁰ Asian Pacific American Legal Center. 2000. *Survey Says . . . A Report of the Asian Pacific American Legal Center's Exit Poll Project*. Los Angeles: Asian Pacific American Legal Center. (Available at www.apalc.org/brochures.htm.)
- ²¹ Political action committees (PACs) are another source of campaign contributions. A growing number of PACs focus on Asian Americans. Examples include the San Francisco-based Coalition of Asian Pacific Americans and national groups such as the 80-20 Initiative.
- ²² For instance, a 1993 *Los Angeles Times* poll found that only 12% of Asian Americans had contributed to a political campaign, compared to 21% of whites. Los Angeles Times Poll #318: Asians in Southern California. 1993. *Los Angeles Times*. August. (Available at www.latimes.com/news/timespoll/stats/pdf/318ss.pdf.)
- ²³ Tam Cho, Wendy K. 1999. Tapping Motives and Dynamics Behind Campaign Contributions: Insights from the Asian American Case. Presented at 1999 Annual Meeting of the American Political Science Association, Atlanta, Ga. (Available at cho.pol.uiuc.edu/~wendy/research.html.)
- ²⁴ Nakanishi, Don T., and James S. Lai, eds. 2000. *2000-01 National Asian Pacific American Political Almanac*. Los Angeles: UCLA Asian American Studies Center.
- ²⁵ Feng, Kathay, staff Attorney, Asian Pacific American Legal Center of Southern California. 2000. Interview by author. 28 March.
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- ²⁷ Ancheta, Angelo N. 1998. *Race, Rights, and the Asian American Experience*. New Brunswick: Rutgers University Press.
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- ²⁹ Chen, Edward M., and Dale Minami. 1998. Petition for Hearing of the National Asian Pacific American Legal Consortium et al., Before the U.S. Commission on Civil Rights. Reprinted in *Asian Law Journal* 5:357, 368.
- ³⁰ Ibid., 365-66.
- ³¹ United States Commission on Civil Rights. 1998. *Briefing on Asian Pacific American Petition*. Washington, D.C. (Available at www.usccr.gov/apa/aa_main.htm.)
- ³² See Democratic National Committee. 1998. *DNC Fundraising & Compliance Manual, pt. I, Legal Guidelines for Fundraising*. Washington, D.C., 4.
- ³³ Statement by Senator Lloyd Bentsen. 1974. *Congressional Record* 120:S4715.
- ³⁴ Brown, Bruce D. 1997. Alien Donors: The Participation of Non-Citizens in the U.S. Campaign Finance System. *Yale Law and Policy Review* 15:503; Note. 1997. 'Foreign' Campaign Contributions and the First Amendment. *Harvard Law Review* 110:1886.
- ³⁵ 426 U.S. 67, 79-80 (1976).
- ³⁶ 424 U.S. 1, 14 (1976) (per curiam).
- ³⁷ In *Bridges v. Wixon*, the U.S. Supreme Court reversed the deportation order of an immigrant who belonged to a socialist organization and whose earlier conviction for contempt of court had been reversed on First Amendment grounds. The Court noted that "[f]reedom of speech and of the press is accorded aliens residing in this country." 326 U.S.135, 148 (1945).

³⁸ In *Massignani v. INS*, for instance, the court stated that "aliens fully enjoy our primary rights of free speech guaranteed by the First Amendment," but nonetheless upheld the denial of permanent resident status to an individual who had joined in a newspaper advertisement condoning the destruction of draft records. 438 F.2d 1276, 1278 (7th Cir. 1971).

³⁹ 42 U.S.C. § 1973aa.

⁴⁰ Tamayo, Bill. 1995. Major Voting Rights Victory for Alameda County Chinese Voters. *The Reporter (Asian Law Caucus Newsletter)* 17:1.

⁴¹ 478 U.S. 30 (1986).

⁴² Cain, Bruce E., and Kenneth P. Miller. 1998. Voting Rights Mismatch: The Challenge of Applying the Voting Rights Act to 'Other Minorities'. In *Voting Rights and Redistricting in the United States*, edited by Mark E. Rush. Westport, Conn.: Greenwood Press, 141.

⁴³ Hum & Zonta.

⁴⁴ *Armour v. Ohio*, 775 F. Supp. 1044 (N.D. Ohio 1991). But see *McNeil v. Springfield Park Dist.*, 851 F.2d 937 (7th Cir. 1988) (requiring use of *Gingles* preconditions in vote dilution cases); *Hastert v. State Board of Elections*, 777 F. Supp. 634 (N.D. Ill. 1991) (same).

⁴⁵ *Grove v. Emison*, 507 U.S. 25 (1993).

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⁴⁷ Engstrom, Richard L. 1998. Minority Electoral Opportunities and Alternative Election Systems in the United States. In *Voting Rights and Redistricting in the United States*, edited by Mark E. Rush. Westport, Conn.: Greenwood Press, 227.

⁴⁸ Fung, Margaret. 1995. Voters and Voting Rights. In *The Asian American Almanac: A Reference Work on Asians in the United States*, edited by Susan Gall and Irene Natividad. Detroit: Gale Research Inc., 351, 353.

⁴⁹ See: Ancheta, Angelo N., and Kathryn K. Imahara. 1993. Multi-Ethnic Voting Rights: Redefining Vote Dilution in Communities of Color. *University of San Francisco Law Review* 27:815-872.

⁵⁰ 509 U.S. 630 (1993).

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New Means for Political Empowerment in the Asian Pacific American Community

Steven Hill and Robert Richie

In recent years, alternative voting systems have advanced from being “controversial” to being credible options for political empowerment of racial minority communities. On their own merits, and as a strategic response to recent U.S. Supreme Court rulings on voting rights and redistricting, proportional and semi-proportional voting methods like choice voting, cumulative voting, and limited voting are increasingly used and recognized as a means to increase minority representation in local, state, and even federal elections. The logic of proportional and semi-proportional voting systems for minority representation is simply too compelling to be ignored. Indeed, alternative voting systems may have special utility for the Asian Pacific American community, which often finds itself dispersed over a geographic area and not concentrated enough to benefit from the drawing of majority-minority districts. In fact, in Los Angeles, New York City, and San Francisco — three major cities with the highest populations of Asian Pacific Americans (APAs) — the traditional voting rights strategy of drawing majority-minority districts has utterly failed APAs, as APAs currently hold only one out of a total of seventy-seven city council seats elected by single-seat districts in these three cities. But evidence from New York City, Los Angeles, and San Francisco shows that representation for APAs would have a much higher chance of success using proportional and semi-proportional voting systems. This article will examine the electoral prospects for APAs using these alternative voting systems, and explore strategies to seek their adoption.

In the three years since Bill Lann Lee became acting head of the Civil Rights Division of the Department of Justice, proportional and semi-proportional voting systems have advanced from being “controversial” to being credible alternatives for political empowerment. On their own merits, and as a strategic response to Supreme Court rulings on voting rights and redistricting, alternative voting methods like choice voting, limited voting, and cumulative voting are increasingly used

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and recognized as a means to increase minority representation in local, state, and even federal elections.¹

Under Mr. Lee, the Voting Section of the Civil Rights Division pre-cleared the use of proportional voting systems in numerous jurisdictions. Most recently, the Justice Department pre-cleared the use of cumulative voting for school board elections in Amarillo, Tex., a city of more than 150,000 people (more than fifty jurisdictions in Texas now use cumulative voting, with the number steadily growing).² In 1999, the Department of Justice (DOJ) wrote an amicus brief backing a federal judge's order of cumulative voting for elections to the city council and park board in Chicago Heights, Ill. In September 1999, a representative of the DOJ's Civil Rights Division testified in favor of a bill in Congress that would allow states to use proportional and semi-proportional systems to elect their congressional representatives. After hearing persuasive evidence from the Asian American Legal Defense and Education Fund (AALDEF), the DOJ denied pre-clearance to New York City after the state legislature sought to replace choice voting, a fully proportional voting system, with a less proportional system for electing the city's local school boards.³ In its denial, the DOJ noted that the school boards had a significantly higher percentage of all racial minorities than any other legislative body in the city and were the only level of election where Asian Pacific Americans have had electoral success in New York. All in all, this has been a remarkable turnaround for alternative voting systems, which came under attack during the nomination proceedings of Lani Guinier for the position that Bill Lann Lee eventually assumed.⁴

The logic of proportional and semi-proportional voting systems for minority representation is too compelling to be held down for long, particularly in the wake of recent court rulings striking down majority-minority districts⁵ — the so-called *Shaw* rulings.⁶ Indeed, alternative voting systems may have special utility for the Asian Pacific American community, which often finds itself dispersed over a geographic area and therefore not concentrated enough to benefit from the drawing of majority-minority districts.⁷ In fact, in Los Angeles, New York City, and San Francisco — three major cities with the highest populations of Asian Pacific Americans (APAs) — the traditional voting rights strategy of drawing majority-minority districts has utterly failed APAs, as APAs currently hold only one out of a total of seventy-seven city council seats elected by single-seat districts in these three cities. Thus, this article will examine the electoral prospects for APAs using a different strategy than single-seat districts — namely, multi-seat districts elected by proportional and semi-proportional voting systems.

