COMMENTARIES

A Brief History of Bilingual Education in the United States

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INTRODUCTION

In the history of the United States of America, multilingual communities have subsisted side by side. Among the many languages spoken throughout the country, we could mention first all the original Native American languages and then a multitude of languages that immigrants from all over the world have brought into the country. Together with English, Italian, German, Dutch, Polish, French, Spanish, Chinese, and Japanese are just some of the more than two hundred languages that have been spoken in the United States. As James Crawford (2004) has noted, "Language diversity in North America has ebbed and flowed, reaching its lowest level in the mid-20th century. But it has existed in every era, since long before the United States constituted itself as a nation" (p. 59).

Such a phenomenon is partly a result of the fact that immigration is one of the *authenticities* in the history of the United States of America. Immigration is one of the most prominent features of the country, together with the promise of liberty and a better life, which led this nation to be labelled a *nation of immigrants*. As Sonia Nieto (1992) asserts, contrary to many contemporary arguments about immigration,

> Immigration is not a phenomenon of the past. In fact, the experience of immigration is still fresh in the minds of a great many people in our country. It is an experience that begins anew every day that planes land, ships reach our shores, and people make their way on foot to borders. Many of the students in our schools, even if they themselves are not immigrants, have parents or grandparents who were. The United States is thus not only a nation of immigrants as seen in some idealized and romanticized past; it is also a living nation of immigrants even today. (p. 333)

In fact, Fix and Passel (2003) estimate that during the 1990s the number of immigrants that entered the U.S. exceeded that of any previous decade in the U.S. history. They also indicate that, together with the immigrant population overall, the English Language Learner (ELL) population increased by 52 percent in the 1990s. In addition, they projected that the in-flow of immigrants would be sustained, if not increased, during the 2000s.The diverse demographic reality of the U.S. is still changing drastically. Early 20th century European migration was superseded by the number of immigrants that arrived from Latin America and Asia in the second half of the century. By the year 2000, more than a quarter of the population was composed of ethnic minorities. Latinos have already surpassed African Americans as the nation's largest minority, and they are expected to make up to 25 percent of the total population of the country by 2050 (Suarez-Orozco & Páez, 2002).

However, despite the vast richness of such a linguistic and cultural landscape, quick assimilation into English is another prevailing characteristic of U.S. history. The pattern of linguistic assimilation, or 'language shift', has been documented to last no more than three generations. Consequently, grandchildren of today's new immigrants will hardly speak the language of their ancestors (Schmidt, 2000). The uniqueness of such an extended process of language shift led the linguist Einar Haugen (1972) to define it as 'Babel in Reverse.'

This process of rapid linguistic assimilation into English may have been the origin of one of the assumptions about language and education in the United States; namely, that former immigrants integrated into the American mainstream without any special type of instruction or curriculum "aide." Nevertheless, this process of Anglicisation cannot exactly be characterized as a voluntary assimilation. As Urban & Wagoner (2003) have pointed out, "assimilation [...] was neither completely painless nor evenly or eagerly embraced by all groups" (p. 388).

The actual situation was much more complex. Various cultural groups have embraced and resisted the assimilation process in numerous ways and at different times. Wiley (1999) claimed that, whereas languages that came from Europe were generally more accepted and tolerated, those of Native Americans, Africans, and the Mexican territories were intentionally depleted by being assigned an inferior status.

Regardless of whether the process was voluntary or whether it was forced, it is significant to identify at least two of its most pronounced effects. One effect is the emergence of feelings of frustration that many immigrant students experience when forced to abandon their language, which also puts them at odds with their families and communities, who may have less direct access to the mainstream (Brisk, 1998; Urban & Wagoner, 2003). The imposition of linguistic behaviors leaves an imprint of ambivalence toward one's own native language, the value of one's cultural background, and, ultimately, the value of oneself (Bartolomé, 2008; McCarty, 2000; Nieto, 1992;).

The second effect of such a linguistic approach in education may have a direct connection with the significantly lower grades and higher dropout rates that immigrant students have persistently attained in the history of American Education (Crawford, 2004). This achievement gap has usually been attributed to the social class and the rural background of many immigrants, but

other factors have been left unexplored. Sonia Nieto (1992) observed that,

> Curriculum and pedagogy, rather than using the lived experiences of students as a foundation, have been based on what can be described as an alien and imposed reality. The rich experiences of millions of our students, their parents, grandparents, and neighbours have been kept strangely quiet. Although we almost all have an immigrant past, very few of us know or even acknowledge it. (p. 334)

As a consequence, the linguistic and cultural realities of a large number of students have been purposefully not only forgotten, but also silenced in schools' curricula. In this sense, and regardless of the number and the diversity of the individuals and groups that have entered the country, the prime institutional attitude that has been officially adopted toward languages other than English in the United States can be labelled as "indifferent" (Crawford, 1989). The notion that presided over such a political position was that most people would understand the convenience and advantages of learning English and thus would tend to abandon their mother tongues without coercion. Still, the U.S. government has had a fundamental role in promoting the conformity into Anglicisation standards. At times, it has been more open and accepting of the multilingual reality and at others blatantly repressive and intolerant (Crawford, 1989; Schmid, 2001).

