

# **Contextual Aspects of the Passage of Question 2 in Massachusetts: A Language Policy and Planning Analysis**

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## **Introduction**

### **1.0 Overview**

On November 5, 2002, Massachusetts voters passed Question 2 with a resounding 61% to 29% margin (Galvin 2002: 459). The initiative concerned the education of students whose native language is not English. It asked voters if they wanted to replace the current system, a transitional bilingual education system, with a new, immersion-based program.<sup>1</sup> By voting yes, the Massachusetts voters eliminated transitional bilingual education and chose immersion--thereby rendering bilingual education programs, with few exceptions, illegal.

The passage of Question 2 matters to many people in different ways. It matters to the school children whose options it now defines and to the parents of those children. It matters to teachers who have to adapt their curriculum, their approach, their career. It also has a wider significance. It has implications for education in Massachusetts, for voter initiatives in Massachusetts, and for the nation. The organization that sponsored

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<sup>1</sup> Immersion programs aim to teach students English as fast as possible. The whole class day, without or almost without exception, is in English. Transitional bilingual education programs spend some instruction time in the students' native language. The idea is that instruction in a language students completely understand will help them learn English and will also keep them from falling behind in other subjects and skills. See section 2.1.

Question 2 had previously sponsored similar initiatives in other states. Proposition 227 passed in California in 1998, and Proposition 203 passed in Arizona in 2000. Just like Question 2, these propositions replaced bilingual education programs with immersion. Collectively, these initiatives are called the Unz initiative, after their promoter, Ron Unz. What happened in Massachusetts is part of a national movement, and, since other similar initiatives will likely appear in other states in the near future, the passage of Question 2 has implications on a national scale.

Question 2 fascinates me. The question that originally intrigued me was, why did a majority of voters vote yes on Question 2? In particular, I was interested in why the initiative passed in my hometown, Chelmsford, as well the larger story of why the initiative passed in the state as a whole. As a liberal with background in linguistics and a respect for democracy, I strongly oppose the Unz initiative. I find it too rigid. Furthermore, I have faith in the linguistics research that supports use of the native language in teaching English language learners. I disagree with and dislike the deficit model, in which a child's native language is seen as a handicap instead of as a potential for bilingualism.

I conducted my research toward the goal of understanding Question 2 in order to better fight future incarnations of the Unz initiative. I hoped to reach some conclusions about what factors led voters to support Question 2 and then, based on those conclusions, to make recommendations for actions future campaigns confronting similar initiatives can take.

To pursue this goal, I take a Language Policy and Planning (LPP) approach to analyzing the passage of Question 2. LPP is a subfield of linguistics which studies

language policy through a focus on the allocation of resources to various language groups (Joshua Fishman quoted in Hornberger 1990: 16). Education Professor Nancy Hornberger of the University of Pennsylvania and Bilingual-Bicultural Studies Professor Thomas Ricento of the University of Texas at San Antonio approach LPP as a complex, multilayered field (1996: 419-420). I adopt this outlook. I argue that Question 2 and the campaigns around it did not exist in isolation. Many factors influenced voters' decision-making processes. The passage depended on the initiative's relation to a number of other issues, such as voters' perceptions of and opinions on immigration and public education. Question 2 and the rhetoric around it were embedded in a number of contexts, and understanding what these were is crucial to understanding how and why the initiative passed.

In section 1, I introduce the topic and discuss my interest in it. In section 2, I give background information on three factors that shape the national Unz initiative as well as Question 2 in particular: the bilingual education controversy, the history of bilingual education legislation, and Ron Unz himself. In section 3, I focus specifically on the Massachusetts case and discuss the roles that various actors played. I examine the actions of and interactions among the supporters of the initiative, the state politicians, the campaigns against the initiative, the media, and the gubernatorial candidates who campaigned for the November 2002 election.

In section 4, I take a Language Policy and Planning approach to analyze the passage of Question 2. First, I critique and build on other analyses. While Question 2 is a law solely about bilingual education, issues other than educational pedagogy defined its passage. One important issue that arises here is whether voters chose Question 2 because

they honestly thought it was more pedagogically sound than the status quo or because racism and xenophobia influenced voters' decision-making. I examine this issue and also look at other factors that influenced voters' thinking. Identifying these factors requires careful consideration of the arguments made but also of how the public received those arguments. Contextual aspects determined this reception. For example, I argue that the general political climate regarding public education in Massachusetts mediated and to some extent shaped the public's reception of the campaign discussions that focused on public school teachers. I also consider the implications of the use of the initiative process to resolve this language education issue. Because contextual aspects play such an important role in determining the public's reaction to campaign actions, future campaigns that hope to be successful must understand and confront these contextual issues. Based on my findings, I make suggestions for future activist work against similar initiatives. In section 5, I outline ideas for further research and make brief concluding remarks.

In researching and writing this thesis, I have tried to be aware of my biases. I have tried not to let them keep me from listening to other voices and seeing other truths, but I have not tried to hide them. Because of the complexities and the layered nature of my question--so many issues are imbricated and interdependent--I found myself unable to answer my questions as thoroughly as I had hoped in the time allotted for this thesis. As an undergraduate with little background in political science, sociology, or education policy, I also had limited personal resources to pursue some aspects of my question. This finished product, then, is finished only in that it is one piece of a larger project, a piece that covers certain aspects but not others, a piece that is a work in progress even in its completion.

## Background

### 2.1 Types of Bilingual Education Programs

Question 2 presented a choice between types of programs to help students learn English. The design of such programs is one issue fundamental to Question 2. Researchers have divided these programs into five categories: submersion, English as a Second Language (ESL), immersion, transitional bilingual education (TBE), and maintenance bilingual education (Rossell & Baker 1996: 3-6).

- In *submersion programs*,<sup>2</sup> students learning English (English language learners, or ELLs), are mainstreamed immediately into regular classes with no help from their native language nor any special English classes.
- In a system that uses *ESL* classes, ELLs are mainstreamed for academic classes but spend part of the day in a special classroom with other ELLs, usually from a variety of language backgrounds, working on English.
- In an *immersion* program, ELLs study together in classes conducted in English with little to no use of the native language.
- In *transitional bilingual education programs*, students study English and other subject areas with native language support. Some or all of their classes are conducted in the students' native language until the ELLs are proficient enough in English to be mainstreamed, at which point they leave the program.
- In *maintenance bilingual education programs*, classes are conducted in both English and the native language, with the goal of developing both languages.

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<sup>2</sup> People sometimes refer to these programs as "sink or swim." This phrase has a negative connotation.

How do these different types of programs compare and contrast? One consideration is how much time the ELLs spend in class with students who are not ELLs. In submersion, they are entirely mainstreamed. In ESL, their classes are mainstreamed, but they also spend time in an ESL classroom with only other ELLs. In immersion, TBE, and maintenance bilingual education, they are with other ELLs for academic subjects. In some schools they may be mainstreamed for classes like art or gym.

Another distinction among the programs is the make-up of the classes. In submersion, there is no grouping of ELLs. In ESL and immersion, ELLs are grouped together, but each student may come from a unique language background. Thus, the only common language among them may be English. TBE and maintenance bilingual education programs, on the other hand, require a quorum of students who share a native language.