APA ELECTORAL SUCCESS IN NEW YORK CITY SCHOOL BOARD ELECTIONS

The principle behind a "proportional" system is simple: Any grouping of like-minded voters should win legislative seats in proportion to its share of the popular vote (see appendix 1, which offers more detail about various proportional and semi-proportional systems). Whereas our current winner-take-all principle awards 100%

of the representation to a 50.1% majority, a proportional system allows voters in a minority to win a fair share of representation.⁸ For example, five one-seat districts could be combined into a single five-seat district. If APA voters comprise 20% of the vote in this five-seat district, they can elect at least one of the five seats — even if voting was polarized entirely along racial lines — rather than be shut out as they would be in a traditional at-large election, or in a district-based system where APAs are geographically dispersed.⁹

New York City provides a good example for comparing the differing impact that proportional representation voting systems and geographic-based district elections can have on APA electoral success. When it came time in 1991 to draw the electoral district map for New York's newly expanded city council, it was possible to create council districts that represented the interests of African Americans, Caribbean-born blacks, Puerto Ricans, Dominicans, and all sorts of white subgroups, ranging from ethnic whites to Hasidim, the gay community of Greenwich Village, conservative Republicans on Staten Island, and limousine liberals on the Upper West Side. With APAs making up 7% of New York's population, three seats drawn for APAs on New York City's fifty-one-seat city council might have seemed plausible, or at least one seat corresponding with the 2.3% APA share of registered voters in 1993. But there was no single geographic concentration of APA voters in New York City large enough to form a majority APA district. Many APAs live in APA communities — in Chinatown or in parts of Queens — but those neighborhoods were not linked to one another in a way that could create compact electoral districts.¹⁰

The only elections in New York City where APAs achieve electoral success are the thirty-two local school boards. Those positions are elected by a multi-seat proportional voting system called choice voting.¹¹ After the DOJ denied a proposal to change to a plan that would have more than tripled the percentage of voter support necessary to win a seat, the proportional system of choice voting was retained for the May 1999 elections. Of the twenty-one APA candidates who ran, fifteen were successful, winning seats in nine of the thirty-two boards and winning 5% of school board seats overall.¹²

The rapidly increasing participation and success of APA candidates in the New York community school board elections provide an excellent example of how proportional systems — and choice voting in particular — serve to bring new voices and fresh faces into New York's elections and legislative bodies. APAs have had near-continuous representation on the boards since 1975, even as no APAs have won any other electoral office in the state or city. But after 1986, participation and electoral success took a dramatic upward swing. The number of APA winners doubled to four in 1989, then rose to seven in 1993 (out of eleven APA candidates), to eleven winners (out of fifteen) in 1996 and to fifteen (out of twenty-one) in 1999 (see chart in appendix 2).¹³

Choice voting made these successes possible even though APAs comprise less than 20% of the adult population in every school district. This is because with nine seats on each school board, using a proportional system like choice voting

means that it only requires about 10% of the vote to win one seat, 20% to win two, and so on.¹⁴ Also, choice voting uses what is known as a “transferable ballot,” whereby voters rank candidates (1,2,3, etc.). If a voter’s first choice does not win, his or her vote then transfers to the second choice. These transferable ballots are extremely valuable, since they promote coalition building, prevent voters from “splitting” their vote among similar candidates (like competing APAs) or “wasting” their vote on losing candidates, and allow voters to choose the candidates they really like, instead of the “lesser of two evils.” These qualities promote participation and engagement — spurring APAs to run even where they comprised less than 10% of the population, and to run enough candidates to win three of nine seats in two districts. Choice voting has provided a similar “gateway” for other newly organized communities in the city, including, in recent years, immigrant communities from Russia and the Dominican Republic.

Use of choice voting for New York’s city council elections, instead of the current fifty-one single-member districts system, almost certainly would lead to APA victories and an increased number of APA candidates. Voter registration data suggests that APAs would win at least two seats in the 2001 city council elections if choice voting were used in each of the city’s five boroughs. Even where Asian Pacific American candidates were not successful, their decision to run — which would likely happen in every borough in the city if choice voting were adopted — would help the APA community define and articulate its interests, raise visibility, and find allies in the non-APA community.

PROPORTIONAL SYSTEMS IN PRACTICE

Here are a few examples of other localities where proportional and semi-proportional voting systems are making a difference.

- In the Spring of 2000, the Amarillo Independent School District in Texas, representing a population of nearly 200,000 people, adopted cumulative voting. While cumulative voting does not have all the desirable qualities of choice voting (like ranked ballots), it does lower the threshold of support necessary to win as much as choice voting. Blacks and Latinos in Amarillo together make up a quarter of the city’s population, but no black or Latino candidate had won a seat on the school board in decades. Instituted to settle a voting rights lawsuit involving MALDEF, LULAC, and the NAACP, cumulative voting had an immediate impact. Both a black candidate and Latino candidate won seats with strong support in their respective communities; voter turnout increased more than three times over the most recent school board election; and all parties in the voting rights settlement expressed satisfaction with the new system. More than fifty Texas jurisdictions now have adopted cumulative voting in the 1990s alone. In 1995, then Texas governor George W. Bush signed legislation that allows school districts to adopt cumulative voting and limited voting.

- Cumulative voting and limited voting also have been used in nearly two dozen localities in Alabama for a decade, as well as localities in Alamogordo, N.Mex.,

and Sisseton, S.Dak.¹⁵ Studies by various political scientists of the elections in Alabama demonstrate that they have boosted turnout and increased black representation as much as or more than would have occurred if single-seat districts had instead been used.¹⁶ Another study by political scientist Jerome Gray found that more women were elected as well.¹⁷

- Black candidate Bobby Agee, in 1988, was the highest vote-getter in the first elections using cumulative voting for a seven-seat commission in Chilton County, Ala., even though blacks comprised barely 10% of the population and even though he was outspent by more than 20-1 by the highest-spending candidate. Most of his supporters, overwhelmingly black, took advantage of their opportunity to cast (or “cumulate”) all seven of their votes for him rather than spread their votes among other candidates. The first black commissioner in Chilton County’s history, Agee has twice been re-elected and has been selected by his white colleagues to be chair of the commission.¹⁸

- Peoria, Ill., the quintessential city of “middle America,” uses cumulative voting for its city council elections. Blacks make up only 20% of the city’s population, but black candidates have won in all three elections for the five seats in which cumulative voting has been used since a voting rights settlement in 1988. In 1998, a federal judge imposed cumulative voting in another Illinois voting rights case. Judge David Coar, who presided over the Illinois congressional redistricting case in which majority-minority districts in Chicago were upheld, ordered that Chicago Heights, Ill., adopt cumulative voting to elect its city council and park board.¹⁹ The order has been appealed, but the fact that cumulative voting is allowed by state law and had a very respectable history in the state increases the chances of the order being upheld.²⁰

A CASE STUDY: LOS ANGELES CITY COUNCIL ELECTIONS

The city of Los Angeles is a textbook example of a situation where geographic dispersal of the APA vote prevents APAs from achieving the type of electoral success they have enjoyed in the New York City community school board elections, or that has been achieved by minorities in Amarillo, Peoria, Alabama, Texas, and elsewhere. Los Angeles also illustrates nicely how a proportional system in multi-seat districts would allow the APA vote to become electorally competitive.

The city of Los Angeles has fifteen city council districts, each electing one councilor representing more than 232,000 people — nearly half the size of a congressional district. APAs comprise about 10% of the voting age population of Los Angeles, and no more than 19% of the voting age population (1990 census data) in any one city council district. In most districts, APAs comprise far less than 19%. Not surprisingly, Los Angeles City Council has not elected APAs, despite a significant increase in the APA population since the 1990 census. Latinos comprise 35% of the voting age population according to 1990 census data, and Latinos hold three seats on the city council. African Americans are 13% of the city’s voting age

population (1990 census data), but are highly concentrated geographically and also have three (20%) city council seats. Whites are, not surprisingly, over-represented, holding 9 seats (60%) with only 42% of the voting age population.²¹

The current fifteen single-seat districts plan for Los Angeles's city council clearly is a barrier to political representation for APAs. But, as the examples below illustrate, the electoral possibilities for APA voters are far less bleak when using multi-seat districts and a proportional voting system. In fact, in two scenarios, APAs actually reach a threshold of electoral viability and competitiveness.

Three-Seat Districts in Los Angeles

For instance, if we combine three single-seat city council districts into one three-seat district using a proportional representation system like choice voting, any cohesive voting constituency greater than 25% can elect a candidate.²² Smaller constituencies can elect a candidate by forming coalitions with other similar constituencies. Accordingly, if we combine some conglomeration of three contiguous city council districts with the highest APA populations, we find that the APA vote creeps closer toward the victory threshold of 25%. For instance, combining city council districts 1, 13, and 14, we arrive at the following ethnic composition:

Asian Pacific Americans	15%
Latinos	64%
African Americans	3%
White	17%

Note that, compared to single-seat districts, in this three-seat district the Asian Pacific American vote is on a relative par with the white vote in terms of reaching the victory threshold of 25%. With lower voter turnout in the APA community, it still would be a challenge for APAs to elect a seat, but it is more possible than under a single-member district plan. And APAs would form a powerful "influence vote" for successful candidates to court.

