



March 19, 2021

RE: Harmful, Hurtful, Racist Blog Post

Dear Professor Thomas Smith:

We are writing to you in response to your recent blog post titled “Wuhan Lab Theory a Dark Cloud on China - WSJ.” In this blog post, you commented on the unconfirmed origins of COVID-19 by stating the following:

"If you believe that the coronavirus did not escape from the lab in Wuhan, you have to at least consider that you are an idiot who is swallowing [a] whole [sic] lot of Chinese cock swaddle."¹

You are now likely aware of the tremendous amount of reaction and response that this post has generated from the student body, our school’s various organizations, our school’s alumni, and the larger community of San Diego. We are extremely hurt by your words. We want this letter to educate you on how your words have a greater, adverse impact on your own students at USD and the community at large. Specifically, we are writing to express the depth of hurt and disappointment you caused to the Asian Pacific Islander (API) community.

I. The Time and Place of Your Blog Post is Perpetuating a Harmful Narrative that Negatively Impacts the Asian Pacific Islander Community.

Your blog post promoting a conspiracy theory that COVID-19 originated in a lab from Wuhan, China, has detrimental consequences for students you teach and beyond. Based on your update to the blog post², you still have not grasped the severity of the issue or its wider implications for the community that you inhabit. At this point, the origins of COVID-19 are still largely speculative. We are not here to say that any conclusion about the origins of COVID-19 is right or wrong. That deflects from the point. The point is that your speculation of COVID-19 originating from a lab in China only perpetuates an “us versus them” mentality that negatively impacts the API community. Your claim that anyone who believes otherwise is “an idiot who is swallowing [a] whole lot of Chinese cock swaddle” is not a conclusion following any meaningful analysis. It is a stance you choose to stand by despite the rise in anti-Asian sentiment and violence amidst our nation. Additionally, it is done in a derogatory, demeaning manner.

¹ Tom Smith, *Y wj cp'Ncd'Vj gqt {'C'F ct m'Ervwf "qp'Ej kpc /'Y UL*, THE RIGHT COAST (Mar. 10, 2021), <https://rightcoast.typepad.com/rightcoast/2021/03/wuhan-lab-theory-a-dark-cloud-on-china-wsj.html>.

² *f0*(On March 17, 2020, you added the following text to the blog: “UPDATE: It appears that some people are interpreting my reference to ‘Chinese cock swaddle,’ as a reference to an ethnic group. That is a misinterpretation. To be clear, I was referring to the Chinese government.”)

Recent anti-Asian hate crimes and sentiments can be tr



March 16, 2021: Robert Aaron Long targeted three Asian-owned massage parlors and shot and killed six Asian American women and two others.²⁰

This non-exhaustive list does not even include attacks in 2020 (some which have been among the most egregious²¹) but we think it should be more than enough to demonstrate that Asian Americans are living through an immensely terrifying time. We fear for our friends, our parents, our grandparents, and ourselves. We, your students, have also faced discrimination and racially-motivated harassment in our lifetimes. We have endured comments mocking our parents' accents, minimizing our histories, and now blaming us for a pandemic that still has no clear origin. We came to law school hoping we could arm ourselves against such indignities, and yet we are asked to endure them from our own professors under the guise of academic and scholarly debate.

II. The Intent Behind Your Blog Posts Extend Beyond Personal Opinions; it Taints the Reputation of our School, Enrollment in Your Classes, and Discourages Diversity and Inclusion.

Around this time last year, you were approached by members of USD Pride Law regarding your equally harmful posts and commentary targeting the trans population. A February 2020 article reposted on this blog equates teenage transitions to “state-sponsored child abuse.” Another article characterizes dating transgender people as “deny[ing] biological reality and normaliz[ing] abnormal behaviors.”²² Yet another post condemns efforts to include transgender individuals in religious life.

Members of Pride Law have made efforts to engage with you regarding your anti-trans rhetoric and reason with you as to why your blog posts were harmful and hurtful. This put you on notice that students were reading your blogs. After members of Pride Law spoke with you, it was apparent that you were unremorseful even after students went out of their way to explain to you the detrimental impact of your words. You continued to post blogs that offend not only the LGBTQ+ community, but also women, the Black community, and now the API community.

In a solidarity letter that you and other professors signed off on addressing former-Dean Ferrulo's condemnation of a controversial op-ed piece written by your colleague, Professor Alexander, you admitted that “a member of the university who is shown to promote racist or bigoted views or practices may deserve public censure.”²³ Commenting on the solidarity letter, you stated, “I must say, I feel just a teensy bit neglected myself here. Have I not said things at least as politically incorrect as Larry?”²⁴ You blatantly admit that your content is politically incorrect, and that you are as politically incorrect as your colleague, Professor Lawrence Alexander. We agree with you, and we further believe that your recent blog post perpetuates just the type of views that deserve public censure.

You as a professor stand integral to our education in law school. There is an undeniable power dynamic at play between you and us as your students. You have control over our grades. You have control

²⁰ Jason Hanna, Amanda Watts & Madeline Holcombe, *Uur gev'kp' Cwepvc/ctgc'Urc'Uj qqvpi u'O ki j v'J cxg'Kpvgpf gf Oqtg'Uj qqvpi u'kp'Hqqt'fc.'Oc{qt'uc}u*, CNN (Mar. 18, 2021, 9:59 AM), <https://www.cnn.com/2021/03/17/us/metro-atlanta-shootings-wednesday/index.html>.

²¹ *Mpkkg'cwcemlqp'lc vj gt'c'pf'iqpu'ic dgrgf'c'j cvg'etko g*, ASAMNEWS (Mar. 31, 2020), <https://asamnews.com/2020/03/31/fbi-asian-american-family-of-three-knifed-in-coronavirus-hate-crime/>

²² Letter by Pride Law, Mar. 2020. USD APALSA was one of the co-signors of this letter.

²³ Tom Smith, *Viqndrg'kp'Rctcfkg*, THE RIGHT COAST (Sept. 14, 2017), <https://rightcoast.typepad.com/rightcoast/2017/09/trouble-in-paradise.html>.

²⁴ *ko*

