

# Bay Area APALSA Conference

## Keynote Address

### *The New Faces of Justice\**

Eddy Zheng<sup>†</sup>

I am very honored to be standing in front of all of you today to receive this award. This award does not honor me. It honors you. It honors all the people who do community service, who chose a path of social justice, and who chose to do things that are difficult.

When I first looked at the list of past BAAPALSA award recipients, I was flabbergasted. The mere fact that my name was even mentioned with those people is an honor. And fortunately, it just so happens that Dale Minami and Yuri Kochiyama are my friends. Not only are they my friends, but obviously, they are also my heroes. That is why I do a lot of the things that I do in the community.

When I walked through the gates of San Quentin at the age of eighteen, I was illiterate. I barely spoke English, so I wasn't able to communicate with people. The experience really shocked me—the cold slabs, the bars that housed people that society has deemed unfixable. And then you have the prisoners—convicts whose mentality is that, at the blink of an eye, they would stab you over any disagreements. And you have the power-hungry prison guards who dictate prisoners' lives in every aspect. Under those conditions, I had to survive.

I can't think of a more concrete representation of hopelessness than those prison bars. And yet, it was in prison that I discovered my passion to serve the youth and the community. It was also in prison that I realized mental freedom is much more important than physical freedom. I found this freedom through the education that I received in prison. The education I received was a critical thinking education—not a banking education,<sup>1</sup> where you just receive information and regurgitate. In that sense, I felt that I had made a difference in my life. I was able to transform myself under the

---

\* This speech was delivered on February 23, 2008 at UC Berkeley School of Law (Boalt Hall) at the 8th Annual Bay Area Asian Pacific American Law Students Association Conference: The New Faces of Justice, where Mr. Zheng received the Outstanding Leadership Award.

<sup>†</sup> Community activist based in Oakland, CA. A.A., San Quentin College Program, 2000.

1. See generally PAULO FREIRE, *PEDAGOGY OF THE OPPRESSED* (2000).



to the victims because I cannot turn back the hands of  
time...I will not judge you.”

whenever I think about my crime I feel ashamed  
I've lost my youth and more  
I've learned that the more I suffer the stronger I become  
I am blessed with great friends  
I talk better than I write

because the police can't hear my conversation  
the prison officials labeled me a trouble maker  
I dared to challenge the administration  
for its civil rights violation  
I fought for Ethnic Studies in the prison college program  
I've been a slave for 16 years under the 13th Amendment  
I know separation and disappointment intimately  
I memorized the United Front Points of Unity  
I love my family and friends  
my shero Yuri Kochiyama and a young siser named Monica  
who is pretty wanted to come visit me  
somehow I have more female friends than male friends  
I never made love to a woman  
sometimes I feel like 16  
but my body disagrees  
some people call me a square  
because I don't drink, smoke, or do drugs  
I am a procrastinator but I get things done  
I've never been back to my motherland  
I started to learn Spanish  
escribió una poema en español  
at times I can be very selfish and vice versa  
I've never been to a prom, concert, opera, sporting event  
or my parents' house  
I don't remember the last time I cried  
I've sweat with the Native Americans, attended mass with the  
Catholics, went to service with the Protestants, sat and chanted  
with the Buddhists  
my mind is my church  
I am spoiled  
in 2001 a young lady I love stopped loving me  
it felt worse than losing my freedom  
I was denied parole for the ninth time

I assured Mom that I would be home one day  
after she pleaded me to answer her question truthfully

“Are you ever going to get out of prison?”  
the Prison Industrial Complex and its masters attempted to  
control my mind

it didn't work

they didn't know I've been introduced to Che, Yuri Kochiyama,  
Paulo Freire, Howard Zinn, Frederick Douglass, Assata Shakur,  
bell hooks, Maurice Cornforth, Malcolm X, Gandhi, George  
Jackson, Mumia, Buddha,  
and many others...