Using other combinations of three-seat districts — for instance, combining districts 1, 4, and 13; or districts 4, 10, and 13; or districts 10, 13, and 14 — would lead to similar results. Latinos and whites generally have the best shot at winning the three seats, with sometimes the third seat being very competitive for APAs, as well as for Latinos and African Americans. Whichever constituency could mobilize their voters and build successful electoral coalitions would win the seat. In other words, while APAs numbers would still fall short of the victory threshold of 25%, they would have a fighting chance to win in this three seat district and would certainly be influential — particularly compared to the current fifteen single-seat district scheme.

Five-Seat Districts in Los Angeles

Even more interesting possibilities arise for APA voters in Los Angeles if the fifteen city council districts are combined into three five-seat districts. Under such a scheme, the APA community's chances of winning a seat on the Los Angeles City Council improve dramatically. A five-seat district would have a victory threshold of just under 17% of the vote.²³ Combining city council districts 1, 4, 10, 13, and 14, the overall ethnic composition becomes:

Asian Pacific Americans	15%
Latinos	51%
African Americans	10%
White	23%

In this scenario, the APA vote has almost reached the victory threshold. Needing some 17% of the vote to win a seat means that Latino voters should win two or three seats, and the white voters should win one or two seats. That leaves one seat still to be filled, and the APA vote is in the best position yet to fill that seat. This would be a very competitive district for APAs, facilitating mobilization of APA candidates, voters, and resources.

These simulations are calculated using voting age population based on 1990 census data. Most experts agree that the APA population has increased significantly relative to other populations in Los Angeles, especially compared to whites and African Americans. Thus, it is likely that the immediate chances of APA electoral success will be even better in a multi-seat proportional voting scheme than estimated here. Also, these simulations assume that APAs vote in blocs or tend to support one particular candidate. While such a generalization is never absolutely true, and perhaps less true for APAs than for Latinos and African Americans, racially polarized voting is certainly an on-the-ground reality that has contributed to the ability of APAs to compete electorally in New York City school board elections. Still, intra-ethnic competition must be factored into any estimates of electoral viability.

CASE STUDY NUMBER TWO: SAN FRANCISCO ELECTIONS FOR COUNTY BOARD OF SUPERVISORS

For the 2000 county elections, San Francisco switched to an eleven single-seat district system from an at-large plurality system electing eleven seats to the Board of Supervisors. During these elections, APAs suffered a dramatic decline in representation, from three seats to one.²⁴ While APAs constitute approximately 30% (1990 census data) of the city's population, they now have only 9% of the representation due to geographic dispersion of the APA population and the fact that the Chinatown district, drawn as a majority-minority Asian district (55% APA, 1990

census), actually elected a white liberal, not an Asian. The lone APA supervisor instead was elected from the Asian-leaning Sunset district (46% APA).

If we combine three single-seat districts together in San Francisco into one three-seat district (as we did in the Los Angeles analysis above) with a 25% victory threshold, we see a much different story. For instance, combining supervisorial districts 1, 4, and 7, we discover that APAs comprise about 40% of that three-seat district area and whites about 49%. If we combine supervisorial districts 3, 6, and 10, we find that APAs comprise about 37% of this multi-seat district, with whites at 28%, African Americans at 18% and Latinos at 11%. In both of these three-seat districts, APAs would elect at least one seat per district, possibly two, for a total of two to four seats. Combining districts 8, 9, and 11 produces a three-seat district with an APA population of 21%, another competitive district for APAs possibly to win one seat, or certainly to be influential. Thus, proportional representation likely would significantly boost APA electoral success in San Francisco, just like it would in Los Angeles and New York City.

ADDRESSING CONCERNS ABOUT PROPORTIONAL AND SEMI-PROPORTIONAL SYSTEMS

In this section, we will address a few of the more common questions and concerns raised about proportional and semi-proportional voting systems.

Wouldn't larger districts make it more expensive and therefore more difficult for minority candidates to run? Under proportional and semi-proportional systems, minorities have been able to win their fair share of representation in numerous elections, even when outspent. They are able to do this because, with proportional systems, successful candidates need a smaller percentage of votes to win. Bobby Agee finished first in his Chilton County election, even though he was greatly outspent, by asking supporters to "cumulate" all their votes for him. Recent studies by our Center for Voting and Democracy and Democracy South found that in North Carolina and Vermont, both of which use a mix of one-seat districts and multi-seat districts, candidates actually have spent *less money* in the bigger, multi-seat district elections than in the one-seat districts.²⁵ There are two reasons for this apparent paradox: candidates from one party can pool some of their expenses (activities designed to get out the vote, mailings, some advertisements, etc.), and it may be harder to pursue negative campaigning when there are several viable candidates on the ballot. The head-to-head combat of single-member districts appears to escalate the need for campaign spending.

Won't proportional voting systems be too confusing for voters? Exit polls taken in Texas and elsewhere have demonstrated that voters understand the voting rules of alternative systems like cumulative voting.²⁶ Proportional systems are used in many American elections and in most other well-established democracies around the world. Voters in these elections have no trouble using them — as evidenced by the higher voter turnout rates seen in most nations that use proportional systems. Some proportional systems are very simple to describe; others sound more compli-

cated when first described, but experience shows that voters quickly grasp and learn the new rules. Educational campaigns instructing voters how to vote can also aid with the transition.

Won't these systems undercut neighborhood representation? No, because with proportional and semi-proportional systems, you need a smaller percentage of votes to win, allowing candidates to target their campaigning to certain parts of the city, if they wish. In Cambridge, Mass., where choice voting is used to elect the city council, five out of nine winning candidates typically have a core base of support in specific neighborhoods. Most neighborhoods consistently elect a representative from their area, as geography often is a factor in how some people vote. In Japan, local elections use limited voting for most city elections, and neighborhoods are also quite well represented, as neighborhood associations are often the most significant political players at that level of election.

Does advocacy of proportional representation undercut voting rights strategies using single-seat districts? No, because proportional and semi-proportional systems clearly can co-exist with single-member districts as voting rights remedies. Some cities like Peoria combine these approaches (districts with cumulative voting) in the same election. In states like Texas, North Carolina, and Alabama, where many jurisdictions have adopted limited voting or cumulative voting, other localities have moved to single-seat districts. At the very least, proportional systems are a sensible back-up option when single-seat districts cannot be drawn due to geographic dispersion of the minority constituency, or due to judicial or legislative opposition.

Reapportionment and Redistricting

The rising interest in alternative voting systems obviously does not occur in a vacuum. The Voting Rights Act provisions on redistricting have divided and preoccupied the Supreme Court more than any other issue has in the past ten years. The Court has heard arguments on cases involving voting rights and redistricting each term since its *Shaw v. Reno* ruling in 1993, often producing bitterly contested 5-4 rulings that have had the general — if still poorly defined — impact of limiting to what degree states can use race in drawing legislative district lines. In a bid to make some lemonades out of the Supreme Court's lemons, some longtime voting rights experts have reluctantly outlined the rationalization for accepting *Shaw's* "bizarre-shape" test over *Miller's* "dominant-purpose" test as the "lesser of two evils."²⁷

The traditional standard used by the courts to determine voting rights standing has been to demonstrate the ability to draw a majority-minority district — a standard that has always plagued geographically dispersed minorities like APAs. But in a 1998 *Harvard Civil Rights-Civil Liberties Law Review* article, Steven Mulroy, a Department of Justice civil rights attorney, argued for a different yardstick,²⁸ proposing that the Voting Rights Act liability may be established and alternative remedies obtained even where plaintiffs cannot draw a compact majority-minority district but can demonstrate sufficient numbers to reach the victory thresh-

old of viability — the aforementioned Droop threshold — necessary for alternative voting systems. Using Mulroy's legal approach would still allow the drawing of majority-minority districts if that intervention proved to be the most effective. But it would also allow use of other interventions like proportional representation when majority-minority districts cannot be drawn due to geographic dispersion of the targeted constituency or political/judicial opposition. Thus, Mulroy's approach is more comprehensive and serves as a powerful tool in voting rights lawsuits, offering to dispersed minority groups like APAs a "way out" of a dilemma posed by the race-conscious imperative of the Voting Rights Act and the race-neutral limits of *Shaw v. Reno*.

But there can be pragmatic arguments for proportional systems quite apart from the legal battles over *Shaw*. As civil rights attorneys have discovered in more than fifty Texas jurisdictions with cumulative voting, and in the more than two dozen counties and cities in North Carolina and Alabama that have settled with limited voting, proportional and semi-proportional systems sometimes are a good fit with local conditions. Perhaps the minority community is more geographically dispersed than necessary for a single-seat district plan — like the APA communities in New York City, Los Angeles, and San Francisco, where majority-minority districts have utterly failed to adequately represent APAs, electing only one APA out of a total of seventy-seven local government seats. Perhaps a small jurisdiction wants to avoid redistricting every decade. In some multi-racial communities, small and large, a citywide proportional plan is the easiest way for different racial minorities to elect representation without the pitfalls of gerrymandering and perennial lawsuits.