Within the context of language legislation in education in the U.S. during the 20th century, the present article attempts to assess the importance of ideological considerations and political momentum over empirical data at the time of choosing and implementing bilingual education programs. Following Cummins' (1999) assertion that experimental and quasi-experimental studies, as necessary as they are to prove the validity of bilingual education, are not enough to evaluate the quality of bilingual programs, I believe that it is essential to build a coherent theoretical framework in order to assess the potential of such programs and neutralize the negative discourse against them. In such a theory, it becomes indispensable to include elements of race and culture and an explicit theory of language.

Examining the research literature, I use the relatively recent case of Massachusetts' Question 2 to explore the relevant role of ideology and socio-political expectations at the time of probing the continuation of bilingual education. In 2002, the mid-term elections in Massachusetts included a ballot question, Question 2, to decide about the future of the bilingual programs offered in the state up to that moment. The case of Massachusetts clearly exemplifies the role of ideology and politics in shaping education policy in general and bilingual education in particular.

LANGUAGE AND EDUCATION IN THE UNITED STATES

Prior to the twentieth century, the U.S. government had actively imposed the use of English among Native Americans and the inhabitants of the incorporated territories of the Southwest. By the 1880s, the Bureau of Indian Affairs implemented a policy of forced Anglicisation for Native Americans sending Indian children to boarding schools. Such policies did not succeed in eradicating the children's native languages, but it did instil in them a sense of shame that guaranteed the exclusive use of English for future generations (Crawford, 1998; McCarty, 2002).

In order to ensure linguistic and cultural control of the new territories on the Southwest, the U.S. government adopted two different strategies. The first one entailed delimiting state borders to favor an English-speaking majority by splitting Spanish-speaking communities. The second strategy involved the deferral of the recognition of statehood until English-speaking settlers had sufficiently populated the new territories. For this reason, California was accepted as a state in 1850, Nevada in 1864, Colorado in 1876, and Utah in 1896. In the case of New Mexico, which, at the time of its incorporation in 1848, included Arizona, it took the Federal government 60 years to grant full statehood to the two states contained in this territory (MacGregor-Mendoza, 1998).

However, it was not until the approval of the Nationality Act in Texas in 1906 that English was officially designated as the only language to be taught in schools. In addition, the Nationality Act required all immigrants to speak English in order to be eligible to start their process of naturalization (Perez, 2004). This justification of the imposition of English was based on the explicit connection between English and U.S. national identity and on the *empirically-determined* correlation between bilingualism and inferior intelligence (Schmid, 2001). In 1917, Congress passed the Burnett Act, which required all new immigrants to pass a literacy test and prohibited immigration from Asia, except for Japan and the Philippines. Such a measure reveals the closeness between racial prejudice and linguistic restrictions. At this time, the previous tolerance toward German speakers turned to hostility (Schmid, 2001; Wiley, 2002). Not much later, President Theodore Roosevelt (1926) emphasized the connection between English acquisition and loyalty to the U.S. with the following statement,

> We have room for but one language in this country and that is the English language, for we intend to see that the crucible turns our people out as Americans, of American nationality, and not as dwellers in a polyglot boarding house. ([1919] 1926: XXIV, 554 as cited in Crawford, 2001)

The hostile climate against languages other than English would result in the drastic reduction of any type of bilingual instruction in the U.S. According to Crawford (1998), the restriction of language use had two intentions. The first purpose was to deprive minorities of their individual rights in order to frustrate worker solidarity. The second one was to institute a perception of the United States as an exclusively Anglo community. Such an ideological strategy was to remain quite constant until the 1960s.

However, the Supreme Court refused to back those restrictive practices. The first legal case that had a noticeable impact on education policy was Meyer

vs. Nebraska, 262 US 390 in 1923. Meyer, a German parochial instructor, was accused of violating a Nebraska law enacted in 1919 that prohibited instruction in any foreign language. The Supreme Court ruled that the law violated the Fourteenth Amendment of the U.S. Constitution by limiting individual inalienable rights (Tollefson, 2002a).

In 1927, in the case Farrington v. Tokushige 273 U.S. 284, the Supreme Court invalidated the law that banned foreign language instruction without a permit in schools in Hawaii. The Supreme Court ruled that prohibiting schools to teach in a language other than English violates constitutional rights protected under the Fifth Amendment (Cordasco, 1976; DelValle, 2003; Tollefson, 2002a).

Following these precedents, courts kept on affirming the right of citizens to learn and teach their language of preference. In 1949, Mo Hock Ke Lok Po v. Stainback, the judge sentenced that parents have the right to have their children taught in the language they choose (Cordasco, 1976; DelValle, 2003).

