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Is Penn Going to Punish Amy Wax?



According to an article published by *Inside Higher Ed* on July 19, 2022, the Dean of the University of Pennsylvania Law School (Penn Law) has started a process that could lead to Amy Wax's termination. Amy Wax is the polarizing law professor who courted scandal with incendiary and racist remarks and writings about Black, Asian, Latino, Jewish, and gay people and seemed to relish the resulting controversies. Despite the repeated calls for her removal from her tenured position, and the criticisms of her actions—including by university leaders—that followed each controversy, Wax remained in the position and seemed firmly protected by free speech and academic freedom rights.

On June 23, 2022, Theodore W. Ruger, Dean of Penn Law, wrote [a 12-page letter](#) to Vivian L. Gadsden, Chair, Faculty Senate, and requested the convening of a Hearing Board to review whether Professor Amy Wax's conduct constitutes a major infraction of University Standards under the Faculty Handbook. *Faculty Handbook Section II.E.16, Procedure Governing Sanctions Taken Against Members of the Faculty.*

According to the letter, Dean Ruger is initiating this disciplinary action because "for several

years and in multiple instances Wax has shown a callous and flagrant disregard for our University community—including students, faculty, and staff—who have been repeatedly subjected to Wax’s intentional and incessant racist, sexist, xenophobic, and homophobic actions and statements. Wax’s conduct inflicts harm on them and the institution and undermines the University’s core values. Wax has made these statements in the classroom and on campus, in other academic settings, and in public forums in which she was identified as a University of Pennsylvania professor. Her statements are antithetical to the University’s mission to foster a diverse and inclusive community and have led students and faculty to reasonably believe they will be subjected to discriminatory animus if they come into contact with her. That eminently reasonable concern has led students to conclude that they cannot take Wax’s classes and faculty to call her presence demoralizing and disruptive.

Moreover, in public discussions about Law students’ academic performance, Wax has disseminated false information about segments of the University community. She has exploited access to students’ confidential grade information and mischaracterized Law School policies in ostensible support of derogatory and inaccurate statements made about the characteristics, attitudes, and abilities of her students. As a result of Wax’s derogatory and misleading statements, students who have taken her classes have expressed anxiety that they will be accused of being at the bottom of their class since the number of minority students in her classes is finite and easily identifiable. Her conduct threatens to cause a chilling effect on students who have chosen to forego enrollment in her classes due to a concern they will be treated more harshly and unfairly relative to their white peers. In addition, her conduct is antithetical to the University’s core mission to attract a diverse student body to an inclusive educational environment.

Finally, Wax’s decision in 2021 to invite a renowned white supremacist, Jared Taylor, to be the featured guest speaker in a regular meeting of her Law School course, and to have Taylor as her guest at a lunch with her students who were expected to attend, crosses the line of what is acceptable in a University environment where principles of non-discrimination apply. Although faculty members have broad discretion in their teaching and academic pursuits, Taylor’s explicit racism, hate-speech, and white supremacy contravenes the University’s express policies and mission, and his white supremacist ideology has been associated closely with those perpetrating violence towards minorities in this country and others. In both promoting this ideology herself, bestowing an honorific guest lecturer role on Taylor, and importing his views into our curriculum, Wax has caused profound harm to our students and faculty, and her escalating pattern of behavior raises risks of increased harm and escalating damage going forward."

In January 2022, she wrote, "I think the United States is better off with fewer Asians and less Asian immigration." Her dean responded by calling Wax’s remarks "anti-intellectual" and "racist," asserting that her "xenophobic and white supremacist views ... are diametrically opposed to the policies and ethos of this institution."

A [major sanction](#), according to Penn’s Faculty Handbook, can be "termination; suspension; reduction in academic base salary; [or] zero salary increases stipulated in advance for a period of four or more years."

Read more about the *Inside Higher Ed* Report: <https://bit.ly/3IMXHeC>

Union of Concerned Scientists: US-China Hostility Hurts People



On July 19, 2022, the Union of Concerned Scientists posted a blog titled "US-China Hostility Hurts People." According to the blog, one way to protect the safety and well-being of Asian Americans and Pacific Islanders in an era of increasing hostility between the two governments is for US political leaders to draw clear lines between national priorities and individual rights. Public servants should take care that US China policies do not bring undue harm to private lives; that Asian Americans and Pacific Islanders don't become collateral damage in a new cold war with China.