Local government is an obvious place for considering proportional plans — the calculations of what it takes to win representation are quite straightforward. Redistricting and reapportionment, especially in racially diverse and polyglot cities like Los Angeles, New York City, and San Francisco, pose several vexing questions: Should single-seat districts continue to be the preferred voting rights remedy, even when such districts produce electoral success for certain minority groups at the expense of other minority groups? Conversely, if it can be demonstrated that multi-seat proportional voting schemes will do a better job than single-seat districts at giving political representation to *all* racial minority groups in a given locality, is not there a voting rights imperative that such schemes be utilized? Knowing what we now know about the ineffectiveness of single-seat districts for yielding electoral success to APA voters in New York City, Los Angeles, San Francisco, and elsewhere, is it not time for the voting rights community to explore alternative voting systems that will be fair to everyone?

Given the new and vague rules established by the courts for drawing single-seat districts, alternative voting system show great promise for providing the most equitable solution for all.

APPENDIX 1:

A LEXICON OF PROPORTIONAL/SEMI-PROPORTIONAL VOTING SYSTEMS

Proportional representation is more a principle than any specific voting system, and the principle is this: groupings of like-minded voters should win representation in proportion to their voting strength. Certain voting systems fulfill this principle more than others, and various proportional and semi-proportional systems exist. The details of different systems matter, but the key point is that all voters are empowered to mobilize and win their fair share of representation. There are partisan and non-partisan forms; more than 200 localities in the United States use one of three non-partisan systems: cumulative voting, limited voting, or choice voting.²⁹ Candidates are elected at-large or in multi-seat districts (constituencies electing more than one representative). Limited voting, cumulative voting, and choice voting are based on voting for candidates (not parties) and already are used in local elections in the United States.

Limited Voting: A semi-proportional system where either voters cast fewer votes than the number of seats, or political parties nominate fewer candidates than there are seats. The greater the difference between the number of seats and the number of votes, the greater the opportunities for minority representation. Versions of limited voting are used in Washington, D.C., Philadelphia, Pa., Hartford, Conn., and numerous local jurisdictions. It has been used to resolve at least twenty-five voting rights cases. Limited voting with one vote — the method fairest to those in the minority — is used for nearly all municipal elections in Japan.

Example: In a race to elect five candidates, voters could be limited to one or two votes. The highest vote-getters (simple plurality) — the five candidates with the most votes — win.

Cumulative Voting: A semi-proportional system where voters cast as many votes as there are seats to be elected, but unlike a traditional at-large system, voters are not limited to giving only one vote to a candidate. Instead, they can give multiple votes to one or more candidates. In a five-seat race, a voter can give all five of her votes to one candidate, or three votes to one candidate and two votes to another candidate, etc. She can “cumulate” or “spend” her votes in whichever way she wishes.

Cumulative voting was used to elect the Illinois state legislature from 1870 to 1980. In recent years it has been used to resolve voting rights cases for city council elections in numerous jurisdictions in Texas, Illinois, New Mexico, South Dakota, and elsewhere.

Example: In a race to elect five candidates, voters can cast one vote for five candidates, five votes for one candidate, or a combination in between. The five highest vote-getters (simple plurality) win.

Choice Voting: A fully proportional system also known as a “single transferable vote” and “preference voting.” Choice voting is the most common proportional system found in other English-speaking nations. Each voter has one vote but can rank as few or as many candidates as they wish in order of preference (1, 2, 3, 4, etc.). Ballots are counted like a series of runoffs, eliminating candidates with least support. Candidates win by reaching a “victory threshold” roughly equal to the number of votes divided by the number of seats. The ranked ballots facilitate coalition-building and allow candidates to run without fear of being a “spoiler” who is splitting the vote.

Choice voting is used for city council and school board elections in Cambridge, Mass. (since 1941), and their city council has had consistent black representation since the 1950s. Choice voting also is used for local school board elections in New York City, where it has consistently produced high rates of representation for blacks, Latinos, and APAs (higher than the district elections used for city council and other offices). Choice voting was used until the 1950s in Cincinnati, Cleveland, New York City, and other American cities, and resulted in fair racial, ethnic, and partisan representation. The Republic of Ireland and Australia use choice voting for national legislative elections and have done so for decades.

APPENDIX 2: CHOICE VOTING AND MINORITY REPRESENTATION

New York City Community School Boards

	By population (1975) ¹	Percent of Seats Won							By registered voters (1993) ²	
		1977	1980	1983	1986	1989	1993	1996		
Women	—	42%	39%	41%	48%	49%	54%	54.5%	50.7%	—
Blacks	21	20	24	25	28	26	30	32.2	31.9	27.3
Latinos	15	14	12	20	17	17	16	17.3	21.5	16.4
APAs	0.3	1	0.7	—	—	0.7	1.4	2.4	3.8	2.3
Minorities	37	35	37	45	45	44	47	51.9	57.2	46
Whites	63	65	63	55	55	56	53	48.1	42.8	54

1. U.S. Census.

2. New York Voter Assistance Commission.

3. Other sources: Weaver Leon, and Judith Baum. 1992. Proportional Representation on New York City Community School Boards. In *United States Electoral Systems: Their Impact on Women and Minorities*, edited by Wilma Rule and Joseph Zimmerman. Greenwood Press.

Summary of Racial/Ethnic Representation, 1993 and 1996 Elections

New York City has thirty-two community school boards. Each board has nine seats, and elections take place every three years, using choice voting. The threshold of representation for one seat is 10%, and every 10% jump in a voting group's share of the electorate means the opportunity to win another seat. Thus, in the following analysis, a racial/ethnic group having 21% will gain proportional representation by electing at least two candidates of choice, one that is 31% will gain proportional representation by electing three.

• **Blacks:** In 1996, black candidates were elected in proportion to black voting age population in twenty-six of thirty-two districts, down from twenty-eight districts in 1994. Three school boards are one black representative short of proportional representation; two boards are two representatives short. Citywide, blacks are represented far above their share of the voting-age population.

• **APAs:** APAs in 1996 were elected in proportion to their voting age population in thirty of thirty-two districts, as was true in 1993. APA voters do not make up 20% of voting age population in any school district in the city, yet APAs have at least one seat in seven districts, and eleven of fifteen APA candidates won.

• **Latinos:** In 1996, Latino candidates were elected in proportion to their voting-age population in eighteen of thirty-two districts, up from thirteen districts in 1993. Latinos are under-represented by only one seat on twelve of the fourteen school boards where they do not have proportional representation. They are two representatives short in the other two districts. Latinos have at least one seat in sixteen districts, more than one seat in twelve districts, and have at least one seat in districts that are at least 16% Latino in every district except District 24.

APPENDIX 3: CUMULATIVE VOTING ELECTIONS AND VOTING RIGHTS COMPLIANCE, NON-TEXAS LOCALITIES, 1987-1999

City/County	Election*	Office	Seats*	Min. Seats*	V.A.P.*	Minority
Chilton County (Ala.)	1988	Commission	7	1	11.8%	Black
Chilton County (Ala.)	1988	School Board	7	1	11.8%	Black
Chilton County (Ala.)	1992	Commission	7	1	<12%	Black
Chilton County (Ala.)	1994	School Board	7	1	<12%	Black
Chilton County (Ala.)	1996	Commission	7	1	<12%	Black
Chilton County (Ala.)	1998	School Board	7	1	<12%	Black
Centre (Ala.)	1988	City Council	7	1	10.97%	Black
Centre (Ala.)	1992	City Council	7	0	?	Black
Centre (Ala.)	1996	City Council	7	1	?	Black
Guin (Ala.)	1988	City Council	7	1	10.30%	Black
Guin (Ala.)	1992	City Council	7	1	10.30%	Black
Guin (Ala.)	1996	City Council	7	1	10.30%	Black
Myrtlewood (Ala.)	1988	City Council	5	(no cand.)	27.78%	Black
Myrtlewood (Ala.)	1992	City Council	5	(no cand.)	27.78%	Black
Myrtlewood (Ala.)	1996	City Council	5	(no cand.)	27.78%	Black
Peoria (Ill.)	1991	Council	5	1	20.9%	Black
Peoria (Ill.)	1995	Council	5	1	20.9%	Black
Peoria (Ill.)	1999	Council	5	1		
Alamogordo (N.Mex.)	1987	City Council	3	1	24.0%	Latino
Alamogordo (N.Mex.)	1990	City Council	3	1	?	Latino
Alamogordo (N.Mex.)	1994	City Council	3	1	?	Latino
Alamogordo (N.Mex.)	1998	City Council	3	1	?	Latino
Sisseton (S.Dak.)	1989	School District	3	1	34%	N. American
Sisseton (S.Dak.)	1990 (3) [#]	School District	3 (3)	1 (3)	<30%	N. American
Sisseton (S.Dak.)	1991	School District	3	0	<30%	N. American
Sisseton (S.Dak.)	1992	School District	3	0	<30%	N. American
Sisseton (S.Dak.)	1993	School District	3	0	<30%	N. American
Sisseton (S.Dak.)	post-'93	School District	3	Unknown	<30%	N. American

* Election = year of election; Seats = number of seats filled; Min. Seats = Seats won by minority candidates; V.A.P. = voting age population

Three elections to fill three seats each on nine-member school board

Endnotes

¹ "Alternative electoral systems" like cumulative voting, limited voting, and choice voting (also known as the "single transferable vote") are designed to provide more opportunity for the electoral viability of voting minorities than the traditional "winner-take-all" at-large method of election, even though they do not involve the use of single-member districts. Each such system features elections held jurisdiction-wide ("multi-seat" or "at-large"), without carving the jurisdiction into subdistricts. However, unlike the traditional at-large system, these three "alternative" systems employ special voting rules designed to enhance the abilities of minority voting blocs to obtain representation. See Still, Edward. 1984. Alternatives to Single-Member Districts. In *Minority Vote Dilution*, edited by C. Davidson. Washington, D.C.: Howard University Press.