A third point of comparison is program goals. All five want the students to become proficient in academic English. Immersion programs attempt to have this happen as quickly as possible by maximizing time on task. TBE programs also aim for proficiency but balance this goal with the goal of not having the students fall behind in other academic subjects. Maintenance bilingual programs aim to develop the native language as well as English. This last type of program explicitly sees bilingualism as a resource, whereas the others emphasize that lack of English is a handicap.

The amount of use of the native language also varies from one program to another. There is none in submersion and little or none in ESL and immersion. In TBE, the native language is used as a crutch as students transition into using English in the classroom. Maintenance bilingual education programs use the native language to help

students learn English and also to maintain and develop skills in that language (Rossell & Baker 1996: 3-6).

Question 2 asked voters to choose between implementing a new immersion program, or continuing with the established system, which was predominately TBE.<sup>3</sup>

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These five categories are, of course, a bit fuzzy. There is much diversity within each classification. For example, some TBE classrooms resemble maintenance bilingual education classrooms, while others share more in common with classes that use immersion. The failure of participants in the debate over bilingual education to be clear about defining their terms magnifies the confusion. People use the phrase "bilingual education" to refer to both TBE and maintenance bilingual education programs, and sometimes even to immersion or ESL.

In this paper, whenever I am discussing one specific type of program, I will use the terms I have defined here. When I am talking about the debate around these types of programs, I will use the wastebasket term "bilingual education." I also use "bilingual education" to refer to a program that uses native language instruction (TBE or maintenance). Which meaning the term has should be clear from context.

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<sup>3</sup> See Sections 2.3 and 3.3 for more on the established system. See Section 3.1 for more on Question 2.

## 2.2 The Pedagogical Debate

The general public has not accepted any one type of program as the best system. The debate over bilingual education is in part a pedagogical discussion over what type is best,<sup>4</sup> and is defined by this lack of consensus.

Many research papers focus on bilingual education pedagogy; this thesis is not one of those. Since I am primarily interested in why voters passed Question 2, not the related pedagogical theories or consequences, only a cursory introduction to the debate around pedagogy is within my scope. Supporters of immersion, such as Rosalie Porter, argue that maximizing productive time in an English-speaking environment will help students learn English faster. They seek to actively teach the student English in English language classes--something ELLs do not get from submersion--while exposing them to as much English as possible (Porter 1990; Rossell & Baker 1996).

One argument for using some native language support for ELLs is that if a student is not understanding any of what is going on, he or she is not making efficient use of time in learning. Supporters of TBE and maintenance bilingual education also argue that learning in the native language is not counter-productive to learning English because the skills learned in classes taught in one language will transfer to the other language. University of Southern California Education Professor Stephen Krashen, an expert on second language acquisition, argues that use of a student's native language in a classroom helps the child gain literacy and knowledge. He points out that it is easier to learn to read if the words are comprehensible, i.e. in a language the student already knows. He cites studies that show that people who can read in one language can transfer their skills to

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<sup>4</sup> This discussion thus presupposes that there is one best system, a problematic assumption that activists campaigning against Question 2 tried to challenge with the statement that "one size does not fit all."



another language, even from languages with writing systems as distinct as Chinese or Japanese and English. Thus, while it may seem counterintuitive for a student to learn to read first in one language and then in English, instead of directly in English, research supports this practice. Native language instruction can also help students to gain knowledge in subject areas (Krashen 1997).

### **2.3 Bilingual Education in Legislation**

Clearly--as demonstrated by the fact that Question 2 appeared as an initiative on a ballot--the bilingual education debate is taking place not only in schools and academia but also in the sphere of politics. The bilingual education debate has been part of this sphere of professional politicians for over 30 years.

Bilingual education (meaning the classroom use of students' native languages) in the United States grew out of the Johnson administration's Great Society of the 1960s. In 1968, Congress passed the Bilingual Education Act as an amendment to the Elementary and Secondary Education Act of 1965. The movement gained validation and publicity in 1974 when the Supreme Court ruled in *Lau v. Nichols* that a school district violates students' rights if it does not provide instruction in a language they can understand. The legislation passed in reaction to this ruling designated bilingual education programs that use native language support as the default system of instruction for ELLs. Any other type of program implemented would have to demonstrate that it was at least as effective as bilingual education. In the 1970s, politicians debated the merits of TBE programs as compared to maintenance programs, and Congress increasingly specified that it was interested in TBE, not maintenance. The 1980s saw a battle between the Reagan

administration, which opposed bilingual education, and Congress, which continued to support it. In 1988, Congress reauthorized the Bilingual Education Act; 75% of funding went to TBE programs, and 25% went to programs experimenting with other approaches. The Bush Sr. and Clinton administrations looked on bilingual education more favorably. Congress again reauthorized the Bilingual Education Act in 1994, this time with recognition of the value of bilingualism: the act cautiously mentioned the development of native-language proficiency as a goal (Moran 1990; Rossell & Baker 1996: 16-20; Schmidt 2000: 11-19). However, the commitment to bilingual education disappeared with the passage of No Child Left Behind in 2002. According to Jim Crawford, an independent academic who specializes in language policy and politics, even the word "bilingual" is no longer part of the law. While the law stops short of outlawing bilingual education programs, it no longer prefers them, and it includes provisions that may act as disincentives. For example, for a school system's program to be acceptable, the system must demonstrate that enough ELLs are reclassified as proficient in English each year. Thus, the law prefers systems that teach English quickly to more gradual programs like TBE or to programs such as maintenance bilingual education, which seek to develop native language proficiency along with English (Crawford 2002).

In 1971, the Massachusetts legislature passed a bilingual education law. It required schools with 20 or more ELLs who shared a common native language to create a TBE program where students would study for three years or until they were at the level where they could do coursework in a class conducted in English (Rossell & Baker 1996: 20-43).<sup>5</sup> In 2002, roughly 50,000 Massachusetts school children were classified as LEP

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<sup>5</sup> See Section 3.3 for more on bilingual education in Massachusetts law.

(limited English proficient), and about 76% of those were in bilingual education programs (Roche 2002).

## 2.4 Ron Unz

Recently, an individual has made himself a key player in the politics of bilingual education. Ron Unz is not a legislator nor an elected official of any kind. He is a conservative businessman from California. Unz is a native speaker of English whose mother grew up in a Yiddish-speaking home. He is in his forties, and his background is in physics and ancient history (Portes 2001:269; Wallace 1994).

Unz has been consistently interested in policy. He attempted to challenge Pete Wilson in California's gubernatorial race in 1994. More often, however, he influences policy through funding rather than candidacy. He uses his money to fund conservative projects, such as David Horowitz's book *Surviving the PC University* and Unz's own organization, English for the Children (Wallace 1994). This organization created and supported Proposition 227, the initiative that passed in California in 1998 and which replaced TBE programs with immersion. The same group backed Proposition 203 in Arizona in 2000 and Question 2 in Massachusetts and Amendment 31 in Colorado in 2002.<sup>6</sup> According to an article that appeared in the *Boston Globe*, Unz contributed \$175,000 to the campaign for Question 2, and English for the Children contributed another \$123,000 (Leblanc 2002).