In 1954, in the case Brown vs. the Board of Education of Topeka, the Supreme Court advanced a major shift in educational policy by declaring that enforced segregation of schools inherently promotes inequality and ordering its immediate desegregation. In a second part of this sentence in 1955, the Supreme Court added the recommendation "with deliberate speed" (as cited in Urban & Wagoner, 2003). In its ruling, the Supreme Court acknowledged for the first time the unequal, disadvantageous, and unfair educational situation of people of color in the U.S. and prescribed action to correct the situation (Urban & Wagoner, 2003).

The Brown vs. the Board of Education sentence motivated the African American community in their struggle for civil rights. They launched an intense campaign of political activism that eventually provoked other similar rulings against segregation in public schools, such as the Little Rock integration decision in 1957 (Urban & Wagoner, 2003). The social movement that started at this point would culminate with the passage of the Civil Rights Act in 1964, which outlawed discrimination. At the same time, Title VI, the part of the Civil Rights Act that pertained to education, became the paramount initiative for bilingual education in the United States. Title VI allowed funds to be withheld from school districts that maintained segregation or did not promote integration (DelValle, 2003; Urban & Wagoner, 2003).

The Civil Rights movement helped to intensify the actions of the League of United Latin American Citizens (LULAC). This organization was created in the 1920s with the goal of fighting the discriminatory treatment of Mexican Americans in public schools and to promote a better education for the Mexican American community. Other groups in defense of ethno-linguistic minorities were also established, such as the Mexican American Legal Defense Fund (MALDEF), which was formed under the advice of the National Association for the Advancement of Colored People (NAACP). Along with the struggle for desegregation of Mexican American students, these organizations fought to gain recognition for the fundamental language and cultural differences between their communities and the 'Anglo-White' mainstream. The lack of any reference to multiculturalism in an all-English curriculum fostered low academic achievement in such communities (Urban & Wagoner, 2003).

In the 1960s, ethno-linguistic minorities experienced a pronounced increase in numbers. The lack of access to a meaningful education hindered the possibility of full participation in society for these non-English speaking students and blocked their upward mobility. Both facts motivated Congress to pass the Bilingual Education Act of 1968, also known as Title VII of the Elementary and Secondary Education Act (Crawford, 1989).

The Bilingual Education Act has been considered the most important law in recognizing linguistic minority rights in the history of the United States. The law did not force school districts to offer bilingual programs, but it encouraged them to experiment with new pedagogical approaches by funding programs that targeted principally low-income and non-English speaking populations (Crawford, 1989, 2004; DelValle, 2003; Ricento, 1998).

Title VII represented the first bilingual and bicultural education program that was approved at the federal level. It offered supplemental funding for those districts that developed special programs to meet the needs of students whose English was not proficient. It granted funding for planning and developing bilingual programs and for defraying the costs of training and operating those programs (Schmid, 2001). The main idea was to provide part of the instruction in the student's native language in order to ease her/his transition into the mainstream. Such approach is known as "transitional bilingual education" (Cordasco, 1976; DelValle, 2003). As the first federal law in the United States that dealt with issues of language, the passage of the Bilingual Educational Act provoked people to express language attitudes and beliefs that had little to do with instruction and a lot to do with ideological positions (Crawford, 2004).

In 1974, the Bilingual Education Act was amended to explicitly define bilingual educational programs, identify goals, and stipulate the requirement of feedback and progress reports from the programs. At the time, the lack of a systematic means of determining success of such programs was considered one of the failures of bilingual education (Bangura & Muo, 2001). In addition, the terms of eligibility were broadened by eliminating the low-income requirement that was included in the Act of 1968 (Crawford, 1989).

The same year, the Supreme Court ruled in Lau v. Nichols, 414 US 563, 565. This ruling reinforced the mandate that it was the school district's responsibility to provide the necessary programs and accommodations to children who did not speak English. In this case, a group of approximately eight hundred Chinese students in San Francisco raised a case of discrimination against their school district. These non-English speaking students argued that they were left in a "sink or swim" situation by being taught exclusively in English, a language they could not yet fully understand (Schmid, 2001; Wiley, 2002). The Supreme Court rea-

soned that the responsibility to overcome language barriers that impede full integration of students falls on the school boards and not on the parents or children; otherwise, there is no real access for these students to a meaningful education (Cordasco 1976, Crawford, 2004). The importance of this decision is clear, considering that, in a related previous sentence in 1973, the Ninth Circuit Court of Appeals had argued,

> The discrimination suffered by these children is not the result of laws passed by the state of California, presently or historically, but is the result of deficiencies created by the children themselves in failing to know and learn the English language. (as cited in Wiley, 2002, p. 55)

Notwithstanding, the Supreme Court did not base the decision on the Constitution, but on Title VI, which prohibits discrimination on the grounds of race, color, or national origin. As a result, the Supreme Court did not address the question of whether there is a constitutional right to educational assistance for language minority students, and it implied that there is no constitutional right to bilingual education (DelValle, 2003; Schmid, 2001).