I had about a hundred books in my cell  
I was internalizing my politics  
In 2000 I organized the first poetry slam in San Quentin  
I earned my associate of art degree  
something that I never thought possible  
I've self-published a zine  
I was the poster boy for San Quentin  
some time in the '90s my grandparents died  
without knowing that I was in prison

@ 30

I kissed Dad on the cheek and told him that I love him  
for the first time  
I've written my first poem  
I called myself a poet to motivate me to write  
because I knew poets would set us free  
in 1998 I was granted parole

then it was taken away  
the governor's political career superseded my life  
some time in the 90s  
I participated in most of the self-help programs  
in 1996 I really learned how to read and write  
I read my first history book “A People's History  
of the United States”  
my social conscious mind was awakened  
in 1992 I passed my GED in Solano Prison  
I learned how to take care of my body from '89 to '93  
in 1987 I turned 18 and went to the Pen from youth authority

the youngest prisoner in San Quentin's  
Maximum Security Prison  
I was lucky people thought I knew kung fu

@16

I violated an innocent family of four and scarred them for life  
money superseded human suffering  
I was charged as an adult and sentenced to life  
with a possibility  
no hablo ingles  
I wish I could start things over  
I was completely lost

@12

I left Communist China to Capitalist America  
no hablo ingles  
I was spoiled  
in 1976 I went to demonstrations against the Gang of Four  
life was a blur from 1 to 6  
on 5/29/69  
I inhaled my first breath.<sup>4</sup>

That's the poem that I wrote when I was in solitary confinement after signing a proposal asking for Asian American studies classes and ethnic studies classes. 9/11—the tragedy impacted people out in the community and out in the world. But, at the same time, it also impacted the people who were incarcerated. A lot of times, when we look at people who are incarcerated, we look at them as people from a different planet or a different place. We don't realize that they are a part of our community. For prisoners, it's not about returning to our community because they are a part of the community. On the inside, some people from Asian countries were being harassed by white supremacists who believed that those people had been responsible for 9/11.

It was during that time I realized that the college program I was participating in did not have courses about Asian Americans, about Pacific Islanders, about Southeast Asians, or about anything having to do with Asian American culture or history. Yet, we were learning about everybody else's culture, which is a great thing. The lack of services for the Asian and Pacific Islander populations created the stereotyping that continued to perpetuate the racism that we have in prisons.

---

4. Eddy Zheng, *Autobiography @ 33*, in *OTHER: AN ASIAN & PACIFIC ISLANDER PRISONERS' ANTHOLOGY 37, 37-41* (Eddy Zheng & Asian Prisoner Support Committee eds., 2007).

So, a few of my friends and I signed a proposal demanding an Asian American studies program in the college. But then, of course, when you demand something as a prisoner, the administration will shut you down because their mentality is: "You are in prison, you don't deserve anything. You are lucky we give you an education; so don't demand it. You dare to challenge us? We show you how to do it."

They put two of my friends—one Vietnamese American and one Filipino American—and I into solitary confinement. I ended up staying there for eleven months. That was the best of times and the worst of times for me. At that stage of my life, I was ready to go out into the community and finally get my freedom so that I could make a difference in the community. But at the same time, when you get any type of violation in prison, you can lose your chance for parole—just like that. They can deny you for five years. They can say, "You know what, come back in five years because you committed this violation."

When you're in solitary confinement, you're basically in a cell by yourself 24/7. Everywhere you go, you've got to be handcuffed, somebody is telling you what to do, telling you that you are a dangerous criminal. Many of the people who are locked up in those areas are mentally ill. There are people who don't speak English. They have no skills. When I was inside, I felt the pressure from my parents telling me, "Eddy, why do you have to stand up to somebody? How come you can't just be quiet and just do well and then come home? Because you've been away from me for so many years, I want you to be home. I don't need you to advocate for somebody. I don't need you to be in trouble. Now you might never come home." It was through those letters that I felt that pressure.

But then I realized something. I realized that life is a process. We have to go through different sufferings. We have to go through different challenges and overcome them in order for us to become who we are as individuals.

One of the best things that happened to me in prison was that I met a friend from the college program. His name is Anmol Chaddha and he came from UC Berkeley. He took up the mission of creating a grassroots movement in the community to fight against our being locked up in solitary confinement for asking for an ethnic studies program. Because of him, this grassroots movement started in the community. And when the community came together, it was unstoppable.

I will share with you a quote by Margaret Mead. She said, "Never doubt that a small group of thoughtful committed citizens can change the world. Indeed, it is the only thing that ever works." Now, this group of people in the community came together.

