

## Editors' Note

On August 9, 2014, a police officer fatally shot a young man named Michael Brown in Ferguson, Missouri, sparking nationwide unrest and fervent political and social discourse regarding the state of race relations in America. Asian Americans banded together with the national “#blacklivesmatter” Twitter hashtag movement uniting against minority discrimination and both implicit and explicit bias.

From that tragic starting point, this past year has been marked by unpredictable swings in this ongoing struggle for equality. At the same time “#blacklivesmatter” became a national discussion, *Fresh Off the Boat* debuted with an all-Asian American principal cast on network primetime television for the first time in twenty years. Where Hong Yen Chang was posthumously admitted to the California State Bar after being denied admission in 1890, various states and local governments introduced and passed bills banning sex-selective abortion, deceptively aimed at curbing what is assumed to be an Asian immigrant practice.

This year's issue is borne out of that volatile context. In *Pioneers in the Fight for the Inclusion of Chinese Students in American Legal Education and Legal Profession*, Li Chen writes about the historical Chinese American struggle for inclusion in the legal profession. Jennifer Chou and Shivana Jorawar analyze the recent legislative trend in enacting sex-selective abortion bans in various states in their article *Silently Under Attack: AAPI Women & Sex-Selective Abortion Bans*. Finally, in *Legislative Initiative for Work-Family Reconciliation in South Korea: A Comparative Analysis of the South Korean, American, French, and German Family Leave Policies*, Myunghwa Lee compares current and historical family leave laws of several countries.

Additionally, we have three pieces by AALJ members. In *Justice Delayed But Not Denied: Hong Yen Chang's Quest*, LLM student Mangesh Duggal analyzes the recent California Supreme Court decision posthumously admitting Hong Yen Chang to the California Bar. First-year student Sameera Mangena reviews *The Partner Track* by Helen Wan, a novel about an Asian American woman seeking to make partner at a prestigious law firm. Last but not least, first-year student Cynthia S. Lee documents a lawsuit which stemmed from a Taiwanese assassination on U.S. soil, cutting across political lines, in *The Murder of Henry Liu: A Tale of Espionage, Dissidence, and the American Torts System*.

Beyond publishing top legal scholarship, AALJ strives to bring public discussion and commentary to the Berkeley Law community.

Discrimination, unequal treatment, and Asian American experiences in the legal field were pervasive issues on both national and state levels. To explore these issues, we held an academic panel titled *Asian Americans and Pacific Islanders in Law and Politics*. Our guests included Angela F. Chan from the Asian Americans Advancing Justice–Asian Law Caucus, Teddy Ky-Nam Miller, former Congressional Staffer, and Gene Benavides from Benavides Strategy Group, LLC.

Our annual Neil Gotanda Lecture shed light on the less-discussed area of Asian American adoptees by inviting Professor Kim Hai Pearson from Gonzaga University School of Law. Her discussion of the adoptee experience was relevant not only to the Asian American immigrant experience, but analyzed how our legal system plays a part in shaping identity.

With Berkeley Law APALSA, we co-sponsored the annual Dale Minami Public Interest Fellowship Dinner, which brings together leaders and students in the Asian American legal community to raise funds for outstanding Berkeley Law graduates committed to public interest. This year, Berkeley Law's Dean Sujit Choudhry was keynote speaker, along with honoree Nicole Wong '95, who was the founder and first editor-in-chief of our journal. The fellowship recipient was Saira Hussain '14, who is currently at Asian Americans Advancing Justice–Asian Law Caucus.

Finally, our eighth annual symposium, *Blank Space: Asian Americans and Affirmative Action*, focused on the recent debate to repeal California Proposition 209 and the Harvard discriminatory admissions lawsuits. Our keynote speaker was noted scholar and Dean of UC Hastings School of Law Frank Wu, and panelists included UC Berkeley Professor Michael Omi, UC Berkeley Professor Taeku Lee, and Winnie Kao of Asian Americans Advancing Justice–Asian Law Caucus. Our second panel explored practitioner experiences involving Asian Americans and the law, and featured Karin Wang of Asian Americans Advancing Justice–Asian Pacific American Legal Center (who was also a former editor-in-chief of *AALJ*), political consultant Bill Wong, and Gautam Dutta from Business, Energy, and Election Law, PC.

On a final note, we would like to welcome Professor Karen Tani to the *AALJ* as our newest faculty advisor. Both Professor Tani and long-serving Professor Leti Volpp have been instrumental to making this year's issue and academic programs a success on all fronts. With their wisdom and guidance, as well as the continuing work of our members, alumni, and supporters, the *Asian American Law Journal* will continue to shape and reflect the complex and interdependent issues surrounding Asian Americans and America. From Arab and South Asian American hate crime to Chinese Americans wrongly accused of espionage, today's issues are merely the contemporary echo of the discrimination and exclusion faced by previous generations. Thus, our final and deepest gratitude goes to the Asian American community, whose struggle, courage, and vitality serve as

2015]

*EDITORS' NOTE*

3

an enduring reminder that our work is never done, nor importance ever diminished.

In Solidarity,

Eugene J. Chao and Nina Kumari Gupta  
Editors-in-Chief  
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### The *Asian American Law Journal* Mandate

The mandate of the *Asian American Law Journal* is to publish commentary, analyses, and research on the experiences and concerns of Asian Americans. We believe that to advance the Asian American movement, we must recognize the diversity among Asian American communities and cultivate scholarship that promotes understanding and empowerment in order to foster resistance to oppression and the achievement of justice. The movement includes, but is not limited to, the intersections of gender, class, sexual orientation, religion and race. We recognize the histories of Pacific Islanders and support those who choose to maintain distinct community identities. In solidarity with all peoples who have been subordinated, we embrace the opportunity to publish works that address issues relating to all marginalized communities. The mission of our journal is to speak truth to power; to borrow from poet Janice Mirikitani, “We give testimony. Our noise is dangerous.”