The Lau ruling did not mentioned any specific remedies; it just mentioned 'appropriate action.' In 1975, the Office of Civil Rights released a series of guidelines by which school districts should abide in order to comply with the Supreme Court Lau decision. These guidelines were named the 'Lau Remedies' and essentially promoted transitional bilingual education programs. The Lau remedies were to be withdrawn in 1981 (Crawford, 1989; DelValle, 2003). That year, in the case Castaneda v. Pickard the Fifth Circuit established three requirements to define what appropriate action meant when implementing programs to help language minority students overcome language barriers: The program (1) must be based on sound educational theory, (2) must have sufficient resources and personnel, and (3) must prove to be effective in teaching students English. These requirements offered ample leeway for districts reluctant to implement bilingual education programs (DelValle, 2003).

In the eighties, the Reagan administration led a major campaign against bilingual education and in favour of a "back to basics" education. The Reagan administration defined the United States as a "nation at risk of balkanization" and blamed non-English speaking communities for such a risk (Crawford, 1989). As early as 1981, the senator S.I. Hayakawa introduced a constitutional amendment aimed at adopting English as the official language of the United States. Later, in 1983, he founded U.S. English, a non-profit organization that promotes English as the official language of the United States and discredits bilingual education (Padilla et al., 1991).

The principal reasons to criticize bilingual education were derived from Keith Baker and Adriane de Kanter's (1981, 1983) evaluation of bilingual education programs. By compiling and analyzing the results of previous studies, they concluded that bilingual education was not an effective means to meet the needs of language minority students. However, their evaluations were rapidly contested by critics who pointed out that the authors had left out significant variables in their analysis, and, if these variable had been included, "the results from the meta-analysis [would have] consistently yielded small to moderate differences supporting bilingual education" (Padilla et al., 1991, p. 126).

In 1994, under the Improving America's Schools Act, the Bilingual Education Act was reauthorized. The law made explicit its main purpose: "developing bilingual skills and multicultural understanding" (as cited in Crawford, 2004, p. 19). For the first time, bilingual education was not only considered a resource to help immigrants become fluent English speakers, but also a potential asset to improve the country's prospects, a way to "develop our Nation's national languages resources, thus promoting our Nation's competitiveness in the global economy" (Crawford, 2004, p. 20).

The result of this extension was the promotion and establishment of developmental bilingual education, which included "two-way" bilingual programs. These programs continue to serve mainstream and language-minority students. Both groups of students benefit from the opportunity to acquire and fully develop their skills in a second language (Crawford, 2004). Shortly after the passage of the Improving America's Schools Act, in the fall of 1994, Proposition 187 was passed in California, a policy that made it illegal for children of undocumented immigrants to attend public schools. The proposition was declared unconstitutional, but it fuelled the drive to pass new initiatives toward limiting the rights of and benefits previously accorded to immigrants (Crawford, 2004).

In 1996, the House of Representatives approved the designation of English as the nation's official language and banned the use of other languages by government agencies and officials. The bill did not pass in the Senate. In 1998, Proposition 227, promoted by multimillionaire Ron Unz, was adopted in California. Proposition 227 ended the bilingual education programs throughout the state of California, which were substituted with English-only instruction models (Crawford, 2004). Similar propositions that eliminated instruction in any language other than English were approved in the year 2000 in Arizona and in 2001 in Colorado (Crawford, 2001, 2004).

This wave of anti-bilingualism policies reached its peak with George W. Bush's No Child Left Behind Act (NCLB) in 2002. The law, which was a reauthorization of the Elementary and Secondary Education Act (ESEA), did not officially ban bilingual programs, but it imposed a high-stakes testing system that promoted the adoption and implementation of English-only instruction. Furthermore, all references to bilingual education in the previous ESEA were eliminated in the new legislation (Crawford, 2004).

As all of the above mentioned policy changes toward the restriction or exclusion of bilingual education were passed, evidence about the beneficial effects of bilingual education increased (Crawford, 2004; Krashen, 1996). Greene (1998) reported in a meta-analysis summarizing the scholarly research on

bilingual education that children with limited English proficiency who are taught using at least some of their native language perform significantly better on standardized tests than similar children who are taught only in English. This conclusion was based on the statistical combination of eleven studies. These studies were selected for the quality of their research design from a total of seventy-five studies reviewed. They included standardized test score results from 2,719 students in thirteen different states, 1,562 of whom were enrolled in bilingual programs. Further studies show that providing instruction in the students' native languages does not only facilitate English acquisition but also strengthens content knowledge attainment (Cummins, 2000; Krashen, 2004; Thomas & Collier, 1997).