Unz has a national agenda. Just before the election, a conservative online newspaper published a letter Unz wrote in which he says that Massachusetts is the focus

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<sup>6</sup> Amendment 31 arose at the same time as Question 2. Unlike the other three Unz initiatives, Amendment 31 did not pass. See Sections 4.2 and 4.4 for more on Amendment 31.

of his "national strategy." He describes the state as a "very influential East Coast media center," and expresses interest in getting the attention of people in DC and New York City (Unz 2002b). Thus, he will likely continue to be a key player in bilingual education politics.

## **The Passage of Question 2**

### **3.1 The Proposed Law**

The law sponsored by English for the Children of Massachusetts (the official campaign behind Question 2) overrode the state law that mandated that schools with 20 or more ELLs of a single language background provide a TBE program. Instead, schools would now have to use an immersion program, described as follows:

. . . nearly all classroom instruction is in English but with the curriculum and presentation designed for children who are learning the language. Books and instructional materials are in English and all reading, writing, and subject matter are taught in English. Although teachers may use a minimal amount of the child's native language when necessary, no subject matter shall be taught in any language other than English, and children in this program learn to read and write solely in English ("Full Text" 2002).

The law also described a waiver process for parents to ask permission to have their child placed in a program that used native language instruction; however, issuance of a waiver would come only at the approval of the local superintendent. The law allowed parents to sue school officials for "willfully and repeatedly" hindering a child's access to an immersion program or for suggesting a waiver under fraudulent terms. The law also mandated yearly standardized testing of the English of ELLs ("Full Text" 2002).

### 3.2 Selling the Unz Initiative to the Public

"[Structured immersion] is the best way to get children proficient in English and successful in English-language classes," says Lincoln Tamayo, co-chair<sup>7</sup> of the campaign for Question 2 and a former high school principal in Chelsea, Mass. "It makes far more sense than segregating children and giving them native-language instruction for years on end before they're finally mainstreamed" (Stern 2002).

The campaign messages propagated by the supporters of Question 2 were by and large the same as those used in California in 1998. As exemplified in the quote above, supporters claimed that immersion worked and was better than the status quo of TBE, which they characterized as a failing system. They based their arguments on pedagogy, saying that immersion was more sound than TBE. They also used some liberal concepts (Woolard 1990), such as the idea that bilingual education programs "segregate" minority students or that failed TBE programs deny ELLs their right to learn English (Glodis 2001). Tamayo even referred to TBE programs as "foreign language ghettos" (AP 2002b). Supporters of Question 2 accused bilingual education teachers and administrators of keeping ELLs in the special programs for too long, thus denying the students their right to be mainstreamed and learn English.<sup>8</sup> They also de-emphasized the harshness of the provision against use of the native language in the classroom; instead, they claimed that teachers could speak to a child in his or her native language when necessary, just as little as possible (Adams 2002).

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<sup>7</sup> Other sources consistently refer to Tamayo as the chair, not the co-chair. Rosalie Porter and Christine Rossell were other important, visible members of the pro-2 campaign.

<sup>8</sup> Refer to the Arguments on the state ballot in the Appendix for another example of this campaign's approach.

### **3.3 The Politicians' Response**

In July 2001, Unz announced his intention to bring his initiative to Massachusetts, and by December, English for the Children of Massachusetts had enough signatures to ensure a place on the ballot for their initiative. State politicians reacted immediately. In the state legislature, politicians had already been talking about the bilingual education debate. One early proposal for reform came from State Representative Antonio Cabral and Senator Jarrett Barrios. The Cabral/Barrios bill broadened the flexibility of the Massachusetts bilingual education law by giving official approval and support to other programs in addition to TBE. These programs included two-way bilingual education (maintenance bilingual education where monolingual English speakers learn with ELLs in two languages) and programs that tended toward immersion but used native language instruction at least 30% of the time. The bill also included accountability features, such as heightened testing requirements (Greenberger 2001).

After the elections officials announced that the Unz initiative would appear in November, more politicians, including the governor, became actively involved in the issue. In January, Acting Governor Jane Swift began to talk about reforming the bilingual education system. She proposed limiting time in TBE to two years, a sort of compromise between Unz's one-year immersion and the three-year status quo. She finalized her proposal in February 2002 ("Issue 2002"; HB 4895).

Ultimately--but not until August 2002--the legislature did pass a bill (HB 5010) to reform the state's bilingual education law. Like the Cabral/Barrios bill, HB 5010 expanded the options by giving official support to a range of programs, including two-way bilingual education and immersion. A school district with at least 50 students from

any one background would have to provide at least two types of programs. The bill institutionalized a process for schools to innovate new programs, gave parents the choice to change which program their child was in or take their child out of a program, and mandated the creation of parent advisory councils. Parents of ELLs enrolled in the programs would be on the council, and council members would work with school officials to develop and review programs (HB 5010). This law integrated the ideas of school choice, since parents could choose among programs, and local control, since the parent advisory councils gave parents a say in the decision-making process. The passage of HB 5010 changed the context of Question 2. Now, instead of choosing between immersion and the TBE status quo, voters were choosing between immersion and the new law. However, the ballot did not mention the new law.

### **3.4 Campaigns Against Question 2**

The various campaigns against Question 2 used a diversity of approaches and messages. In a training packet they developed, ¿Oíste?, a Latino political organization, argued that Question 2 denied parents choice over the type of program their children were enrolled in, that teachers could be sued, that immersion did not work, that the new law would be very expensive, that the new law was "sink or swim" and "one size fits all," and that it sent "a message of intolerance towards minorities and immigrants" (¿Oíste? 2002). Activist and journalist Ty dePass campaigned against Question 2 with a different group. He describes his group's approach as one that emphasized the issues of racial justice, such as the fact that the initiative was based on a deficit model, in which schools tend to

devalue the knowledge, skills, and culture that children of color bring to the classroom (dePass 2002a).<sup>9</sup>

Both dePass's group and "Oiste" were appealing to a minority audience. The official campaign,<sup>10</sup> on the other hand, chose to focus on the whites who make up the majority of Massachusetts' voting population. For most of its existence, the official campaign used the name the Committee for Fairness to Children and Teachers, or FACT. It hired Doug Hattaway, a political consultant for Al Gore's 2000 Presidential campaign (Vaishnav 2002a), as well as another professional consultant. The group sponsored polls and used focus groups to determine the best strategy for getting people to vote against 2. They tested to see if people would respond to learning about bilingual education research, but found people to be skeptical. People were also skeptical of the claim that implementing immersion would be very expensive. When probing to learn why people did not support bilingual education, FACT found that racist responses did not appear, except among senior citizens (Eagan 2003).

In general, the part of the bill that allowed teachers to be sued received the most response. In the words of FACT Campaign Manager Owen Eagan, they thought that this aspect could be a "silver bullet"--in effect, an easy way to win. They felt constrained by

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<sup>9</sup> I do not mean to imply that all ELLs are children of color. I interpret Mr. dePass's statement to mean that his group focused on raising consciousness among a minority constituency around the aspects of Question 2 that particularly pertain to communities of color. The deficit model refers to the fact that children from minority communities come to school with a different background than the school is set up to support. The media often refer to these children as "disadvantaged." The focus on disadvantage comes from the deficit model, which interprets difference from the norm to be negative. In *Ways with Words*, Shirley Brice Heath shows how these "disadvantaged" children do bring a rich background to school, but the school does not build on their background (1983). The deficit model attributes the limitation to the students and their background; Heath and dePass attribute it to the school and the society that does not appreciate the skills and experiences the children have.