² Followwill, Robyn. 1999. Cumulative Voting. *Amarillo Globe-News*. 1 August.

³ Lee, Bill Lann, to Eric Proshansky, Esq., Assistant Corporation Counsel, City of New York. 4 February 1999.

⁴ See Guinier, Lani. 1993. The Representation of Minority Interests: The Question Of Single-Member Districts. *Cardozo Law Review* 13:1135, 1137; ———. 1991. No Two Seats: The Elusive Quest For Political Equality. *Virginia Law Review* 77:1413; ———. 1991. The Triumph of Tokenism: The Voting Rights Act And The Theory Of Black Electoral Success. *Michigan Law Review* 89:1077.

⁵ "Single-member (or -seat) districts," the traditional voting rights remedy, carve a jurisdiction up into geographic boundaries within which a single representative is elected by the voters within that geographic area to represent that area. They contrast with "multi-member (or -seat) districts," geographic areas from which more than one representative is elected, and "at-large systems," in which no districts are used, and voters from all over the jurisdiction may vote for multiple representatives.

⁶ *Shaw v. Reno*. 1993. 509 U.S. 630; *Miller v. Johnson*. 1995. 115 S.Ct. 2475; *Vera v. Bush*. 1996. 116 S.Ct. 1941; *Shaw v. Hunt*. 1996. 116 S.Ct. 1894; *Abrams v. Johnson*. 1997. 117 S.Ct. 1925.

⁷ See, e.g., Anderson, John. 1996. Go Back to the Drawing Board To Make More Votes Count. *Christian Science Monitor*. 12 January, 18; Raspberry, William. 1995. The Balkanization of America. *Washington Post*. 7 July: op-ed page; A Route to Fairer Voting. 1995. *USA Today*. 30 June:1A, 12; Applebome, Peter. 1994. Guinier Ideas, Once Seen as Odd, Now Get Serious Study. *New York Times*. 3 April:1A, 9.

⁸ See DeLeon, Rich, Lisel Blash, and Steven Hill. 1997. The Politics of Electoral Reform in San Francisco: Preference Voting Versus Districts Versus Plurality At-Large. Presented at the 1997 Annual Meeting of the Western Political Science Association, Tucson, Ariz. 13-15 March.

⁹ The threshold of representation for proportional representation can be determined by one of two formulas. The first is called the Hare threshold, and is determined by dividing the number of contested seats into the number of votes cast:

$$\frac{\text{Total number of votes cast}}{\text{number of contested seats}}$$

The second is called the Droop threshold, and is determined by dividing the number of contested seats + 1 into the number of votes cast, plus one more vote:

$$\frac{100\% \text{ of total number of votes cast}}{\text{number of contested seats} + 1} = \frac{100\%}{3+1} = 25\% (+ 1 \text{ more vote})$$

Qualitatively, the Droop threshold is equal to the least number of votes a candidate needs to win such that, when all seats are filled, there are not enough votes left over to elect another candidate.

¹⁰ Asian American Legal Defense and Education Fund. Letters to the Department of Justice. September 1998-February 1999.

¹¹ Choice voting is a proportional-representation voting system also known as single transferable vote and preference voting. Each voter is allowed (but not required) to rank her or his favorite candidates in order of choice, 1,2,3, etc. Ballots are counted like a series of runoff elections, and the "victory threshold" is determined by use of the aforementioned Hare or Droop threshold. Typically choice voting will require a far smaller percentage of the vote to win a seat. In the New York City school board elections, a winning candidate needs 10% of the vote to win one seat.

¹² As usual, there were unfortunate — and unnecessary — problems with the type of ballot-count used for choice-voting elections in New York City. New York persists in counting these ballots by hand, rather than automating and computerizing the process like Cambridge, Mass., has done.

¹³ Asian American Legal Defense and Education Fund. Letters to the Department of Justice. September 1998-February 1999.

¹⁴ The Droop threshold (not the Hare threshold) is used in New York City for the community school board elections.

¹⁵ Engstrom, Richard L. 1992. Modified Multi-Seat Election Systems as Remedies for Minority Vote Dilution. *Stetson Law Review* 21:743, 750. Engstrom, Richard, Delbert A. Taebel, and Richard L. Cole. 1989. Cumulative Voting as a Remedy for Minority Vote Dilution: The Case of Alamogordo. *Journal of Law and Politics* 5:469-497; Engstrom, Richard, and Charles Barrilleaux. 1991. Native Americans And Cumulative Voting: The Sisseton-Wahpeton Sioux. *Social Science Quarterly* 72:388, 391-392. Brischetto Robert, and Richard Engstrom. 1997. Cumulative Voting and Latino Representation: Exit Surveys in Fifteen Texas Communities. *Social Science Quarterly* 78:4.

¹⁶ Brockington, David, Todd Donovan, Shaun Bowler, and Robert Brischetto. 1998. Minority Representation under Limited and Cumulative Voting. *Journal of Politics* 60:1108-1125.

¹⁷ Gray, Jerome. 1999. *Winning Fair Representation in At-Large Elections: Cumulative Voting and Limited Voting in Alabama Local Elections*. Southern Regional Council and Center for Voting and Democracy.

¹⁸ Pildes, Richard H., and Kristen A. Donoghue. 1995. Cumulative Voting in the United States. *University of Chicago Legal Forum*, 241-313.

¹⁹ *McCoy v. Chicago Heights*. 1998. 6 F. Supp.2d 973.

²⁰ *Harper v. Chicago Heights*. 2000. 98-2785, et al, opinion on July 27 by seventh circuit.

²¹ Voting age population is what is generally used in voting rights cases, as it is less open to quick fluctuation and is a more accurate count of the numbers of eligible voters who choose to participate or not. But differentials in registered voters obviously have an impact and must be factored in when determining electoral viability.

²² Using the Droop threshold, three seats produce a representation threshold of 25%, plus one more vote.

²³ Using the Droop threshold, five seats produces a representation threshold of 16.67% , plus one more vote.

$$\frac{100\% \text{ of total number of votes cast}}{\text{number of contested seats} + 1} = \frac{100\%}{5+1} = 16.67\% (+ 1 \text{ more vote})$$

²⁴ Wong, Samson. 2001. District Elections — Who Benefits? *Asian Week*. 18 January. In 2000, Mr. Wong estimates the Asian population to be more like 40% of San Francisco.

²⁵ *The Center for Voting and Democracy and Democracy South*. 1996. Bigger Districts Don't Mean More Expensive Campaigns. *The Center for Voting and Democracy*. 1996. Money and Elections. Available from the World Wide Web: www.fairvote.org/money/seats_costs.htm

²⁶ Brischetto, Robert, and Richard Engstrom. 1997. Cumulative Voting And Latino Representation: Exit Surveys in Fifteen Texas Communities. *Social Science Quarterly* 78:4; Engstrom, Richard L., and Robert R. Brischetto. 1998. Is Cumulative Voting Too Complex? Evidence from Exit Polls. *Stetson Law Review* 27:813-834.

²⁷ Pamela S. Karlan. 1998. The Fire Next Time: Reapportionment after the 2000 Census. *Stanford Law Review* 50:729-763.

²⁸ Mulroy, Steven J. 1998. The Way Out: A Legal Standard for Imposing Alternative Electoral Systems as Voting Rights Remedies. *Harvard Civil Rights-Civil Liberties Law Review* 33:333.

²⁹ In addition, different varieties of proportional systems are used in most well-established democracies, and of the thirty-six major democracies with a high Freedom House human rights rating and a population of over two million people, only two — the United States and Canada — use exclusively winner-take-all elections for national elections. This year South Africa held its second election using proportional representation; once again, voter turnout and voter respect for the outcome were high, and all racial groupings elected a fair share of seats without gerrymandering a single district. See Reynolds, Andrew, and Ben Reilly. 1997. *The International IDEA Handbook of Electoral System Design*. Stockholm: Institute for Democracy and Electoral Assistance, 20.

Gaining the President's Attention: An Interview with Martha Choe and Shamina Singh

Namju Cho and Jacinta Ma

On 7 June 1999, President Bill Clinton signed Executive Order 13125 to create a White House initiative to improve Asian American and Pacific Islander access to federal health, education, housing, labor, economic, and community development programs. The executive order was the first to directly affect the Asian American and Pacific Islander community since the internment of more than 100,000 Japanese Americans during World War II. The order established a fifteen-member Advisory Commission on Asian Americans and Pacific Islanders to set specific goals and advise the president on addressing ways to improve the quality of life for this segment of the population.