Detractors of bilingual education argue that the use of the native language delays the acquisition of English and that it is more efficient to place students in all-English programs where they may receive language support (Baker, 1998). However, further studies have shown that it may take up to seven years to master academic English (Hakuta et al., 2000; Krashen, 2004). In any case, as Donaldo Macedo (2000) contends, if standardized test results and supposed low literacy skills are used as the empirical evidence that bilingual education does not work, such a line of reasoning could also be applied to foreign language departments in schools all over the country, and, nevertheless, no one advocates for their elimination.

Bilingual education has also been blamed for retarding the process of assimilation for immigrants. However, this claim cannot be based on any empirical data. In the first place, such a vision overlooks the fact that linguistic minorities in the U.S. are not only comprised of recently arrived immigrants and their children but also of enslaved and indigenous peoples, including inhabitants of those territories that have been annexed to the U.S. (Wiley, 2002). The most probable rationale of such an argument is to be found in the fact that the origin of most immigrants has shifted from Europe to Asia and Latin-America. Such a shift has triggered feelings about the unity of the nation, the endangered dominant ethnic identity, and the gradual decline of the English language. Samuel Huntington (2004) and Patrick Buchanan (2006) equate 'Anglo-Protestant culture' to the 'American Creed,' and identify multiculturalism and the retention of other (Hispanic) cultural values, including language and bilingual education, as a threat to the 'American way of life.' Martinez (2007) claims that such a discourse longs for a return to the days in which being White was a requisite in order to be eligible for citizenship. He argues that the end of bilingual education is part of a global strategy to curtail immigration from Third World countries, especially Mexico.

Certainly, the discourse against bilingual education transcends educational empirical research. Henry Giroux (2001) affirms that, in the United States, the discourse of monolingualism attempts to portray minorities as a threat to the American way of life and as an excuse to attack multiculturalism, bilingual education, affirmative action, welfare reform, or any other sign of diversity and 'the Other.' Furthermore, Lilia Bartolomé (2008) argues, "the practice of forbidding the use of non-English languages has constituted the more prevalent contemporary language practice in the US," (p. 378), explaining that language education itself is being used as an instrument of discourse and ideological power (Wiley, 2002).

In summary, ideological positions about American identity and White supremacy result in the association of bilingualism with inferior intelligence and a lack of patriotism in the United States. The word 'bilingual,' beyond denoting 'speaker of two languages,' has come to symbolize an immigrant, typically a Latino or Latina, who does not—and refuses to—speak English correctly and, therefore, who cannot be considered 'American' (Spolsky, 2004; Tollefson, 2002b). All these ideological forces and assumptions played an important role at the time voters came to the polls to decide whether or not to continue implementing bilingual programs in Massachusetts, as is examined in the next section.

THE CASE FOR MASSACHUSETTS: QUESTION 2

The struggle of the Latino community in Massachusetts "led to the first state-mandated, transitional bilingual-education program in the United States in 1969" (Uriarte & Chavez, 2000, p.1). In the 1970s, Boston bore witness to one of the most bitter school desegregation cases in the United States. The city school's committee refused unashamedly to comply with the federal court's mandates to desegregate public schools. Eventually, the federal district judge Arthur Garrity had to develop several plans and policies to override the refusal of desegregation of the Boston School Committee. The practices that were developed at that point included extensive Bilingual Education programs (Urban & Wagoner, 2003).

Educational practices moved toward the measurement of outcomes early in Massachusetts. In 1993, the Educational Reform Act was approved. It established the Massachusetts Comprehensive Assessment System (MCAS) as the official and primary measure of students' achievement. The adoption of standardised tests as a reliable indicator of students' progress was and still is in question for many educators, especially with regards to those children who do not belong to the dominant class, race, and culture (Uriarte & Chavez, 2000).

Bilingual education, although insufficiently funded, was widespread in Massachusetts. In the mid-term elections of 2002, among the referendum questions, a question about the suitability of bilingual education programs in the State was included on the ballot. The English Language Education in Public Schools, Question 2, was an initiative of Ron Unz and the U.S. English group under the slogan "English for the Children" (Berriz, 2005). The rationale for such an initiative was based on the assertion that "the public schools of Massachusetts have done an inadequate job of educating many immigrant children, requiring that they be placed in native language programs whose failure over the past decades is demonstrated by the low English literacy levels of those children," and the

assumption that "immigrant children can easily acquire full fluency and literacy in a new language, such as English, if they are taught that language in the classroom as soon as they enter school" (Secretary of the Commonwealth of Massachusetts, 2002).

Massachusetts residents voted overwhelmingly in favor of Question 2. The proposition replaced the law that provided transitional bilingual education in the State "with a law requiring that, with limited exceptions, all public school children must be taught English by being taught all subjects in English and being placed in English language classrooms" (Secretary of the Commonwealth of Massachusetts, 2002). Bilingual programs were immediately substituted with sheltered English immersion (SEI) programs whose main purpose was to teach English language acquisition and content instruction at the same time. English language learners could be included no longer than one year in SEI programs. After that period, they would be placed into mainstream classes. Parents or guardians were given the option to apply for a waiver not to be included in SEI programs or to place their children in a bilingual program exclusively when one of these conditions were met: (1) the student is already able to speak English; (2) the student is at least ten and the school principal and teachers firmly believe it is in the students' best interest; or (3) the student has special physical or psychological needs (Secretary of the Commonwealth of Massachusetts, 2002).