During my time in prison, I always wanted to reach out to the Asian and Pacific Islander community outside for support. That way, we could have a program in prison to rehabilitate ourselves. We could go back out in

the community and become productive members of society. However, there seemed to be a lack of interest from the Asian community to do that. Whites and sprinkles of African Americans and Latinos came to volunteer in the prison, but there were not many Asian Americans who came to do any type of work.

But because of what happened to us, all of a sudden, all the Asians and Pacific Islanders showed up out of nowhere. They did a fundraiser at Locus Arts when I was in solitary confinement. Ishle Yi Park, the Korean poet from New York, Bao Phi from Minnesota, the Mountain Brothers, and Yuri Kochiyama came out to do this fundraiser for us, to advocate for us. It was during that time when everybody in the community started coming together—the people of Asian Law Caucus, Asian Pacific Islander Legal Outreach, you name it. The people were there to support this cause. During that time, I felt alive.

When I was inside, I was forced to learn about the law to defend myself because the administration violated my First Amendment rights. I had to learn these skills so I could fight all these frivolous charges they had given me. Learning the simple laws—like learning about First Amendment rights, how to do writs of habeas corpus, how to send out documents to the courts, to county clerks, how to do all that—and being able to read and write enabled me to not only help myself, but also other prisoners who could not defend themselves.

There are two examples of when I felt extremely alive. First, there was this Chinese immigrant who came to prison. He couldn't handle the pressure of being in prison, so basically he went mental. They were giving him medication. He didn't know what he was taking, but he knew that it was putting him to sleep. His eyes were glazed over whenever he talked or looked at people. He knew something was wrong, but he didn't know how to express himself. So I told him, "You need a bilingual translator whenever you go to talk to doctors or the administration." I told him how to ask them. But they refused to give him that service. They said, "No, we don't provide translators here." I thought, "Okay, that's a violation of his rights." So I wrote to one of my attorneys, Charles Carbone of California Prison Focus, who was helping us prisoners. He wrote a letter to the warden and to the chief medical officer. The next day, the inmate was given a translator. So with a little bit of pressure from people on the outside, from the lawyers, all of a sudden, it was okay to get a translator for the guy.

The other incident involved an African American who was in a halfway house, getting ready to go home and working at the same time. A shooting occurred in another area, and they picked him up and blamed him for it. They wanted to put him in solitary confinement for a year just because he was identified as the person who committed the shooting. Then, although they came to find out that he wasn't the person, they still wanted

to railroad him and give him that time in solitary confinement at Pelican Bay. The guy didn't know what to do. It just so happened that we were both in the same yard, so I explained to him how he could defend himself, how to utilize the law, how to protect his rights. So when he went to the classification hearing, where they talked about his charges and all that, he was able to utilize some of the basic laws that I shared with him to defend himself. The person who was trying to railroad the prisoner got so frustrated because he knew that I was helping the prisoner. So, he came out to the exercise yard and confronted me about it. Every time he would talk to the accused prisoner, he would say, "Well do you want to consult with your attorney Eddy first before you talk to me?"

It was a rewarding experience for me to utilize what little basic law I knew to help people inside. When I was in solitary confinement, I experienced the pressure from my parents—from my mom especially. But then, I looked at the big picture. What is done is already done. I cannot change who I am—a person who has transformed after getting a critical education, after being socially conscious. I cannot just say, "You know what, for my own freedom, I better not start anything. When I see injustice, I better close my eyes and turn the other way." That is not me.

In prison, I met wonderful people from the community—people like Helen Zia, Victor Hwang, and Malcolm Yeung. These are the people who are in the community and who have been serving the community for years. Peter Kang, who works for Sidley Austin, took up the charge in helping me fight this First Amendment case. I filed a §1983 case in the federal court. He did it pro bono. He read my case and said, "Why isn't anyone picking up this case pro bono?" So he took up the charge and then Victor Hwang became the second attorney on the case, and then we started fighting the administration.

At the end, we won a settlement. The Attorney General wanted to settle because they knew they could not win. They knew they were wrong. I didn't want to settle. But Victor and Peter convinced me. They said, "Eddy, settle because your freedom is more important. We need you out here." I wanted to put the officials on the stand and catch them in the lie. They will do anything to defame you, to make you out as a bad person, to make you out as someone that everyone should hate. And I wasn't terrified about getting in court. But, at the advice of my counsel—which you always want to listen to—I said, "Okay, we'll settle." So we settled the case.