<sup>10</sup> Official in that it was registered with the state in accordance with an official procedure. This group wrote the argument against Question 2 which appeared on the ballot. This argument emphasizes the lawsuits above all else. See Appendix.



lack of time and funding, and also insecure in the potential of bilingual education research to sway voters' opinion: Eagan describes bilingual education arguments as "wonkish" in comparison with the sound-bites used by the campaign for Question 2, and "complex and boring to journalists" (Eagan 2003). Thus, they focused on the issue of suing teachers. Their campaign website was [www.dontsueteachers.org](http://www.dontsueteachers.org). The emphasis on the "don't sue teachers" mantra is evident in the opinion summary that FACT submitted to be on the ballot.<sup>11</sup> FACT even tried to get a mention of these lawsuits into the one-sentence summary of the law on the ballot; in July 2002, the campaign went to court, but lost (AP 2002a).

Other arguments accompanied this primary message. FACT also cited the rigidity of the Unz initiative, which it characterized as a "one size fits all" approach to education, and touted the flexibility of the law recently passed by the legislature. FACT used official channels, media coverage, and grassroots networking. In July of 2002, FACT returned to court to contest the wording in the longer summary. While the law described the immersion program as "not normally intended to exceed one school year," the summary phrased it as "normally not lasting more than one year." FACT argued that the wording of the law left more flexibility for students to stay in the program longer than the wording of the summary and that therefore the summary was not accurate. They lost this case as well (Vaishnav 2002b; Vaishnav 2002d). Throughout the campaign, FACT overwhelmingly focused on ancillary issues, not pedagogy.

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<sup>11</sup> See Appendix.

### 3.5 The Media and Question 2

The media plays a key role in politics and campaigns; Question 2 was no exception. Newspapers covered the campaigns in their news sections and promoted their own positions in their editorials. Readers and activists responded with letters to the editor. For voters who had no personal connection to bilingual education programs, newspaper coverage provided one source of information and influence.

A study found that between 1984 and 1994, more than half of media opinion pieces on bilingual education did not refer to any research. Opinion pieces were also more likely to be negative toward bilingual education than the research was: 82% of research supported bilingual education, compared to only 45% of media opinion pieces (McQuillan & Tse 1996: 11-18). The authors hypothesize that social sciences research may be less accessible than research from other disciplines, and also suggest that ". . . the press may be influenced more by larger political trends than by the available research" (McQuillan & Tse 1996: 21).

In an analysis of the role news media played in the passage of Proposition 227, Crawford makes a number of points that are also relevant to Question 2. One poses a hypothetical explanation for McQuillan's and Tse's findings. Crawford differentiates between scientific stories and political stories (Crawford 1998a: 7). For scientific stories, the press reports on experts' findings. These stories are research-based, and the press's goal is to be accurate. For political stories, the press reports on campaign platforms. The press's goal is to be "fair," which means presenting the platforms of opposing sides. Research does not enter the question: "Of course, in a political story it's assumed that all sides are biased and self-serving . . . . [Reporters] see no need to spend time looking for

the objective truth--as one would do in a science story, for example--because it's assumed not to exist" (Crawford 1998a: 7). Crawford argues that the press considered Question 2 a political story. This approach was an obstacle for activists who wanted to spread the message that research supported bilingual education over immersion.

### **3.6 A Surprise**

The pro-2 campaign and rhetoric was, not surprisingly, similar to that used in California and Arizona. After all, the same man was behind all three campaigns. One difference about Massachusetts, however, was the involvement of the gubernatorial candidates in campaigning around Question 2. As early as their first debate, Republican candidate (and ultimate winner of the election) Mitt Romney and Democratic candidate Shannon O'Brien took sides on Question 2 and incorporated their stances on it into their platforms. Romney supported 2, except for the suing of school officials. O'Brien opposed Question 2 ("Issue 2002"; Romney & Healey 2002).

The gubernatorial involvement had a number of consequences. Party affiliation provides information for voters. Most initiatives lack this information. In this way, Question 2 was unlike many initiatives (Bowler & Donovan 1998: 31, 146). Most notably, the Romney Campaign included Question 2 in their ads, thus providing free advertising for the English for the Children of Massachusetts campaign. Furthermore, his stance of supporting Question 2 except for the section allowing teachers and other school official to be sued deflated the opposition's "don't sue teachers" platform. Romney provided a way for people to support immersion without supporting the lawsuits (Vaishnav 2002c).

## Issues, Frameworks, and Contexts

### 4.1 Theoretical Background

On election day, Question 2 passed and became law. The issue did not die then. At the state-wide level, the emphasis shifted, and activists who had campaigned against 2 now lobbied the legislature to make amendments to save two-way bilingual education and worked at the grassroots level to publicize the availability of vouchers. On a national level, the issue of Question 2 as an initiative did not die because Unz is not done. His behavior and his own words point to his national agenda with this issue. Clearly, there will be future campaigns against the Unz initiative. These campaigns will likely look to Massachusetts, as well as Arizona, California, and Colorado, as they plan their strategies.

What these activists will gain from looking at Massachusetts depends on how they interpret what happened there. Their understanding of why Question 2 passed will determine the lessons they draw. So why did Question 2 pass? Different people emphasize different reasons and proffer differing suggestions for future work.

In this fourth section, I critically examine what happened in Massachusetts and then draw recommendations for how activists can go about future work against proposals similar to Question 2. I frame my analysis within the field of language planning and policy, or LPP: "Language planning has been defined as 'the authoritative allocation of resources to language' or the pursuit of 'solutions to language problems through decisions about alternative goals, means, and outcomes to solve these problems'" (Joshua Fishman quoted in Hornberger 1990: 16). The bilingual education controversy meets these qualifications. The 1971 Massachusetts law, the law passed by the Massachusetts legislature in August 2002, and Question 2 all regulate the allocation of education

resources to ELLs, since they regulate the types of programs that will receive funds. All three laws propose solutions to the question of how best to teach ELLs English and other subjects and prepare ELLs to be successful in school and society.

Hornberger and Ricento point out that language planning is a complex field. They use the metaphor of the layers of an onion to emphasize the importance of and interactions among the different contexts in which language issues are embedded: "We suggest that LPP is a multilayered construct, wherein essential LPP components--agents, levels, and processes of LPP--permeate and interact with each other in multiple and complex ways . . . all three [ideology, culture, and ethnicity] thoroughly infuse the LPP layers, goals, approaches, and types . . ." (Ricento & Hornberger 1996: 419-420).

Others attest to the importance context has played in other LPP cases. Political Science Professor Leonie Huddy of SUNY Stony Brook and Psychology and Political Science Professor David O. Sears of the University of California at Los Angeles talk about one type of context, which they call symbolic politics. This term refers to the broader issues--the contexts--that people associate with the bilingual education controversy and which therefore shape people's opinions. Huddy and Sears point out that since bilingual education is a complicated issue, there are many issues that people could potentially associate it with: bilingual education can have many different symbolic significances. In 1983, Huddy and Sears did a national poll of attitudes toward bilingual education. They found that symbolic politics was the most significant factor in explaining people's attitudes toward bilingual education (Huddy & Sears 1990). Of course, to apply their results to Massachusetts in 2002 would be a stretch, given the nineteen year time lapse, the publicity the issue has received since (especially through

Unz), and the fact that their poll was nationwide in scope. However, their results lend support to the basis of this thesis, the idea that considering contexts is crucial to understanding the passage of the Unz initiative.