Chinese Americans are especially vulnerable. They play a critical role in the creation and maintenance of economic, social, and cultural ties between the two countries. Many US politicians once cherished those relationships. Now they find them threatening. Increased US government scrutiny has already led federal law enforcement to treat Chinese American scientists unjustly. Lives have been disrupted and careers ruined.

The enmity between the two governments need not tear asunder valuable economic, social, and cultural relationships between the people of China and the United States. Preserving and expanding those relationships should not come at the cost of accusations you're un-American or a national security threat. The subset of interactions between Chinese and Americans that could harm the US government is infinitesimal. Empowering federal bureaucrats to treat every commercial, professional, and academic exchange between Chinese and Americans as a potential security problem is government overreach of the worst possible kind.

Unfortunately, that is precisely what the US Congress is poised to do this summer with the

Senate's United States Innovation and Competitiveness Act (USICA) with discriminatory provisions that would require every US government department and agency to appoint officials with a mandate to search for nefarious ties to China. Chinese and other Asian Americans will inevitably suffer most from the McCarthyesque investigations bound to follow.

The Congressional Asian Pacific American Caucus (CAPAC) kept those provisions out of the America COMPETES Act, the version of the bill that passed the House. CAPAC Chair Rep. Judy Chu (CA-27) promised “to ensure that the final legislation does not include broad xenophobic, anti-China rhetoric that could endanger the lives of Asian American communities” or “any language that encourages the racial profiling of Asian Americans by our own government.”

But that promise may be hard to keep. Majority Leader Sen. Charles Schumer may ask Chu and CAPAC to set aside their objections and accept the Senate’s version of the bill without amendments. It may be the only way to pass the legislation, which is stalled in conference committee negotiations between the House and the Senate, in time to help Democrats in both chambers prevail in the upcoming midterm elections.

Schumer’s political instincts are informed by public opinion polls suggesting President Biden is “weak” on China. An increasing number of Americans believe China is an economic threat; that Chinese economic development comes at their expense. This resentment is feeding an anti-Chinese populism that calls to mind the Workingman’s Party of California in the late 1870s, whose political agitation led to the passage of the Chinese Exclusion Act and a wave of violence against Chinese Americans. Utah Senator Mitt Romney enlisted the racist rhetoric of that period in support of the US government’s fight against China today, referring to the Chinese as “bacteria” and the anti-China legislation before Congress as life-saving “sterilization.”

The most effective way to mitigate the harmful impact of political fearmongering is public education. Knowledge diminishes fear, increases empathy, and makes it more difficult for politicians to deflect blame for their failures. An informed electorate will be less likely to demonize others and more open to pursuing the domestic and international cooperation needed to cope with climate change and reduce the risk of nuclear war.

UCS encourages everyone, especially the leaders of US Asian American organizations, to call Representative Chu and the other 74 members of the Congressional Asian Pacific American Caucus (CAPAC) to urge them to tell Senator Schumer they will keep their promise and vote against the Senate’s USICA if it is presented, unamended by the conference committee, to the House.

Read more about the UCS article here: <https://bit.ly/3zjidR6>

United Chinese Americans Convention - Panel on "China Initiative" and Awards



The Third United Chinese Americans (UCA) Convention began with the first panel on "'China Initiative' and Our Fight to Equality and Justice in America" in Washington DC on July 15, 2022. **Sherry Chen 陈霞芬**, a Department of Commerce hydrologist impacted by racial profiling, opened the session, which was moderated by **Gisela Kusakawa**, Assistant Director, Advancing Justice | AAJC. Featured panelists were:

- **Anming Hu 胡安明**, University of Tennessee Knoxville professor; the first academic to stand trial under the "China Initiative" and was acquitted of all charges
- **Phil Lomonaco**, defense attorney for Professor Hu
- **Wendy Chandler**, Juror in the trial of Professor Hu
- **Melba Harmon**, Alternate Juror in the trial of Professor Hu
- **Jinliang Cai 蔡金良**, Tennessee Chinese American Alliance; UCA Board Chair

The UCA convention concluded the next evening with a gala dinner and award ceremonies. Among the recipients of the awards were.