Martha Choe, chair of the president's Advisory Commission on Asian Americans and Pacific Islanders, and Shamina Singh, executive director of the White House Initiative on Asian Americans and Pacific Islanders, spoke with Namju Cho, co-managing editor at the *Asian American Policy Review*, and Jacinta Ma of the Civil Rights Project at Harvard University. Ms. Choe is also director of the Department of Community, Trade, and Economic Development of the state of Washington. Following are excerpts from the interview, on Wednesday, 13 December 2000.

AAPR: What is the purpose of the initiative?

CHOE: [The initiative] was a result of several years of work from community groups that had advocated to the federal government that the needs of AAPIs were not being met. . . . [Then] President [Bill Clinton] issued the executive order establishing the commission and directed us to provide recommendations on ways to improve the quality of life of AAPIs in U.S. . . . and to focus on three specific areas. One is [data collecting, as] there isn't enough data . . . and what data there is isn't disaggregated, and the second is [to forge] public/private partnerships to provide capacity to address the [community's] needs.

Namju Cho is a Master in Public Policy candidate at the John F. Kennedy School of Government at Harvard University. Jacinta Ma is a legal and advocacy associate at the Civil Rights Project at Harvard University.

SINGH: The third is to develop monitoring and coordinating of the federal government efforts in an oversight role.

CHOE: May of 2000 was the first time meeting each other. We received a briefing from a staff group called the Interagency Working Group, which was also created during the executive order. The commission began to brainstorm the areas it might focus on and we decided on data collection; civil rights, which included racial profiling and hate crimes; and increasing the capacity of community organizations to address the needs of communities. We wanted to focus on language and cultural barriers, which are often the reason that services are not being delivered to our communities. Given President Clinton's signing of another executive order in the fall of 2000 called Limited English Proficiency [to provide federal funds to make services accessible to otherwise eligible persons who are not proficient in English], we focused on Pacific Islanders as a specific priority. It is very important [to give Pacific Islanders a priority] given the loud and clear message from the community that we highlight . . . [their] unique need[s]. [Furthermore], this was a community that was invisible within a community that also feels invisible.

AAPR: What do you consider to be the initiative's biggest accomplishment?

CHOE: One of the biggest accomplishments of the commission is its existence. The fact that this is a historic event is a major statement that the needs of a very diverse community are being acknowledged by the federal government and by the president. One of major concerns is how we can institutionalize our work, so that when we're gone, the work stays, and much [lies] with education within the government. There are health, social education, and economic development needs in the Asian American and Pacific Islander community that . . . [are not being] acknowledged. We were fortunate to have very strong partnerships with people who we see as allies, who are part of the Interagency Working Group, who were key in helping us identify how to have the federal bureaucracy work. The strong partnership was led by people like [then] Deputy Secretary Kevin Thurm at the Department of Health and Human Services, who saw this as their responsibility.

SINGH: The fact is, this executive order and initiative and commission are all historic. First, never before have there been nationwide town hall meetings specifically targeting Asian American and Pacific Islander issues with a commission having the direct ear of the president. Two, there had never been an inventory of programs specifically geared toward AAPIs. The Interagency Working Group is primarily made up of deputy secretaries of each federal agency who run day-to-day operations. The coordinating committee is made up of career civil servants who are the working arms who will continue to be here long after myself and [the Clinton] administration to carry on the work. The data — an analytical inventory — of what currently exists for AAPIs and the recommendations of service of the commission really provided a blueprint of the agenda for AAPIs for the 21st century.

AAPR: How will the change in administration affect the initiative?

CHOE: It is a good question for which we don't have an answer to, but our assumption is that it will continue. Our community does not go away after the inauguration of a new president. What we've done has been not only bipartisan but actually nonpartisan. The health, education, economic development, civil rights needs exist regardless of who is in the White House. We would like to meet with the next president, present our findings and continue to receive the wonderful support we've received from federal agencies thus far.

[Update]: President Bush needs to renew the commission before 7 June, 2001, when the executive order expires. Some national AAPI organizations have mobilized efforts to send President Bush a letter in support of the initiative.

SINGH: Technically, the commissioners are sworn in until 2002 — they do transcend this administration. Our office will be here through this administration and the next. . . . [More precisely], the commissioners were sworn in May 18, 2000, for two-year terms.

AAPR: What do you expect to be the biggest challenges ahead for the initiative?

CHOE: One of the challenges in any transition is to keep the momentum up. We have plans for two town hall [meetings] in 2001. One in the Pacific [Islands] to make sure we're hearing from the diverse populations in the Pacific Island geographic area and one in the Midwest. [Having the meetings in diverse locations] is very important because the needs of AAPIs are very different depending on the geography. So one of the immediate challenges is to continue momentum and support of the White House. The second challenge is to take the inventory as a baseline of where we are in terms of the federal government. The next challenge is to look at how we change that base line and improve delivery of services across language barriers — how we begin to focus on civil rights of the community. All of us realize that our time is limited, and we are looking for ways to institutionalize our work and answer questions of how all of us — including the federal agencies — are going to be held accountable.

SINGH: There's a lot of work, and we've only scratched the surface. There's a heck of a lot of work ahead of us that needs to be addressed.

AAPR: What is the biggest impact the initiative has had on the lives of AAPIs?

CHOE: Part of it is tangible, and part of it is intangible. We've generated a tremendous amount of hope. Finally after years of advocacy . . . our diverse and collective voices have been heard at the highest level of this country. When we were at our first town hall meeting and the national anthem was being played, it was

very moving. I felt the weight on my shoulders and the other commissioners felt the weight on their shoulders that we have a tremendous responsibility. We are realistic enough to know that people may ask, "What good are you going to do? You're only a commission. Is my life going to be any different?" Each of us is promising to do everything within our human power to say, "Yes, we're going to make a difference." When all is said and done, we're going to go back to our family, friends, and communities we're accountable to. I want to be able to say, "Look, we delivered." We take it very, very seriously. We're aware that it's a historic opportunity and we better make a difference.

SINGH: The commission and initiative have instilled a tremendous amount of hope and a sense of purpose. It has also established a sense of responsibility in everybody to do something with it. At the very beginning, before commissioners were sworn in, we took the initiative on the road. We took it to community and said, "Here's what the president has just done. Here's what our hope is for it. . . . What is your role going to be in its success and development?" It's been a very collaborative process. . . . I hold it up as a huge change. Not only is there hope, but also responsibility and a sense of access. Not only do they have the need, they have the right to access federal services and programs. Every taxpaying person has that right, and that's something that has been missing. There's a sense now there needs to be a national unified voice for the Asian American and Pacific Islander community outside of the government. The commission has set a powerful precedent of establishing access.

AAPR: Was it challenging to engage the community to collaborate with you?

SINGH: It wasn't challenging at all to create the sense of hope because the sense of entitlement and hope was already there. It was a matter of tapping into the enthusiasm of the community. AAPIs are, on the whole, extremely hard-working and extremely dedicated to their own community, but also to the success of the whole country. A sense of loyalty has always been there, and all that was needed was a place to put it.

AAPR: Do you feel the commission is well publicized throughout the different communities?

CHOE: The world is very small. It's been amazing to get e-mails across my desk. Can we continue to do a better job publicizing? Absolutely. [Getting information out is] always a challenge. . . . Using the Internet and our Web site are great ways to make information available. We're constantly looking at ways to get information out and how to get people in.

AAPR: What were some of the hurdles along the way?

CHOE: As someone who chaired the budget committee in Seattle, one of the challenges was how we translate the policy recommendations into actually funding them. We'll take resources, whether it's a combination of public-private partnerships or specific resources directed by federal agencies, to support capacity building in their own agencies; to provide resources to make sure data is collected appropriately; to start to tackle how we operationalize work we've done in terms of policy objectives to actual programs and services that will start to affect people's lives very directly. That's, again, why the partnership with the professionals within the agencies is so important.

AAPR: Are all the commissioners volunteers?

CHOE: The initiative is funded in that the town halls that we hold are paid for by the government, but we're doing this on our own time. . . , which in many cases [is] diminishing (laughter).

SINGH: The commission was appointed and selected by the president.

AAPR: How do you respond to concerns that the Los Angeles area hasn't been properly represented in the commission?

CHOE: The concerns have been communicated from both California and Texas, and we have communicated it to the White House, [since] we are not the appointing authority. It will continue to be considered by the White House.

AAPR: What do you consider the initiative's top priority?

CHOE: Articulating what those areas are — civil rights and linguistic barriers. It was challenging because there were so many needs. But because there was another executive order on the Limited English Proficiency, it was a tremendous opportunity for agencies to be a resource in letting them know how to implement that order.

SINGH: A longer-term priority is the whole idea of Asian Americans and Pacific Islanders serving institutions. We are one of four initiatives created by the president — the other three serve the African American, Hispanic, and Native American communities through institutions — historically black colleges, Hispanic-serving institutions, and tribal colleges. These are all entities that get direct funding from government. AAPIs don't have such a vehicle. We get funding through grants. The creation and definition of what these [Asian American and Pacific Islander institutions] might look like [is a priority]. The commission sees that as a very tangible product. We're definitely pursuing the possibility of mechanisms to establish such an institution.