In addition, the law also established an annual standardized test—the Massachusetts English Proficiency Assessment (MEPA)—as a requirement to measure the progress of English Language Learners (ELLs) (Secretary of the Commonwealth of Massachusetts, 2002). However, Wright & Choi (2006) argue that the accountability and penalization of schools for low scores in standardized tests end up being a burden for all students, who then have to endure a type of "narrow-instruction" (p. 47) that may prepare them for today's immediate testing needs but not for tomorrow's education opportunities. They propose that students should be excluded from high-stakes tests in English until they have obtained enough proficiency in English, and, equally, ELLs should not be reclassified into mainstream classrooms until they have fully developed sufficient English skills as to assure their future academic prospects (Wright & Choi, 2006).

In the case of Arizona, where similar legislation had been passed in 2000, Wright (2005) noted, the state had developed certain procedures so that ELL scores did not make up part of the accountability formula in schools. These procedures, which might have been presented as some type of advantage or accommodation for ELL students, in fact represented an advantage for those administrators trying to cover the real performance level of these students within such language-restrictive educational policies.

Additionally, the new law in Massachusetts did not establish any special requirement or certification for teachers to educate ELL students other than being fluent in English. Contrary to this approach, Wright and Choi (2006) state that teachers should be provided with specific training and be supported throughout the school year. They argue that SEI classes should be taught by certified teachers to ensure proper attention for these students. Furthermore, in their research in Arizona, they found that, after the implementation of SEI, teachers felt confused about what was and was not allowed in class according to the new laws and felt they had not received guidance about what type of instruction is appropriate for ELLs. In fact, when students are placed into mainstream classes whose teachers do not necessarily have the adequate knowledge to meet their unique needs, they often struggle and fall behind academically (Facella et al., 2005).

As has been mentioned previously, the explicit goal of the approved anti-bilingual education measure was to teach English as rapidly and effectively as possible, in just one year, by exposing children exclusively to English instruction. However, although children are able to master general linguistic skills more quickly, it is estimated that students need between four and six years to become academically proficient in a second language (Hakuta et al., 2000; Pray & MacSwan, 2002; Genesse et al., 2005). In addition to linguistic skills, it is necessary to pay attention to the long-term academic evolution of ELLs. Once students enter mainstream classes, the previously acquired academic knowledge and skills are vital. Non-native students will not only need English proficiency to succeed in school, but also sufficient content instruction to excel in their academic lives (Berriz, 2005). In this regard, a number of longitudinal studies have estimated that those students placed in bilingual programs perform better in content instruction classes than those placed in other programs. For that reason, bilingual education may contribute to reducing the achievement gap between ELLs and their native-English speaking peers (August & Hakuta, 1997; Thomas & Collier, 1997).

Question 2 enforced the minimization of the use of the students' native language in schools. Initially, instructors were banned from using any language other than English in class under the penalty of being fired. This rule was later modified in order to allow teachers to use a student's native language in SEI classes to help the student complete a task, to clarify a point, or to respond to a question (Berriz, 2005).

However, researchers argue that proficiency in a second language is best acquired when the literacy in the first language is developed appropriately. In other words, the first language skills operate as the basis of a common ground that facilitates the acquisition of the second language. The belief that the more time students spend in a second language context the quicker they learn a second language does not have empirical support. The first language serves as a bridge to the second one to ease the transition and instil better future learning (Genesee, 1999; Genesee et al., 2004; Krashen, 1996). In addition, other studies report that a student's level of literacy in the first language may be a strong predictor of that student's potential to achieve proficiency in the second (Slavin & Cheung, 2005).

A report from the National Institute of Child Health (2000) suggests,

> If language-minority children arrive at school with no proficiency in English but speaking a language for which there are instructional guides, learning materials, and locally available proficient teachers, these children should be taught how to read in their native language while acquiring oral proficiency in English and subsequently taught to extend their skills to reading in English. (p. 324)

Krashen (1996) contends that, in order for SEI programs to be effective, it is necessary that they provide comprehensive input in the language to be learned, which entails that all materials and resources used in the classroom should be adapted to meet the instructional needs and learning abilities of ELLs. In any case, a number of studies have shown that bilingual education programs that are properly set up and correctly run provide a significant advantage over all-day English programs for children acquiring English literacy (Cummins, 2000; Greene, 1998; Krashen, 1996; Wiley & Wright, 2004). ELLs perform better in programs that are designed with their needs in mind, programs that foster challenging activities, language development, and appropriate assessments (Genesee et al., 2004). In this sense, it is essential for "districts and schools [to] avoid the use of one-size-fits-all scripted curricular programs which are not designed for ELL students, and which cannot account for differences in English language proficiency or academic ability" (Wright & Choi, 2006, p. 49).

