

## The Case of Vincent Chin: A Hate Crime

By Isabel Daquial

My topic for Michigan Law Day is From a Whisper to a Rallying Cry - a paper unveiling the racial stigma in the US that exists around Asian-Americans, the injustice Vincent Chin faced, and the symbol of freedom that is the right to assemble. Vincent Chin died at the hands of a hate crime due to racism and the stigma against Asian Americans. In reaction to such a catalytic event, many Asian-Americans formed groups to protest this injustice while pre-existing assemblies also pitched into the upcoming Asian-American civil rights movement.

If I were to win this prestigious award, I would use the money to promote MI law day by inviting in a speaker from the American Citizens for Justice to speak to my high school classmates about their organization and their work. I would create flyers, and promote civil rights both within my school and my community. I would also like to promote Law Day by advocating the rule of law and Michigan's legal milestone of the Vincent Chin murder. Finally, I would like to use any remaining funds to create an ACJ chapter in my own high school, so the rule of Law and the right to assemble would not only be protected and promoted, but also celebrated.

The legend of Vincent Chin is an important one. The case of Vincent Chin inspired an entire movement for Asian Americans and has rightfully been commemorated by the Michigan Legal Milestones Program. Chin's death has been the most catalytic event for civil rights for Asian-Americans in American history. While Vincent Chin unfortunately faced injustice, he is avenged by the reform of civil rights in his honor. The ability and willingness of American citizens to form groups in order to advocate for people's rights is a symbol my symbol of freedom.

Vincent Chin was a young man, son of Chinese immigrants, who was murdered in June of 1982. Vincent Chin was killed by 2 white men who held Vincent accountable for their loss of work in the automobile industry, due to Vincent's race. At this time, Japanese cars were thriving, thus affecting Detroit's auto industry. The 2 men approached Chin in a bar where Chin was celebrating his upcoming wedding and beat him with a baseball bat. His last words were "it's not fair". The attackers never denied any of the acts, claiming it as a bar brawl that just ended badly. The 2 men received 3 years of probation and a \$3,000 fine under the charge of man slaughter, which is less astringent than 2<sup>nd</sup> degree murder. While never disclaiming any of the acts, the 2 men never served jail time.

After his death, protests arose in cities all over the country for Asian-American civil rights. This could be compared to the recent event of Ferguson. Parades and protests of Asian-Americans and their allies formed all over the nation to seek justice for Vincent Chin and his attackers. And just like Ferguson, the assailants escaped justice. As a result of Chin's case, federal changes were made regarding hate crimes, sentencing guidelines and victim's rights. In

addition, the group American Citizens for Justice was formed. The name was very intentional in which the group included both immigrants and those who are much assimilated, but are all American citizens. The American Citizens for justice group gained popularity and received attention and support from many, including the NAACP and the United States Department of Justice. The Department of Justice brought the case up in federal courts but lost in the appeals court. The Department of Justice made Chin's case a civil rights one, and lost because the federal appeals court claimed that "Orientals" did not apply to civil right statues, only Blacks did. Even when felt wronged, Asian-Americans took action and used their freedom of speech outlined in our nation's Constitution by the 1<sup>st</sup> amendment, to assemble and fight for justice.

But perhaps the most important aspect of the Vincent Chin case is that it sheds light on the stigma of Asian-Americans and their racial issues in this country. The term "Asian-American" is politically correct, but is not often used by those who are Asian-American. "Asian American" is merely a demographic. There is no "Asian-American community". Asian Americans do not all share a common language, culture or religion. Asia is the most populated continent on Earth, and has a variety of ethnicities. The term "Asian-American" also alludes to the stereotype that all Asians "look the same", or essentially are the same. This denies many people of their cultural heritage and was adverse for Vincent in that he was Chinese, but held accountable for the Japanese success in automobiles. Asian Americans are also typically seen as the "model minority" in that they are smart and successful. But this stereotype is also detrimental in that it molds all Asian Americans into one type, and those who do not meet those standards are unfit.

Many people deny any Asians have suffered in American history, which is inherently wrong. When the First Transcontinental Railroad was being built, many Chinese immigrated to America and found work on this railroad. These immigrants had very poor working conditions (alongside the Hispanics who also found work here), low wages, no job security and no societal support. Shortly after in 1882, the Chinese Exclusion Act was enacted in order to inhibit further Chinese immigration in fear of Chinese influence on labor and the economy, and derived from simple prejudice and the belief of the Chinese's inability to assimilate. America has also waged war on numerous Asian countries such as Japan, Korea, Vietnam, The Philippines, Iraq and Afghanistan. These wars have created huge stigmas for the various Asian groups here in America. Filipinos were regarded as useless when America first took the Philippines, believing that they were incapable of civilized life and assimilation, commonly referring to them as "monkeys". Japanese-Americans were interned during WWI due to the American people's fear they may be associated with Japan's military and/or Pearl Harbor. Many people are bitter towards Koreans and Vietnamese as a result of America's loss in both those wars, and their militaries responsible for killing many American soldiers. America's most recent war with the Middle East and the 9/11 attacks have greatly affected the safety and lives of many Middle Eastern-Americans. Middle Eastern-Americans are widely regarded as "terrorists", "America hating" and ungodly.

I feel that I have a personal interest and connection to Vincent Chin. Being the daughter of a Filipino immigrant, I am therefore Asian-American, although, I never refer to myself as Asian-American and share little to no similarities with many people of the Asian-American demographic. When people realize I am Asian, many people just assume I am Chinese or

Japanese, because to many Americans, that is what Asia is. Similar to the common belief among Americans that Africa is a country. I frequently am asked why I do not have “squinty” eyes. While this is partially due to the fact I am also half White, Filipinos typically do not have “squinty” eyes. When people ask me what I intend to do for a career and I respond with politics, government or law, some people are surprised. They ask “are you sure you’ll be good at that?” or “are you sure you’ll be able to get into that field?”. This is most likely because I have not chosen to be a scientist, or an engineer, as many Asian-Americans pursue. These are some of my personal experiences with the stigma that exists in America among Asians, just as Vincent Chin experienced. Thankfully, none of my encounters have ever ended being deadly as Vincent Chin’s was.

Vincent Chin’s murder was a hate crime. He was singled out for his race, and then beaten. Regrettably, a man had to die, but Vincent Chin’s death validated the racial struggles of Asian-Americans and galvanized them to take action. A true symbol of freedom is the capability to mobilize a group of people to work towards greater freedoms. When Chin uttered his last words of “it’s not fair” it turned into an entire reform and Vincent Chin is responsible for the civil right accomplishments for Asian-Americans since then.