- Advancing Justice Award: **Anming Hu 胡安明**, **Phil Lomonaco**, and **Jamie Satterfield**
- Chinese American Charitable Giving Award: **Agnes Hsu-Tang 徐心眉** and **Oscar L. Tang 唐驪干**. Thanks to their generosity, about 500 "We Belong" yellow whistles were distributed in the UCA Convention.
- Congressional Champion Award: **Jamie Raskin**

The President's office of UCA has also named two distinctive recipients of the President's Special Awards for their outstanding service and contribution to the Chinese American community. For the Special Award for Civil Rights and Social Justice

- **Michael Makoto "Mike" Honda**
- **Steven Pei 白先慎**

Read more about the OCA Convention: <https://bit.ly/3nCX3GV>

2022/05/02 APA Justice Monthly Meeting Summary Posted



After considerable delay due to the direct impact of COVID-19 on APA Justice, the summary of the May 2, 2022, monthly meeting has now been posted at <https://bit.ly/3aMHEB0>. We thank and apologize sincerely to the following speakers in the meeting:

- **Nisha Ramachandran**, Executive Director, Congressional Asian Pacific American Caucus
- **Wilson Lee**, Co-founder, Chinese American Heritage Foundation
- **Ted Gong**, Founder and Executive Director, The 1882 Foundation
- **Edward Benyas**, Professor, Southern Illinois University
- **Peter Zeidenberg**, Defense Attorney for Franklin Tao
- **Gisela Kusakawa**, Assistant Director, Advancing Justice | AAJC

Wilson Lee. Wilson is the current president of the Chinese American Citizens Alliance Boston Lodge. His maternal grandfather's grandfather was one of the 14,000 rail workers recruited by the Central Pacific Railroad to work on the transcontinental railroad. Without their sacrifices, this railroad would have never been finished.

Wilson shared a video about CACA's Chinese American WWII Veterans Recognition Project. Through passionate advocacy and intense lobbying up on Capitol Hill, a bill to honor Chinese American WWII veterans was sponsored by Senators Tammy Duckworth and Thad Cochran and Representatives Ted Lieu and Ed Royce to recognize the 20,000 strong Chinese American veterans who served in WWII. The bill required approval by at least two-thirds of the members of both chambers for passage. It was a race against time as these veterans were reaching an advanced age. It passed the Senate and then the House in 2018.

Chinese American World War II veterans were awarded the Congressional Gold Medal as a national appreciation for distinguished achievements and contributions. The Congressional Gold Medal is an award bestowed by the U.S. Congress and is one of two of the highest civilian awards in the United States. The practice of issuing the medal began during the revolutionary war and continues today.

The idea for the CAHF was had in 2014 when Wilson and his wife Ester were invited by Deputy Labor Secretary Chris Lu and Labor Secretary Tom Perez to DC to attend the 145th anniversary of the induction of the Chinese rail worker into the US Department of Labor. Lee thought that a

great way to celebrate the 150th anniversary, five years later, would be to start the Chinese American Heritage Foundation.

CAHF sponsored a float "American Heroes" to honor our World War II veterans in the Rose Parade in 2020. A video showing the float was shown at the closing of the meeting. What's important about the float is that other communities of color, including Tuskegee Airmen, the Native Americans, women air services pilots, Hispanic Americans, Filipino Americans, and others were also featured. The float was designed with the Doolittle Tokyo Raiders Medal, awarded after their first strike against fascist Japan after their attack on Pearl Harbor during WWII. What is lost in American history is that Japan massacred 320,000 Chinese citizens in retaliation against the Chinese military helping Lieutenant Colonel Doolittle. There have been movies made commemorating the Doolittle raid and honoring their bravery and service, but what is often forgotten is the amount of life lost on the Chinese civilian side. The lives lost in this massacre amounted to a number even greater than those in the Rape of Nanjing back in the 1930s.

For the successful Congressional Gold Medal Award project, Wilson also credited CAPAC and Krystal Ka'ai, current Executive Director of the White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders (WHIAANHPI) and former Executive Director of CAPAC.

The goal of the Chinese American Heritage Foundation is to engage people in a happier way with Chinese American history. With the parade floats, they get a lot of international exposure for the foundation, and they are proud to recognize and support Asian veterans who have supported the US in history. Mr. Lee closed by thanking everyone and expressing his honor and gratitude to be in the company of other APA justice leaders.

Ted Gong. Ted is the Founder and Executive Director of the 1882 Project Foundation, a non-profit organization that broadens public understanding of the history of Chinese in America. He retired from the U.S. Foreign Service in 2009 as a Senior Foreign Service Officer. He served in U.S. Embassies and Consulates in Guangzhou, Hong Kong, Taipei, Manila, and Sydney and at the Departments of State and Homeland Security. Ted is President of the DC Lodge of the Chinese American Citizens Alliance. He received a Frederick Douglass FD200 Award in 2019.