In summary, laws that limit the use of bilingual education and restrict the use of languages other than English in schools lack the support of empirical data. Therefore, it is questionable whether or not they improve the quality of the education that ELLs receive and ultimately "reduce drop-out rates, improve literacy acquisition rates, and promote social and economic advancement" (Secretary of the Commonwealth of Massachusetts, 2002). On the contrary, they create confusion about the appropriate instructional strategies for teaching ELLs and endanger the academic progress of these students (Krashen, 2004; Wright & Choi, 2006). Even worse, these laws generate a sense of rejection and inadequacy in non-native students that impedes their social progress and prepares them for a subordinate role in society (Berriz, 2005; Bartolomé, 2008).

As was the case in the national arena, all available empirical data in favor of the application and strengthening of existent bilingual programs went completely overlooked in Massachusetts. In November 2002, almost 70 percent of the population of Massachusetts voted in favor of Question 2 and against bilingual education. The reasons for such overwhelming support of Question 2 transcend the alleged empirical reasons about the lack of effectiveness of bilingual education. As Capetillo-Ponce & Kramer (2006) observed, "what posed as a referendum on bilingual education may have been, in reality, a referendum on broader socio-political and economic aspects of Massachusetts's society" (p. 275). Voters in Massachusetts did not judge the effectiveness of bilingual education; they pronounced a judgment about the suitability of offering bilingual education (Rivera, 2002).

The debate about such suitability was not decided exclusively by people affected by bilingual education. Whereas 93% percent of the Latino population voted against Question 2 (Berriz, 2005; Capetillo-Ponce & Kramer, 2006), a White majority electorate made a decision about the type of instruction that ethnolinguistic minority students should receive regardless of any empirical factors, instead basing this decision on political and cultural assumptions (Berriz, 2005; Markey, 2008).

The increasing immigration from Third World countries, especially from Latin America and Asia, the widespread belief that the use of other languages represent a serious threat to the unity of the nation and the dominance of English, and the feeling that bilingual education represents a gratuitous "extra-privilege" for a group of '*assimilation-resistant*' immigrants (mainly Latinos) played a crucial role in the vote on Question 2 in Massachusetts (Capetillo-Ponce & Kramer, 2006).

Using the slogan "English for the children," supporters of Question 2 based their campaign on the concealment of a confusing and uncomfortable political issue. Behind this seemingly innocent and eloquent phrase they hid an open confrontation between a supposedly unifying American identity and what they deemed divisive multicultural and multilingual ethnic communities. This simplification of such a complex question appealed to the mainstream, White suburban voter in Massachusetts (Markey, 2008).

In contrast, the campaign for bilingual education was founded on the slogan "Don't sue teachers," a slogan that came across as corporatist and not centered on students. In addition, supporters of this campaign refused to bring cultural and racial issues into the debate, thinking that their message would appeal to White suburbanites, most of whom ultimately ended up voting in favor of Question 2 (Markey, 2008).

Immediately after the referendum, the Boston Public Schools' (BPS) administration dismantled all bilingual programs in the district. The dismantling happened without any time to plan a curriculum, acquire relevant materials, and train teachers. However, the ideological considerations prevailed over considerations of the necessary requirements to adapt and implement a new instructional program (Berriz, 2005).,In contrast with the delayed response to desegregation in the 1970s, such an accelerated process of policy implementation had as its result "that the type of instruction that most ELLs are receiving constitutes little more than a contemporary version of 'sink or swim' submersion—a type of instruction that is illegal" (Berriz, 2005, p. 12). Recently, a state report has revealed that in 2008, only a little more than fifty percent of Hispanic males graduate from high-school within four years (The Boston Globe, 2009). Such data shows the inadequacy of the education system that in 2002 was imposed on these children. No doubt the consequences of Question 2 are lived day in and day out by linguistic minority children cultural and linguistic experiences are silenced (De los Reyes, Nieto, & Diez, 2008). These students must become skilled at navigating a school

system that tags them with a presumed disadvantage from the beginning: their language.

CONCLUSION AND FINAL RECOMMENDATIONS

Often, bilingual education has been blamed for the lack of academic skills and educational opportunities of minority language students. However, those shortfalls are mainly a result of socio-economic structures of schools and in our society. Exploring the existing research literature makes it clear that the current negative vision of bilingual education is a response more to highly politicized questions about preserving *the* American ethnic identity and the *whitewashing* cultural melting pot than to empirical facts. As Crawford (2004) notes, "bilingual education has aroused passions about issues of political power and social status that are far removed from the classroom" (p. xvii).