I argue that to create an effective strategy to counter Unz in the future, activists must recognize the role of contexts and understand how they work. I will review the various hypotheses and debates on what factors shaped voters' choices. I then carefully and critically consider the campaign rhetoric and campaign events for other relevant issues, with a particular focus on revealing the contexts in which voter decision-making occurred. I argue that these contexts, while subtle, are important because they affect and shape how voters think about the initiative and the campaigning. Thus, for a future campaign to have the power to make the best choices about strategy, it must understand all the relevant influencing factors. Only then can it think about how to negotiate them-- which issues to highlight, which to challenge, and which to work within.

## **4.2 Issues, Frameworks, and Contexts**

When talking about why Question 2 passed, people who campaigned against it often cite funding (Eagan 2003; Vaishnav 2002c; Valentine 2003). While the official campaign against 2 did spend more than English for the Children, this figure does not include the money from Romney's campaign that paid for the media ads that favored 2 (Eagan 2003). Furthermore, which side paid more is not meaningful. The real question is how much money the campaign would have needed to deliver effective messages. One clue that money is relevant comes from the Colorado case. The Unz initiative appeared in Colorado at the same time as Massachusetts, but voters did not pass it in Colorado,

thanks to a large extent to a \$3 million donation to the campaign against the initiative. Of course, the money alone does not account for Colorado's defeat of Unz. The California campaign had even more money than Colorado, but lost. The real question is what the Colorado campaign did with the money, an issue I will return to (Crawford 2003: 11).

In addition to insufficient funding, some activists who worked against Question 2 cite lack of time as a factor that hurt them (Eagan 2003; Valentine 2003). With more time, they argue, the campaigns would have been more organized and in a better position to tackle the issues. On the other hand, Lee Valentine of the Mass English Plus Coalition--an organization that aims to "fight against all forms of language-based discrimination and to promote better services for language minorities" (Mass English Plus Coalition 2003)--has been aware of Unz and speaking out in Massachusetts against Unz's initiatives ever since Proposition 227 became an issue in California over five years ago (Valentine 2003).

An interesting puzzle is the decision of the statewide<sup>12</sup> campaign in Massachusetts not to focus on promoting bilingual education--in other words, not to defend the institution most clearly at stake. Four years earlier, the official campaign in California made the same decision and shut out the pedagogical discussion to the extent that language policy advocates James Crawford and Stephen Krashen founded their own group to get out their message that bilingual education did work (Crawford 1998a: 3-4; Crawford 2002: 10-11). The official campaign in Massachusetts was not as extreme in its suppression of pedagogical arguments, but it focused on suing teachers--that "silver

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<sup>12</sup> I am using "statewide campaign" to refer to the official campaign against the initiative. This group went by the name "Committee for Fairness to Children and Teachers," or "FACT," for most of the duration of their campaign.

bullet" (Eagan 2003). Crawford notes that national bilingual educational organizations have not taken the initiative to promote bilingual education and the research that supports it (2002: 3). If these organizations, which are not under the pressure of a voting-day deadline and which have national scope, assumed this mission, then activists at the state or local level could tap into that work, instead of facing the decision of either starting from scratch or focusing on other factors.

The role that pedagogy and research should play is controversial among activists. In general, people who attribute voters' negative opinion of bilingual education to misinformation and ignorance favor the promotion of research that supports bilingual education (Crawford 2002). According to this theory, voters who oppose bilingual education are misinformed but good at heart. If they knew that bilingual education works and immersion does not, then they would vote against immersion. They truly want what is best for the ELLs. Other language policy activists and scholars argue that misinformation and ignorance do not play this definitive role. These people attribute negative attitudes to voters' racist, nativist, or anti-immigrant views. The result is a lively debate among language policy scholars and activists. I now present positions from each side of this debate, as well as some of the ensuing discussion. Where people stand in this debate shapes their approach to fighting the Unz initiative. For this reason, along with the theoretical viewpoints, I present people's corresponding recommendations for action.

Before outlining this debate, I must clarify my use of the term racism. While some people use the word racism only to refer to conscious thoughts and their associated behaviors, I will use the term to refer to subconscious thoughts and their associated behaviors as well. Thus, it is possible for people who do not consider themselves racist



and who want social equality to act on racist impulses. These people do not intentionally let race, ethnicity, or nationality influence their thought, decision, or action and probably do not realize that they do.

Huddy and Sears point out that two types of racism are at play: realistic interests and symbolic racism. Realistic interests relate to actual effects voters expect to experience. For example, parents of native-English-speaking children might oppose bilingual education programs in their town because they do not want the funding to go to programs from which their children will not benefit. Huddy and Sears distinguish realistic interests from symbolic politics. Symbolic politics refers to "long-standing political orientations, such as political ideology or attitudes toward immigrants and ethnic minorities, which stem from earlier socialization" (1990: 121). An example would be opposition to bilingual education based on the idea that immigrants already receive too many hand-outs that hard-working Americans fund through taxes (Huddy and Sears 1990: 119-122).

The debate over the roles of misinformation and racism centers on the voting population that has no day-to-day contact with bilingual education programs. The majority of this group consists of white people who live in the suburbs.<sup>13</sup> Since this population describes the majority of Massachusetts voters, this group controlled the outcome to Question 2. The debate asks why white suburbanites who have no investment in or connection to bilingual education programs voted for immersion.

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<sup>13</sup> My discussion primarily focuses on these voters. I regret that I am not addressing other constituencies. I have chosen this one because it is familiar (I am a white suburbanite, as are most of my neighbors) and because its majority status means that it had a lot of power over the passage of Question 2 and that information about it is readily available. Please see section 5.1 for more on the limitations of my analysis.

Political Science Professor Ronald Schmidt, Sr. of California State University, Long Beach argues that all of language politics in the US can be reduced to a discussion between pluralists and assimilationists. Assimilationists imagine the US to be a country in which immigrants have always changed their ways in order to become American. Pluralists imagine the US to be a place where there has always been and will always be a diversity of groups. To refer to the melting pot metaphor, assimilationists celebrate how the ingredients melt and together become one single whole, while pluralists emphasize the uniquenesses of each ingredient (Schmidt 2000: 115-129).

Regarding language policy, assimilationists see unilingualism as key to the health of the US. Everyone must share a language, or else national unity could break down (Schmidt 2000: 115-171). According to the website of English First, an organization that promotes Official English<sup>14</sup> laws and opposes bilingual education and Puerto Rican statehood, "the English language unites America" and the government has used language as a basis to divide Americans (English First: 2001). Immersion is in keeping with this worldview because of its concentrated focus on the use of English.