Ted provided detailed descriptions of then-upcoming events with the Asian Pacific American Heritage Month,

Ted also described the "1882atMLK" series of public talks that are designed to have Chinese American topics with panelists and moderators from non-APA communities conscientiously for the purpose of attracting a wider-than APA participation, as well as planned 1882 Foundation's conferences and major activities into the year 2023.

Ted concluded with an update of the Range 99 Project. A memorial was dedicated on April 3, 2022, at the section of the Congressional Cemetery where the Chinese were buried. There are no remains or markers at this section because they had been removed decades ago and sent to China as was custom at that time. In a cemetery established in 1807, among people of all walks of life and positions including significant Native American leaders, the memorial re-

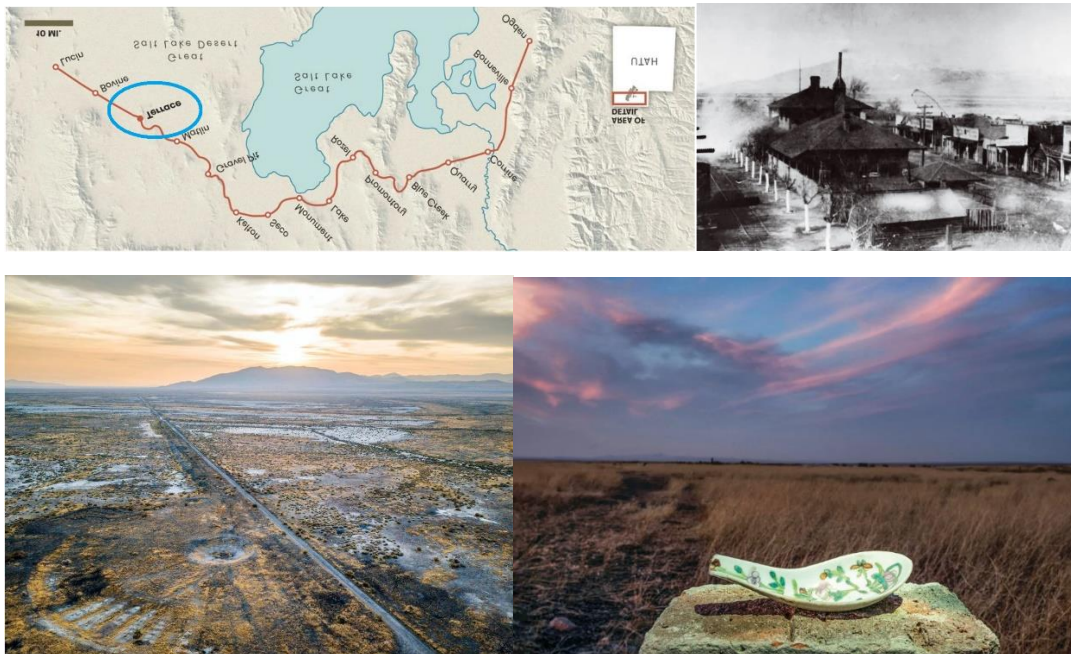
establishes a clear marker that Chinese Americans were also part of America. It is unique from Chinese American memorials elsewhere in the U.S. because it honors the Chinese American experience and not any single incident or person. It directly addresses perennial concerns about the erasure of Chinese American history and place.

Read more about the activities of the 1882 Foundation here: www.1182Foundation.org

Read more about the May monthly meeting summary here: <https://bit.ly/3aMHEB0> and past monthly meeting summaries here: <https://bit.ly/3kxkqxP>

NOTE: On July 19, 2022, *CBS News* reported "Chinese American WWII veteran honored by Yankees," Edward Chan served in WWII, even as U.S. laws at the time discriminated against Chinese Americans. His military service was largely forgotten until 2018, when lawmakers began honoring Chinese American veterans with the Congressional Gold Medal. This past weekend, he was also honored by his favorite baseball team, the New York Yankees. Watch the report: <https://bit.ly/3IQzJPE>

Smithsonian: What Archaeologists Are Learning About the Lives of the Chinese Immigrants Who Built the Transcontinental Railroad. Terrace, Utah - In the sparse Utah desert, the vital contributions of these 19th-century laborers are finally coming to light. Read more: <https://bit.ly/3PI7G7f>





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