Research has sufficiently stressed the benefits, both psychological and educational, for students to be placed in classrooms where they are able to develop their skills in content subjects taught in their native languages and, at the same time, develop their knowledge of a second language. Not only does such an approach ease the transition between one language and another without having students lose ground on content subjects, but it also strengthens the students' cognitive skills. Bilingual education may also have a positive effect on students' confidence and self-esteem because it strongly values their previous knowledge by actively incorporating it into daily instruction (Crawford, 1989, 2004; Cummins, 1984, 2000; Padilla, 1991).

However, in order for bilingual education to be at the forefront of education policy, it is necessary for advocates and researchers to face and respond to some of the following questions that remain unanswered:

The Bilingual Education Act was not a flawless law. Its purpose was vague, and the means by which programs were to be implemented were also left unclear (Crawford, 2004). In this regard, it is necessary to build a theory establishing clear minimum requisites to implement a solid bilingual program and disseminate it. In many of the states where anti-bilingual propositions have triumphed, parents found it hard to define what a bilingual program actually consists of, how it could be implemented, and how to differentiate it from other approaches (Del Valle, 2003; Capetillo-Ponce & Kramer, 2006). This recommendation is consistent with Wright and Choi's (2006) argument that

> for any instructional model to be successful and for any kind of instruction to be effective, there needs to be: (a) clear guidelines on what the model is (and what it is not), (b) an established curriculum and accompanying curricular materials, (c) training in the proper implementation of the model and instructional use of the curriculum and materials, and (d) support for this model and curriculum at the school and district level. (p. 40)

Both schools and families would benefit from the information about quality language instructional programs and potential alternatives. This point would also satisfy those who claim that families have a right to choose how their children should be educated. Of course, families should have the possibility of exercising genuine choice based on sound knowledge and solid data and not on others' ideological motivations.

Questions of power, race, and ethnicity need to be brought up in the debate and made explicit. Only explicit references to such questions will help problematize assumptions about language such as (1) the validity of competence in English as an indicator of national loyalty; (2) the presumed neutrality of Standard English; and (3) the sufficiency of willpower for its mastery (McGroarty, 2002). Strategies to defend bilingual education have to be reconsidered, and cases like California, Arizona, and Massachusetts need to be scrutinized to extract important lessons. If issues that are beyond mere educational research make an essential part of the debate about education programs, such questions need to be tackled no matter how uncomfortable they are. The inherent racist and oppressive discourses behind the anti-bilingual education argument need to be explicitly exposed and denounced. In such an open debate lies a real opportunity. McGroarty (2002) asserts that Americans strongly value both greater acceptance of pluralism and greater emphasis on choice and individualism as expressive of an individual's uniqueness. These concepts are at the core of the divergence between democracratic and meritocratic principles. Bilingual education can certainly be presented as a balancing force between them.

Language rights need to be demystified and the theory of the 'additional privilege' deconstructed. Language rights are not an 'extra-advantage' but the factor that helps adjust an uneven playing field. In this regard, it becomes essential to stress the positive effects of language rights in reducing the potential for linguistic and social conflict. Language is a powerful force for mobilizing public opinion to affect not only language policy, but also broad issues of state formation, politics, and administration. Establishing "a system of language rights can protect all citizens from leaders who wish to use language for destructive and unscrupulous aims" (Tollefson, 2002c, p.331).

In order to bring these issues to the table, it will be necessary to count on the expectations and actions of politicians and school districts. Politicians want to offer a quick solution to learn English, which is the reason why sheltered English immersion programs, like the one implemented in Massachusetts, place students in mainstream classes in just one year. Bilingual education advocates need to spearhead and organize a grassroots movement with the intention of propagating the multiple benefits of bilingual education and its effects on creating a more respectful and inclusive school climate. The advantages of bilingual education are not limited to newcomers. All students could be able to attain proficiency in two languages in the same manner as affluent students enrolled in prestigious bilingual programs (Berriz, 2005). Indeed, the implementation of

bilingual education would represent a qualitative jump in the pursuit of equal opportunity and real integration. In order to do so, teachers, parents, and community organizations need to play a fundamental role in the movement to push reforms that bring bilingual education back to the forefront of education for democracy.

Unfortunately, until these assumptions and attitudes are challenged, the debate about bilingual education will linger in a dead end street. The main focus will be obscured with questions of American loyalty and assimilation, without taking into account the betterment of democratic institutions and the role of education as "the great equalizer." The real conditions of millions of students in our classrooms will remain purposefully ignored, and, what it is worse, they will be blatantly blamed for their low achievement in society. In the end, it also seems obvious to argue that any and all education reforms should be intended to benefit every student in every school. With that approach in mind, politicians, school administrators, teachers, parents, and the community at large should have access to empirical findings that point to strategies that improve not only students' English proficiency but also their chances of developing their academic potential to the fullest. It is essential to spell out, as James Crawford (2004) asserts, "*there is no contradiction between promoting fluent bilingualism and promoting academic achievement in English; indeed, these goals are mutually supporting*" (p. xv).

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