Pluralists, on the other hand, see language diversity as an important part of America. As they see things, language diversity has always been a part of the US, and will continue to be. Immigrants do not need to give up their customs and their language to become American. Thus, use of a child's native language in school is in keeping with pluralists' vision of the US and with their ideas of immigrants' rights. Pluralists argue

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<sup>14</sup> The Official English Campaign strives to pass legislation at the state and national level to make English the official language. The consequences of such legislation are under debate. Some say the legislation would be entirely symbolic; others say it would allow discrimination against people who do not speak English. For example, bilingual ballots might become illegal (Crawford 1992).

that children do not have to lose their native language in order to learn English; they can have both English and their native language (Schmidt 2000: 100-176).

Schmidt argues that people's decisions on how to vote on bilingual education depend on whether they hold an assimilationist or pluralist worldview: ". . . ultimately, the language policy debate in the United States is not about language as such but about what kind of political community we are and wish to be. It is, in short, centered in identity politics" (2000: 183). Therefore, providing information on bilingual education pedagogy will not affect voting. People's minds are already made up. Schmidt situates himself at one extreme of the debate over how voters who are unaffected by the outcome decide their stance on the Unz initiative.

At the other extreme lies the argument that the only issue at hand is ignorance. If unaffected voters knew the truth about bilingual education and immersion, they would see the light and vote against Unz. Stephen Krashen demonstrates that the public's level of acceptance or dislike of bilingual education depends on the wording of the poll question. "Bilingual education" is not a specific term. Polls that define it either specifically (such as questions that describe it as learning through both languages) or very globally tend to show a higher rate of support than polls that could be interpreted as referring only to an extreme form of bilingual education, such as one in which almost all subject matter is in the student's native language. Furthermore, many polls imply a trade-off, that the choice is either support the native language or learn English. This trade-off does not reflect the position of bilingual education supporters, who argue that bilingual education means bilingual (English and the native language), that developing one language enhances the development of the other, and that students learn through the

languages instead of just learning the languages. Krashen's findings imply that how much information a voter has shapes his or her opinion (Krashen 1999: 66-96).

James Crawford agrees that information is a determining factor. He points to polls that demonstrate that people who are in favor of the Unz initiative think they are voting to help children learn English (Crawford 2002: 3-5). Thus, campaigns should work on getting out the message that native language instruction is a means to English acquisition. Crawford argues that bilingual education advocates used to emphasize this message as part of what he calls the "Equal Opportunity Paradigm." This paradigm emphasizes the immigrant children's rights to a good education that will prepare them to do well academically in later schooling. In the 1980s, vocal advocates shifted to the use of what Crawford calls the "Multiculturalist Paradigm." This paradigm emphasizes the value of bilingualism and sees bilingual education as a means to bilingualism and native language maintenance, not just acquisition of English (Crawford 2002: 5-10).

Crawford suggests that bilingual education activists return to using the Equal Opportunity Paradigm. He argues that the Equal Opportunity Paradigm is more conducive to emphasizing the role that native language instruction can play in learning English. He thinks that a conversation emphasizing equal rights and opportunities would motivate activism within the immigrant communities affected by bilingual education policy. Use of the paradigm would also generate questions about how well the programs were working--in other words, if the programs were actually providing a more equal opportunity after all (Crawford 2002: 13-14).

Crawford has one more reason for suggesting a return to the Equal Opportunity Paradigm: "Finally, it would appeal to all Americans' best instincts--in particular, their

sense of fairness--and challenge them to do what is best for language-minority children" (2002: 14). In this case, I disagree with his reasoning. First, I think Americans' sense of what is fair is mediated by the fact that they are accustomed to a society built on inequality and privilege. According to the American dream construct, social mobility is possible for anyone who is willing to work hard and follow the rules. This construct is a myth; however, people continue to believe it. I believe this discrepancy between reality and belief is a problem for Crawford's reasoning.

The American dream construct is a myth because it is founded on a false presumption that merit can exist in a vacuum. The construct states that society rewards people for their merit, and therefore anyone can rise in social status simply by demonstrating merit. The problem with the logic is that the demonstration of merit occurs within a space defined by systematic inequality. Some people have more access to opportunities to demonstrate merit than other people do. For example, Shirley Brice Heath shows that schools reward students who demonstrate a culture-specific set of skills (1983). Imagine two students of equal brainpower. One of them is easily able to demonstrate her "merit" because her home culture is the culture the school expects and rewards, whereas the other student must first acquire the school culture before she can access opportunities to demonstrate her merit. This example reveals a major flaw of the American dream construct: not all Americans start out on a level playing field.

Although the American dream is a myth, many people continue to believe that it exists. Crawford's suggestion does not take these people into account. Under their logic, fairness and equality come to mean the same treatment for everyone. Affirmative action becomes wrong because it "discriminates against whites." Crawford's strategic use of the

Equal Opportunity Paradigm takes acknowledgment of social inequality for granted since the basic argument is that minorities are at a disadvantage and thus should have a special program. I agree with Crawford that Americans are concerned with fairness, but I disagree that this concern would lead them to enthusiastically support a special program for ELLs.

An example of how Americans interpreted equal opportunity within education to mean the same treatment is described in *The Case About Amy*. Amy was a Deaf girl. Ahead of her Deaf peers since she could already read English, she was mainstreamed in a classroom with other hearing children. Amy's parents went to court because the school refused to provide an interpreter for her. The law said Amy had a right to learn in the least restrictive environment. The court ruled that the school was justified in not providing an interpreter because Amy was not doing poorly in school. She had the right to keep up with her peers, but not the right to reach her full academic potential, if that were to require special treatment (Smith 1996). I fear that bilingual education could also appear to be a luxury for a minority and that voters could view it as unfair. Crawford does not address this weakness in the Equal Opportunity Paradigm. I think Crawford's approach would work on people who support affirmative action. However, not all Americans do, and this approach would have limited or no success with these people.

Other activists disagree overall with Crawford's emphasis on ignorance and de-emphasis of racism. For them, race plays too large of a role to be overshadowed by well-intentioned ignorance. Indeed, the debate over bilingual education is a raced issue. Since the first TBE law passed in Massachusetts, the majority of ELL students in the state have been Spanish speakers (MA DOE 2003). When people think of bilingual education

programs, they tend to think of Latino students in Spanish-English programs. This tendency is clear in newspaper articles and letters to the editor. Through symbolic politics, these people will then link any associations they have with the Latino population to bilingual education. Someone who has internalized one of the many negative stereotypes about Latinos is likely to associate that stereotype with bilingual education, even though it may have nothing to do with language acquisition and even though many bilingual education programs serve other communities.

For example, in one letter to the editor, Erkki O. Mink Kinen writes about a personal experience coming to the US and learning English without any special program, as did other immigrant classmates. Kinen argues that these experiences show that any immigrant can learn English without a special program. Kinen links this discussion of bilingual education programs with welfare: "I was not a merit scholar, but I learned to speak English quickly as did my other classmates who were immigrants. All became productive citizens and continued on with their lives without ever having to resort to social welfare" (Kinen 2002). One negative stereotype about Latinos and many other minorities is that they do not work hard and instead are dependent on welfare. Kinen's comment may be an example of the association of this stereotype with bilingual education through symbolic politics.