AAPR: When is the Interim Report to be released? (Please see pages 116-117 for highlights)

CHOE: We just finished [and submitted] the Interim Report to the president, and we expect to be rolling that out in early January 2001. We focused on the state of AAPIs and much will reflect the work of inventory by agencies. One part is a reflection of where we are. Two is to articulate what we heard from the community across the country, [as we] tried to provide direct quotations from the town hall meetings, responses we've received, reinforcing priorities we've chosen, and [finally] looking at recommendations on how we change the baseline.

AAPR: What are other means for feedback besides the town hall meetings?

CHOE: Use our Web site (<http://www.aapi.gov>) . . . to communicate with us, send correspondence, [and] encourage people to talk to us. If you have an idea for what we can do or better vehicles, we're very open to that. One of our goals is to be accessible and available. One of the challenges is having incredible staff and leadership but a very small office.

SINGH: Certain affinity groups have been uniting in ways they've never united before. A gay and lesbian group recently organized the first national conference for AAPIs to specifically address Commissioners. It was not an official town hall meeting of [the] White House Initiative, but I attended. [It was] something that was driven by the community. This group decided they wanted their voice to be heard by the commission and organized a conference. Also, environmental groups had some event in Northern California, as did groups in Houston. In Washington state, community groups got together and invited the commission, so they held a mini-town hall meeting. All of that input went into the report and deliberation.

HIGHLIGHTS FROM THE WHITE HOUSE INITIATIVE INTERIM REPORT RELEASED 17 JANUARY 2001:

Vital Statistics

As of July 1999, there were 10.9 million AAPIs, or 4 percent of the U.S. population. This segment is expected to grow to 37.6 million, making up 9 percent of the country's population, by 2050. AAPIs are the fastest growing racial population in the country, having increased 95 percent between 1980 and 1990 and an additional 43% for the decade after that.

Four out of five AAPIs, or 80 percent, live in one of ten states — California, New York, Hawaii, Texas, New Jersey, Illinois, Washington, Florida, Virginia, and Massachusetts. Meanwhile, the fastest growing AAPI populations are in Georgia, Nevada, North Carolina, Nebraska, Arizona, Delaware, and New Mexico.

About 1.4 million AAPIs, or 13 percent of the population, were at or below the federal poverty level in 1998; the 1989 poverty rates for Hmong Americans was 66

percent, 43 percent for Cambodian Americans, and 35 percent for Laotian Americans.

Two million AAPIs do not have health insurance, with Korean Americans having the highest rate of uninsurance among all racial/ethnic groups, at 40 percent.

Sources: U.S. Census Bureau, 1999 and 2000; Department of Health and Human Services, 1999; Urban Institute Metropolitan Housing and Communities Center, 2000.

Federal Agency Activities

The Department of Agriculture has provided more than \$26.5 million in loans and loan guarantees to AAPIs, and has conducted successful outreach programs dealing with land and natural resource conservation, farming, and fishing.

The Small Business Administration has conducted outreach activities that involved more than 24,000 AAPIs in order to increase the amount of financing, technical assistance and government contracting assistance available. The SBA provided an unprecedented amount of \$1.2 billion to AAPIs' small businesses in fiscal year 1999.

Six departments and six agencies (36 percent) out of the 32 surveyed collect program data on AAPIs.

Prior to the current inventory, less than half of the agencies had conducted any needs assessments or studies within the last five years to identify, quantify, or evaluate AAPI needs.

Eight department and nine agencies (53 percent) have some informational materials translated in AAPI languages. Only 25 percent of the agencies have regulations, policies or guidance memoranda on compliance with Title VI of the Civil Rights Act ensuring equal access for individuals with limited English proficiency.

There were 120,000 AAPIs who have worked for the federal government. Nineteen of the twenty-nine departments and agencies (66 percent) reporting employment data had Asian Americans or Pacific Islanders in Senior Executive Service (SES) levels. However, AAPIs are underrepresented at twenty-eight of those twenty-nine departments and agencies reporting SES data. AAPIs are also underrepresented in supervisory levels at twenty-three of the twenty-five departments and agencies reporting employment data about supervisory positions.

Nearly half of the departments and agencies, or 47 percent, have an AAPI employee organization.

Immigration Changes: Civil Rights and Social Science

Debra L. DeLaet, *U.S. Immigration Policy in an Age of Rights* (Praeger 2000)

Charles Hirschman, Philip Kasnitz, Josh DeWind, editors, *The Handbook of International Migration: The American Experience* (Russell Sage Foundation 1999)

Frank H. Wu

Lines are crucial. Law and policy are about drawing lines. Some lines between people are permissible; others are not. A line between citizens and aliens remains essential to the notion of a nation. An overwhelming majority still assumes, without much hesitation, that denying aliens the privileges granted to citizens is an obvious choice. Yet a line between races is anathema to a diverse democracy. The same overwhelming majority has determined, through considerable debate, that denying blacks the same privileges granted to whites is an immoral choice.

Indeed, the propriety of drawing these lines is not now disputed. The conclusion as to which type of line has been drawn is dispositive of any argument about whether such a line was principled or whether it should have been drawn at all. Current controversies, therefore, focus on whether a line that ostensibly runs between citizens and aliens is actually a line between races, and whether immigrants belong on the side of citizens or aliens.

However, the Proposition 187 campaign during the 1994 California elections vehemently disagrees about such lines. Proponents of the measure said that the literal language of Proposition 187 applied only to illegal immigrants. Opponents of the measure suggested that it was intended to affect Latinos or would have the effect of doing so. Proposition 187 also distinguished between types of immigrants. Illegal immigrants are aliens, and their physical presence does not alter their status; legal immigrants are implicitly "citizens in waiting," and they can become citizens as a formal matter by following the rules.

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It may be impossible to adjudicate between the competing claims about the symbolic significance of Proposition 187 within popular culture, but some individuals revealed contradictions in their assertions. State Senator K. Maurice Johannessen, a supporter of Proposition 187, turned out to be himself an illegal immigrant. According to the *Los Angeles Times*, he insisted that he was not the type of illegal immigrant meant by Proposition 187. Rather, Johannessen “in speeches, mailers and broadcast advertising . . . deplore[d] what he [said] are waves of Latinos who illegally ‘come across the border for a free lunch’ of welfare and other benefits.”

Johannessen’s opponent – who also backed Proposition 187 – made an issue of Johannessen’s status during Johannessen’s outspoken campaign in support of Proposition 187. In response to the challenge, Johannessen explained that his televised statements about having “jumped ship” in 1952 were colloquial and he had in fact entered the country legally. He recanted his earlier account of having been jailed and deported to Mexico. He admitted that, in order to explain the repeated inquiries about his poor English skills when he was younger, he had lied to the Army when he told them he had grown up in a small town in Minnesota where only Norwegian was spoken. Johannessen won the election.

In any event, the distinction between legal and illegal immigration was maintained for only so long. Following the passage of Proposition 187, federal proposals to extend the restrictions imposed by the legislation targeted both legal and illegal immigration. The “split the bill” movement saved legal immigration by distancing it from illegal immigration, albeit only partially. The enforcement provisions regarding illegal immigration altered the procedures governing legal immigration.

Debra L. DeLaet has written a competent summary (only 118 pages of main text, including endnotes for each chapter) on the development of immigration policy in *U.S. Immigration in an Age of Rights*. Informed by a wide range of sources including empirical evidence from the social sciences, she posits that immigration rules have become increasingly influenced by civil rights. She refers to political theorists who are impressed by the power of ideas but skeptical about the manipulation of beliefs, and she praises this new role for civil rights. Inspired by international law expert Louis Henkin’s work analyzing the development of universal norms of human rights, DeLaet provides a brief description of immigration prior to the twentieth century before devoting most of her attention to events immediately before and after the 1986 Immigration Reform and Control Act. Her book includes appendices listing major developments in immigration policies and major provisions of the 1986 and 1990 reforms (but not the 1995 reforms). She notes perceptively that “the primary focus of the immigration policy debate in the United States has shifted in recent decades from the selection criteria for legal immigration to the control of illegal immigration.”

Suitable as an introductory text for college courses, DeLaet’s book is optimistic. She criticizes current policies as “not represent[ing] a coherent, rational approach for border control based upon well-defined, widely accepted considerations of the national interest.” She argues that the country has not lost control of its

borders, but has made “a series of legislative compromises designed to address the political demands of well-organized, vocal interest groups.” The standard she sets, though, may be high: there are few areas in which an independent observer engaged in critical analysis would conclude that policies are “a coherent, rational approach. . . based upon well-defined, widely-accepted considerations of the national interest.”

In her second chapter, DeLaet opens with a quote from President Theodore Roosevelt. Speaking to Congress in 1903, he offered what DeLaet characterizes as “a simple vision of the basic goals of U.S. immigration policy.” In sum, Roosevelt did not want to have “too much immigration of the right kind,” and he wanted “none at all of the wrong kind.” Using this division between the right kind and the wrong kind of immigrants, DeLaet provides a reassuringly familiar chronicle of the circles of community expanding outward. More and more groups who would have been “the wrong kind” before became “the right kind” eventually. The arc of this progress curves downward again. As one of the founders of STOP-IT (Stop Out-of-control Problems of Immigration Today) is quoted as saying, “White American citizens got guns to fight back against the illegal aliens and the criminals.”