With the support of the community, with all the politicians in Sacramento and in Congress, I was released from prison. But that was not the end of the ordeal. After nineteen years of being in prison, I had to spend two years in immigration detention fighting my deportation order. In 1996, immigration laws were changed after the bombing of Oklahoma City by Timothy McVeigh. The blame for the bombing went toward the Middle East, to the "terrorists." So the government enacted this law as a

punishment for immigrants. But when they realized that it was actually a white guy who did this, it was too late. The law that passed requires people who are not citizens of the United States and who have committed a felony, or a crime of moral turpitude, to be detained and mandatorily deported. I fell into that category even though my crime had been committed in 1986 and the law didn't come into existence until 1996 since the law was retroactive. I was detained and ordered deported.

It is also an honor and a privilege for me to stand here in front of you today because I could be in China next week. Then, I would have to ask you guys for help from China. It is the community, the people who come together to say, "We want to take up this cause and make a miracle happen." The fact that I'm standing here is a testament to that miracle.

I knew I was going to talk to you guys today. Honestly, it's easy to bash lawyers because everybody hates lawyers, especially those in the corporate world. I saw a lot of those greedy attorneys when I was in the detention system. They took advantage of people who didn't have money. They would see the parents of these detainees and give them false promises. They would say, "We are going to take care of your son. We are going to take care of your daughter. Just pay me this much." But they never did the work.

I met attorneys like Angie Junck from the Immigrant Legal Resource Center, Holly Cooper from UC Davis, and Sin Yen Ling from the Asian Law Caucus. They are people who volunteer their time to go visit others in Arizona, Eloy, and other towns, people who go out of their way to try and help others. Those are the people that I met who really encouraged me to continue to serve the youth and the community.

As law students, you guys are saddled with a tremendous amount of debt. I was in a policy panel earlier that talked about how some people have six-digit debts. How do you take care of that debt? Well, if you are involved in public interest work, people will help you. When you get into this profession there are many alternatives available for paying off your debt. I talked to lawyers doing public interest work, and they do get their loans paid by community organizations.

There is a reward that you're never going to get from being a corporate lawyer. When you win a case—a big case—you might be living a lavish lifestyle, paying off all your loans, paying off the debt, but you'll be disconnected from the community. When you're disconnected from the community, you're disconnected from your soul.

You are a miracle. When you are a miracle, you need to maximize your potential as an individual to make a difference in society. You have a responsibility to yourself, to your family, to society, and to this world because you are living and embarking on this finite journey called life. In any second, you could be gone—just like that. In any second, you could be doing time for twenty-one years, you could lose your youth and more. So,

it's a decision that you must make as adults, as people who are privileged in many ways. Make the decision to do what is difficult. Challenge yourself.

Mentors to law students usually teach them how to succeed in the corporate world. I'm sure there are other lawyers who provide alternatives to law students, but there are not enough of them. There are not enough alternatives and programs and internships out there for these mentors to offer law students. We have to hold these mentors accountable for not offering these opportunities and for just giving you the cookie cutter image of what lawyers are expected to do—go to a prestigious law firm and make a profit for themselves. That's why people hate attorneys so much. But there are other attorneys who have been public servants for years, for decades. *They* are the ones who we should highlight. *They* are the ones we should honor. *They* are the ones who should be our role models—those who continue to serve the community.

Yes, of course, you need money to survive. Of course you need to pay off your debts and loans. It's okay. You can be a corporate lawyer and still give back to the community. There are so many people who need pro bono services, it's not even funny. If you go to any detention center, any women's shelter, any center for abused children, any community center, you will find people who need those types of services.

In order for us to impact the community—to make it one filled with peace and harmony, one where we can claim to be a democracy, where we can claim that we love our neighbors, our family, our children (because they are the future)—you have to make a personal sacrifice. You have to dedicate yourself to serving the community and doing good work. Don't just do what is easy; do what is difficult. Don't always stay in the norm because it's comfortable. The community will always sustain you. And when you're right, nothing will overcome that.