Overt racism has appeared in language policy debates. The Tanton memos<sup>15</sup> may be the most famous example. More recent was Unz's email about US Secretary of

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<sup>15</sup> John Tanton was chairman of US English, an organization that promotes the passage of legislation to make English the official language (US English 2003). In 1986, a secret memo he had written became public. The memo was explicitly racist and led Linda Chávez, Walter Cronkite, and eventually Tanton himself to resign from the organization (Tatalovich 1995: 141-145; Crawford 1988: 171-173). Part of the memo reads as follows:

Will Latin American migrants bring with them the tradition of the *mordida* [bribe], the lack of involvement in public affairs? Will the present majority peaceably hand over its

Education Rod Paige. After Paige proclaimed his opposition to the Unz initiative, Unz sent a mass email that characterized Paige in racist terms as unfit for his post:

Paige, a black former football coach, is believed to have obtained his job largely due to George W. Bush's intense support for "Affirmative Access," and is widely regarded as the dimmest member of the Bush Cabinet. Although nominally serving as the top-ranking member of the Bush Education Team, his apparent lack of ability to master or comprehend that portfolio meant that he played virtually no role last year either in shaping or articulating Bush's signature education bill, the "No Child Left Behind Act," with the responsibilities actually devolving to Sandy Kress, the longtime liberal Democratic activist actually running Bush's educational policy (Unz 2002a).

The campaign for Question 2 avoided explicit racism, nativism, or anti-immigrant sentiment. English for the Children of Massachusetts chairman Lincoln Tamayo and gubernatorial candidate Mitt Romney immediately condemned Unz's statements about Paige ("Issue 2002"; Tench 2002). Instead of using racist or nativist soundbites, the campaign for Question 2 framed its arguments around pedagogy. However, the passage of Question 2 was not race-neutral.

The initiative seems race-neutral because supporters did not use racist rhetoric. However, conscious and subconscious racism could still influence voters who held anti-immigrant sentiments. In an analysis of the passage of the Unz initiative in California, Crawford makes a point that is relevant to Massachusetts as well: by not talking in anti-immigrant terms, English for the Children was able to appeal to a broader support base. Voters who were consciously voting based on racist notions could still vote for Question 2, but voters who would not support something explicitly racist were not scared away (Crawford 1998a: 3).

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political power to a group that is simply more fertile? . . . . Perhaps this is the first instance in which those with their pants up are going to get caught by those with their pants down! (quoted in Schmidt 2000: 34)



Ty dePass criticizes Crawford's treatment of race. He points out that while voters may have good intentions, those intentions ". . . are unavoidably mediated by racial identity and produce racial outcomes" (dePass 2002b). Since racism so entirely pervades society, it is present at the subconscious level of decision-making. Crawford concedes this point to some degree, yet maintains that misinformation has more influence (2002: 3-5).

Lee Valentine makes an interesting point that supports the idea that race plays a larger role than Crawford admits (Valentine 2002). Colorado had the Unz initiative at the same time as Massachusetts. There the initiative appeared on the ballot as Amendment 31. The campaign against Amendment 31 received a noteworthy donation--\$3 million. Part of this money went into an television ad campaign designed to appeal to white parents of school-aged children. The ad, called "Chaos in the Classroom," implied that the elimination of bilingual education would lead to mainstreaming of ELLs before they were ready. These students would therefore need extra help, and their presence in mainstream classes would divert teacher attention and resources from English-speaking children (Crawford 2002: 11-13; Mitchell 2002; Vaishnav 2002c; Valentine 2003).

On the surface, this ad would seem to appeal to English-speaking parents who wanted their children to continue to experience the resources and the benefits of teacher attention. Using Huddy's and Sears' terminology, this ad played on realistic interests. Symbolic politics suggests that this ad has racist tones as well. If white voters tend to link bilingual education with the Latino population, then the Chaos ad is also saying that children of color will be entering the classrooms and using up white children's resources.

Even the creators of the ad--political consultants John Britz and Steve Welchert--do not deny the racism within the ad. The inspiration for the ad came during an interview with a white, Republican mother. She supported Amendment 31 until Britz made the connection between the Amendment and the woman's children. She had an immediate reaction, and Britz and Welchert chose to pursue that reaction through their ad. Responding to criticism about their use of a racist strategy, they argue that the end justified the means (Mitchell 2002).

Amendment 31 did not pass. Some, including Crawford, attribute the outcome at least in part to the Chaos ad (Crawford 2002: 11-13; Mitchell 2002), although other people emphasize different factors (Escamilla 2003; Padres Unidos 2003).<sup>16</sup> Valentine argues that if voters were really voting for what they thought was in the best interest of the ELLs, a racist ad like Chaos should have had no effect. The ad did not address the question of which programs best serve ELLs, the question Crawford says voters most focus on. Taken together, the ad's effect on the election's outcome and the symbolic politics that link negative stereotypes to ELLs imply that race plays a significant role in voters' decision-making process--consciously or subconsciously (Valentine 2002).

Granted, this ad appeared in Colorado--not Massachusetts, not Arizona, not California. Perhaps its impact would have been negligible in another state (Loss 2003). However, I doubt this. Language policy, and more specifically the Unz initiative, are issues with relevance at the national level. Racism also pervades the entire nation. Valentine's point is a hypothesis, not a proven fact; as such, I think it can be applied to

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<sup>16</sup> For example, the campaign had extra time to prepare since a legal challenge delayed the initiative from a 2000 appearance to 2002. Part of their strategy involved reaching out to the whole state and sticking with the messages they had chosen (Escamilla 2003: 365-379).

Massachusetts. I think the effect the Chaos ad had is a valuable clue that racism, nativism, and anti-immigrant sentiment may play a larger role in how unaffected voters vote than Crawford and others want to believe.

A geographical study also provides evidence implicating racism as an important factor in voters' opinions: "A Globe analysis shows that it [Question 2] won strongly in suburban communities that encircle diverse urban areas--a sign to bilingual backers that some anti-immigrant feelings may have fueled many 'yes' votes" (Vaishnav 2002c). This correlation is based on the idea that white communities near minority communities feel more threatened by the diversity than white communities that are integrated with or isolated from minorities. These people would be voting based on realistic interests.

Moving on from the conversation over racism and misinformation, another crucial context concerns the quality of local bilingual education programs. Where these programs are poor, defending them against Unz will be harder. Parents whose children are in a poor bilingual education program may vote for a change (Portes 2001: 269-270). In Massachusetts, the choice on the ballot was more or less immersion or the status quo. Because the legislature passed a new law, the alternative to immersion was in fact this new system and not the status quo, yet the summary on the ballot implied no change: "A no vote would make no changes in English language education in public schools" ("Question 2"). The arguments section also included no mention of the new law (Valentine 2003), although activists did sometimes refer to it in campaigning. English for the Children vilified the status quo, and FACT did not defend it. So Question 2 asked voters not to indicate a preference on how ELLs should learn as much as it presented a choice between a new program and an old (failing) one (Crawford 1998a: 6-7). This

aspect of the passage of Question 2 has consequences for the use of pedagogical research in future campaigning. Activists will have no luck using evidence or research that good bilingual education programs are better than immersion if voters perceive their choice as between bad bilingual education programs and immersion. Unless the anti-Unz activists can somehow reframe the debate into a more theoretical plane, the question is status quo or immersion. Thus, the quality of the status quo, and people's perception of that quality, is highly relevant.

When campaigns decide to focus on ancillary matters, they become involved in the contexts of those matters in addition to the issues that are directly related to their cause. Thus, when FACT assumed its "Don't Sue Teachers" approach, it entered the political scene of teachers and education in Massachusetts. This message received a favorable response in the focus groups, but I think the political environment toward teachers was hostile to it.