DeLaet would benefit from considering the recent tendency among legal scholars to distinguish between immigration policy and immigrant policy. Motivated by the desire for a consistent set of doctrines to explain congressional legislation, INS action, and Supreme Court case law, legal scholars have enhanced metaphorical boundaries between the outside and the inside. Their insight divides immigration policy, which concerns who will be admitted and on what terms, from immigrant policy, which concerns the treatment of non-citizens and possibly also naturalized citizens once they have established their physical and legal presence.

The immigration policy versus immigrant policy thesis is very useful, for it explains the current juxtaposition of a restrictive immigration policy with a more lenient immigrant policy. Their line of reasoning is as follows: so long as we are conservative about immigration policy, we can afford to be liberal about immigrant policy, and vice versa. In concrete terms, an immigrant may simultaneously lack the right to entry yet have a right to government entitlements once they have entered. The government is not required to offer immigrants due process while they are seeking to gain a foothold, but it cannot deprive them of civil rights once they have acquired that foothold — it has always been easier to exclude immigrants than it has been to deport them. Thus, a teenager, who could be turned away by force of arms, must be enrolled in the public schools once he or she is present in the United States.

As DeLaet’s book documents, this model separating immigration policy from immigrant policy has its parallels in public opinion and neatly mirrors the dichotomy between the rejection of an overwhelming influx and the embrace of particular newcomers. The contradiction has become a cliché: opinion polls consistently show that Americans both dislike mass immigration in the abstract yet like individual immigrants as human beings.

Recent revisions to the system support this interpretation. Initially, it may seem that immigration and immigrant policies are blended together in the elimination of welfare benefits for legal immigrants together with the consolidation of exclusion and deportation under the rubric of "removal". This temporary trend, however, merely highlights the significance of the distinction between such policies. Immigration policy sets immigrant policy, logically and politically. Immigration policy determines who is affected by immigrant policy. Individuals who lack rights within the regime of immigration policy ultimately also will lack rights within the regime of immigrant policy. A person whose mere presence depends on privilege and generosity cannot as a guest become too demanding about anything else. If they can be deported for exercising what would be First Amendment rights for citizens, then deportation rules trump the First Amendment.

DeLaet has identified progressive changes, but it is not clear that we comprehend the consequences of our actions. The values underlying our discussion of immigration policies, legal or otherwise, are utilitarian but self-interested (true utilitarianism does not depend on the party performing its cost-benefit calculation). Such a discussion of immigration might include consideration of foreign relations and domestic politics, but our primary concern is that of the national interest. Regardless of whether we conclude immigrants to be either positive or negative additions to our society, we base our evaluation on our concerns. Rarely do we consider the immigrants themselves.

For example, in the heartland we have an acute crisis of diminishing populations. By global standards, the New World is sparsely populated. Even relative to the remainder of the United States, the upper plains are especially barren. In Iowa, which does not rank highly among the destinations of choice for immigrants (nor in terms of racial diversity), the governor, together with a special commission, has realized that the economic competitiveness of the state depends on having a sufficient labor pool. Accordingly, in late 2000 they proposed an aggressively pro-immigrant policy to attract prospective workers from outside of the country. Such a pro-immigrant policy runs counter to the sentiments of most state residents and also the articulated position of the federal government.

Significantly, the Iowa plan is motivated by the needs of Iowa. The plan seeks only to sustain the prosperity of the state. It is not a humanitarian program, nor does it advance a civil rights agenda. In fact, it likely would be regarded as an absurd suggestion to allow immigrants into Iowa, contrary to federal law and without regard for the well-being of Iowans, merely for the well-being of immigrants themselves (even if the immigrants had demonstrable need).

A new collection, *The Handbook of International Migration: The American Experience*, edited by Charles Hirschman, Philip Kasnitz, and Josh DeWind, should inform policies in Iowa and elsewhere. This is the rare volume that deserves all accolades available to a reviewer, and any student of its subject should become familiar with it. It offers a thorough overview that represents the maturity of immigration studies, the beginning of interdisciplinary approaches in earnest, and the

integration of immigrants into contemporary analysis. Latinos and Asian-Americans are as central to the book as would be expected from their sizeable shares of the immigrant pool. Gender, families, and immigration networks play a role, along with the rational actor of classical economics. But above all, its wealth of information and exact balance between fact and theory defines a new paradigm. More accurately, it offers multiple paradigms. The book focuses exclusively on neither immigrants nor the non-immigrant population.

The editors articulate their desire to create immigration studies "as an interdisciplinary field within the social sciences" and as "a counterweight and a complement to the moral and sentimental voices speaking out in public debates." They have confidence in their data, despite its contradictions. They also recognize that it is necessary but not sufficient. The data must inform the moral and sentimental voices, despite its being preliminary and susceptible to multiple interpretations. The authors are aware of the minutiae of the dealings on Capitol Hill; former Senator Alan Simpson of Wyoming, a state that is not a destination for immigrants, is quoted as explaining that he was "a passionate advocate of immigration control" because of the "constituent who complained that droves of 'illegal immigrants' were responsible for the parking problems in Laramie!"

Two dozen chapters are gathered from the participants in the conference hosted by the Social Science Research Council in January 1996 in Sanibel, Florida. These expert authors disagree as much as they agree: Alejandro Portes argues against a unified theory of immigration, but Douglas Massey and Charles Hirschman present tentative syntheses. Douglas Massey and Aristide Zolberg dispute the effectiveness of immigration laws, while Nina Glick Schiller urges a transnational paradigm of human migration. Also violating Portes' admonition, Glick Schiller's approach lends itself to multidisciplinary effort and may lead to more comprehensive understanding.

Three sections cover, respectively: first, theories and concepts of international migration; second, immigrant adaptation, assimilation, and incorporation; and third, the American response to immigration. Richard Alba, Victor Nee, Herbert Gans, Rubin Rumbaut, Min Zhou, and David Lopez all consider assimilation, how to define it, and how to measure it, rather than whether it is desirable or can be enforced. Yet they produce a consensus only in the need to rethink the meaning of the term and the necessary trouble of distinguishing between the descriptive and normative aspects of the literature. Gans tries to separate descriptive researchers and normative thinkers, and he, and every other writer who is included, gives a succinct critical review of the leading literature. Their intellectual conversation may challenge popular notions and the desire for simple solutions, but it demands attention and should provoke further research.

The highly charged topic of cultural assimilation by immigrants is matched by the vexing examination of the economic effects of immigration. A conspicuous absence from the list of contributors is Harvard economist George Borjas, but his work is analyzed by Joel Perlmann, Roger Waldinger, Rebecca Rajjman, Marta Tienda, and Nancy Foner. They compare the current influx with historical flows and against

the native-born population. Like Patricia Pessar in an earlier chapter, Foner looks at the family and the household, although her unit of analysis is at the opposite end of the spectrum from Glick Schiller's global vision. Both analyses, nevertheless, are insightful and should be developed.

The concluding parts of this kaleidoscopic survey question how the United States behaves as it undergoes demographic transformations that have never before occurred anywhere peacefully much less successfully. The authors focus on the geographically distinct nature of immigration, contemplating differences even within a region, such as the strong influence of immigration on Washington, D.C., as compared to the neighboring city of Baltimore. They consider white reactions to internal migration as well as tensions with African-Americans as expressed by Nobel Laureate Toni Morrison's complaint that immigrants' gains come "on the backs of blacks."

The browning of America is not uniform, nor is it uniformly welcomed, even among racial minorities. In a think piece, David Plotke blends descriptive and normative work in arguing for greater immigration, coupled with more vigorous political incorporation of immigrants. Willing to confront the difficult questions avoided by both pro- and anti-immigrant forces alike in the political sphere, Plotke considers whether and in what ways immigrants help or harm democratic processes from several ideological perspectives.

The only flaw with this volume is the slightly misleading title. "Handbook" suggests a reference work; however, this set of essays lack the structure to serve as such. While it has a good bibliography and a lengthy index, it is not user-friendly to the reader who casually consults it for facts, figures, or definitive statistics. Complexity has been multiplied rather than reduced. Although it may not qualify as a "handbook," however, it certainly can form the basis for any investigation into immigration.

The *Handbook* is worthwhile because immigration law and policy have been fashioned without much attention to immigration facts. It can correct the tendency of decision-makers to rely on unreliable sources. Immigration marriage fraud regulations were based on anecdotes about the prevalence of fraud, and at least some of the INS data turned out to have no foundation. More recent efforts to preserve asylum also were victorious because of personal narratives in a handful of cases, ironically using spectacular stories that favored immigrants to counter popular myths that disfavored them.

The literature on immigration has become as vast as its field of inquiry. Whether we desire open borders, zero population growth, or a compromise between extremes, we ought to acknowledge that immigrant rights are an oxymoron unless there are corresponding immigration rights. Furthermore, the discussion about what our nation should become in the future must be grounded on what our world is in the present.

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