I want to share something that Professor Bill Ong Hing wrote about the people who serve the community. Professor Hing wrote a paper<sup>5</sup> on a guy named James Yen, who is Chinese and who graduated from Yale in the early twentieth century. The work that Yen did was just so phenomenal, but many of us don't even know about it. One person, one person can change the world. That's what we need to believe. Professor Hing expressed his thoughts this way:

Those of us who engage in progressive legal work need to be constantly reminded that we do not know everything—that we are not knights in shining armor swooping in to save subordinated communities. We should be collaborators: working *with* rather than simply *on behalf of* clients and allies from whom we have much to learn. Though lawyering for social change is arduous work, there is much to gain in these battles against

---

5. Bill Ong Hing, *Coolies, James Yen, and Rebellious Advocacy*, 14 ASIAN AM. L.J. 1 (2007).

subordination, not simply from the potential outcome but from the collaborative process itself: as our clients gain strength and confidence, we too are renewed. Thus invigorated by the talent, spirit, and innovation that our clients and allies bring to the table, we aspire to bring that same sense of renewal to those with whom we work.<sup>6</sup>

Professor Hing has also been very active in the community. He has always served the people. He serves the Immigrant Legal Resource Center at UC Davis. He's a mentor to many of the wonderful people that I know.

This award really honors leaders who make a difference in the community. I feel honored by this acknowledgement.

I work for an organization called Community Response Network for Asian and Pacific Islanders in San Francisco. I talk with kids and parents who are struggling to fit in with this culture, trying to deal with American society, with the school system, with just the basic ins and outs of being a teenager and being a parent to teenagers. Those obstacles and challenges are bringing those people down. So when I work with them, and when they share things with me, I take on their suffering. I take on their challenges and their obstacles. How do I serve them to the best of my abilities? When I serve them, how do I heal myself so that I don't get burned out?

As lawyers and law students, you know the amount of work that you guys put in. I'll give you the example of Jane Kim. She started as a coordinator for the Chinatown Community Development Center and then decided to run for public office to be on the San Francisco School Board. She failed the first time, but she didn't give up. The second time, she received the most votes out of all the candidates. Why? Because the community was behind her and because she dedicated herself to do the work that was necessary to serve the youth and community. Yet, that wasn't enough. She is also a second-year student at Boalt Hall. She wants to utilize the skills that she can get from Boalt Hall to continue to serve the community and youth. She is awesome. How can you not be inspired by that? I am. When I was inside, Jane visited me in prison, as did Helen Zia and Yuri Kochiyama. These pioneers, these community legends, they wanted to connect with me—a commoner, a prisoner, someone who did wrong but who was trying to change.

They gave me the opportunity. That's why I cannot do any wrong. If I do wrong, I do wrong to everybody. That's something that I cannot handle. I will not live with that, I cannot live with that. So I will always do my best to do good. Those types of people inspired me to continue to dedicate my life to serve the youth and the community. No matter where I am, I will continue to focus all my passion on those goals.

As human beings, we have so much potential to do great things. Any

---

6. *Id.* at 1.

one of you sitting in this audience can be the next Yuri Kochiyama.<sup>7</sup> Yuri didn't start out as an activist. She was just a little girl, a privileged girl in San Pedro. But then, of course, World War II changed her, and meeting Malcolm X changed her. Today at the age of eighty-five, even with the canes and walkers, she still goes to protests, writes letters to prisoners inside, fights for political prisoners, and fights for the rights of others. Whenever I am in her presence or in her family's presence, I feel inspired because that's the legacy that she's living. When she passes on, hopefully her passion and her work will pass on to us—to you guys—because many of you are the future. You are the future of America. You guys can go out there and make a difference.

I always remember this quote from this philosopher, this dead white guy called Anatole France. He had this to say about law: "The law, in its majestic equality, forbids the rich as well as the poor to sleep under bridges, to beg in the streets, and to steal bread."<sup>8</sup> That's the law. What is your interpretation of the law? How do you define the law in a way that is going to enable you to help people? And is that law just? And are you just to yourself? Those are the questions I would like to ask you to consider.

In conclusion, I just want you guys to listen to what BAAPALSA and this "New Faces of Justice" are recognizing. So I read the BAAPALSA Conference Vision Statement a few times. I think it's awesome:

The New Faces of Justice is a recognition of the vital role individuals and communities play in the pursuit of justice. The conference seeks to create a new understanding of the part attorneys play within those communities. It is a forum for students to connect with their communities by learning about the individual fights for justice that others have undertaken, exploring opportunities to join in those efforts, as well as discovering ways they can create their own paths. In short, The New Faces of Justice is another step towards recognizing that justice begins with individuals.

Everything has to begin with you. The person who is going to do the hard work is going to be you. The person who is going to be frustrated, crying and stressed out is going to be you. And you will be the person who will receive rewards, who will be warmed and inspired to be who you are, who will feel good about being a human being, who will be able to have someone tell you, "Wow, you are awesome," and who will be acknowledged with "Wow, I wish I could be like you."

There was a nine-year-old from Alabama. I was the keynote speaker at Harry Belafonte's Gathering for Justice Conference. After my speech, I was just walking down the hallway and this kid stopped me. He said, "Excuse me, Eddy. I just want to tell you that you are awesome. I want to

---

7. See generally DIANE C. FUJINO, *HEARTBEAT OF STRUGGLE: THE REVOLUTIONARY LIFE OF YURI KOCHIYAMA* (2005).

8. ANATOLE FRANCE, *LE LYS ROUGE* ch. 7 (1894), reprinted in JOHN BARTLETT, *FAMILIAR QUOTATIONS* 802 (14th ed. 1968).

thank you. I never had a role model before, but you are my role model.” Now what do you say to a nine-year-old from Alabama when he tells you that? I said, “Thank you, but please go and get an education because an education will get you a long way. And when you grow up, I know you’re going to serve your community. Just focus on that—your education.”

This is an investment for all of you. You have to invest for many, many years until you get to this point. Now is the time for you to invest in yourself, invest in your soul, and invest in your community.

I want to thank BAAPALSA and the entire community for allowing me the opportunity to share this with you all. Now, I’m offering, of course, service to all of you. I speak to kids from middle schools, all the way up to universities and corporations. Anybody. Politicians? I’m there. If you need me, please use me because I’m here for you. (Please don’t abuse me though, just use me.) When you use me, you’re giving other people an opportunity. You’re giving other people a chance.

There are two things I want to plug. One is this anthology that I put together when I was in prison. I thought about the fact that there were all these mainstream publications about what prison is supposed to be like, but the Asian, especially the Southeast Asian, prisoners don’t have a voice. This is because many of them are uneducated. When you are uneducated and when the community has deemed you unfixable, it leaves you there and throws away the key. It creates a time bomb. When these guys return to the community, they make you and your loved ones their next victims. That’s why it’s so important for us to recognize that and provide educational services to people who are in prison—especially those in the Asian and Pacific Islander population. Over the past twenty years, that population has risen. The number is still low, but it has risen. We need to hold ourselves accountable to our community, to our safety. Although you have not become victims yet, you could be next. So, I got everybody to share their stories, to come together, to write their essays, vignettes, poems, and drawings. I wanted to give them a voice so that people in the community could learn about them. This anthology is self-published. We only had a budget of \$2000. This is for sale to students for \$15.<sup>9</sup> Also, the Community Youth Center of San Francisco, which serves about 3000 youth annually and which I am a part of, is having its annual gala on March 5th. Hopefully some of you may be able to attend or maybe sponsor a table or buy some raffle tickets from me. That would be great.

The fact that we have BAAPALSA in the twenty-first century is just phenomenal. If you look back to the 1960s, it could not exist. This is 2008 and you guys are standing up and saying, “We want the same rights that the Constitution has granted to everybody. Those rights are not only for the

---

9. To purchase a copy of *OTHER: AN ASIAN AND PACIFIC ISLANDER PRISONERS’ ANTHOLOGY*, visit [www.myspace.com/asianprisoners](http://www.myspace.com/asianprisoners) for more information.

people who wrote the Constitution, but also for those people who are confined to live by the Constitution.” You guys are demanding that we be recognized. So recognize yourself. I would like everybody to stand up and give yourselves a hand for just being alive.

When I see you, that’s when I know that I exist. If I don’t see you, then there is no Eddy Zheng. Thank you.