One recent trend is an aura of distrust of teachers. For example, when the state considered implementing tests for teachers, criticism from teachers that the tests did not measure the skills that determined the quality of teaching was met with accusations that the teachers were scared to take the tests because they knew they would fail. Teachers were called incompetent and hypocritical. When the state revoked the lifetime teacher certification it had granted all teachers and implemented a new mandatory recertification procedure, a small group of teachers who challenged this measure as a breach of contract were met not with sympathy or solidarity but with accusations that they were prioritizing trivialities above the good of their students. The campaign for Question 2 offered a negative portrayal of bilingual education teachers as interested only in maintaining their

jobs and not invested in the academic success of their students. In arguing against suing teachers, the campaign against Question 2 asked for a sympathetic perception of teachers. Thus, English for the Children aligned its message with the environment of teacher bashing, while FACT chose its strategy on the unsubstantiated idea that the public would want to protect teachers.

Another slogan that FACT and other campaigns used was "one size fits all." They used this phrase to characterize the initiative as overly rigid; by mandating immersion and making other programs illegal, it was not flexible enough to accommodate different learning styles. This criticism is in keeping with some but not all aspects of the school choice discourse present in the US in that this argument implies that parents should have the right to participate in determining their children's educations.

One part of this discourse concerns charter schools. Proponents of charter schools extol the virtues of innovation in education. According to the Massachusetts Department of Education, "Charter schools were created to provide more choices in public education, encourage competition among public schools, and spur innovation in pursuit of improved educational outcomes" (MA DOE 1998). Making immersion obligatory squelches the possibility of innovation in program design for ELLs. Question 2 was not in keeping with the sentiment that favored innovation and experimentation.

The school choice and voucher discourses, however, focus on parents' right to choose the best education for their children. This idea presupposes the existence of a best type of education. The rhetoric that English for the Children used does not necessarily violate this discourse, since English for the Children claimed that immersion is the best way for ELLs to learn. Thus, even though its rigidity denies choice, the rhetoric is not as

opposed to the voucher discourse as it is to the charter school discourse (Kelly 2003). Understanding the relationship of Question 2 and the campaigns to these discourses is important for future strategizing, as I argue in section 4.4.

### **4.3 Implications for Democracy**

In section 3, I discussed how the campaigns for and against Question 2 sold themselves to the public. In section 4.2, I looked past the sound-bites to the contextual level with the goal of identifying what factors actually influenced voters to pass Question 2. These factors are part of the story of how the initiative passed. Another important aspect of this story concerns the form in which Question 2 passed into law. In this section, I argue that the initiative is not an appropriate forum for decision-making on these issues. Activists could use this argument in the future as a platform for challenging the Unz initiative. Examining the initiative in this way also sheds more light on the racism issues I discussed in section 4.2.

The presence of Question 2 on the ballot raises the issue of who should be deciding this sort of educational policy. In this case, neither the State Board of Education nor the local school boards had the decision-making power; the public did. At first this approach to policy-making might appear to be democratic, since the citizens--not just a few elite appointees--are deciding the issue. However, I argue that having Question 2 as an initiative was not only undemocratic but also anti-democratic.

Question 2 was undemocratic because initiatives do not increase access to the legal system as claimed. Collecting the signatures to have a proposal appear on a ballot is prohibitively expensive. Owen Eagan, campaign manager of FACT, argues that the

initiative process has been co-opted: "Over the years we have seen the ballot initiative process evolve from being a tool giving voters greater freedom from corporate and special interests to a tool used by those same interests to advance their own agendas" (Eagan 2003). Initiatives are thus not an accessible, democratic means for citizens to affect legislation. Initiatives in general appear to be undemocratic--Question 2 is not unique.

Question 2 is distinct from some other initiatives in that it was also anti-democratic. As Massachusetts ESL teacher Neil Brick points out, ". . . for many, this question was kind of a sugar coated racism. People in the suburbs could say, it is good for 'them,' we know what is best for 'them.' Even though those effected [sic] (immigrant parents) are strongly against immersion" (Brick 2002). dePass argues that while the majority of voters--white people with no connection to bilingual education--had a legal right to eliminate bilingual education, they by no means had a moral right (dePass 2002b). They voted nonetheless. While 93% of Latinos voted against Question 2 (Capetillo-Ponce 2002), Latinos represent only 6.8% of the population (Jones 2002). The majority of the population--unaffected white voters--overwhelmed the Latino vote, and Question 2 passed.

Majority rule is an entrenched concept in US democracy. However, majority rule usually refers to situations where all voting parties will be affected by the results. In Question 2, the majority, whose vote decided the outcome, had no investment in the results. This is not democracy. This is not majority rule. This is disempowerment. Question 2 is an example of a tool for democracy being used to disempower a minority, and was therefore anti-democratic.

Why did these people, who had no connection to bilingual education, vote on this issue? First and foremost, it was on the ballot. There is a national civic value attached to voting, and to informed voting; there is none to abstaining for lack of pertinence. People's assumption of their right to vote may also reflect a general attitude towards language and language policy; Jim Crawford points out that people seem to feel a sense of ownership of language issues. Whereas on another political topic they might defer to an expert in the field, on language issues they are more likely to trust their own opinion:

...most people feel like experts when it comes to language. Our reactions are often visceral. Perhaps that's because our speech defines us ethnically, socially, and intellectually. It's tied up with a sense of who we are – and who we are not – evoking some of our deepest emotions (Crawford 1998b).

Ty dePass recommended the strategy of explicitly talking about how passing Question 2 through the initiative process denied minority families power over their children's education (dePass 2002b). I agree. I think that the contention that the Unz initiative disempowers minorities has the potential to challenge Unz's claims and perspective, not among all audiences but at least among some. This argument could complement Crawford's Equal Opportunity Paradigm, reinforcing the civil rights ideas for the sector of the public that values equality.

#### **4.4 Recommendations for Future Campaigns**

Since the contexts that influence voting are already established, challenging them is difficult. People already have formed opinions, and these ideas or discourses are already a part of life. They may be deeply institutionalized, as racism is. People may not



be consciously aware that they are associating these other issues with bilingual education through symbolic politics.

Activists working against Unz do not have to challenge all the contexts. Sometimes it is possible to work within them. Susannah MacKaye, an ESL teacher with a background in linguistics, analyzed editorials and letters to the editor about a related language policy issue, an initiative in California to make English the official language. She found three underlying ideas that appeared in letters written both by supporters and by opponents of the initiative: "language as common bond, language as ethnicity, and language as access" (1990: 137). In terms of access, supporters of Official English argued that Official English would be an incentive for immigrants to learn English, a skill without which they would not be able to get jobs or lead good lives. Opponents agreed that English was a key to jobs but said that the benefits of English were clear without codification or that fluency in a different language was another important type of access that should not be discouraged (MacKaye 1990: 143-146). I argue that a good strategy for activists to follow is to work within the contexts and discussions already defined, whenever possible. Clearly, these issues--in this case, the issue of access--already resonate with people. Why reinvent the wheel, spending extra energy and resources trying to get people interested in a different question? Instead, build on what voters already have.

Working within contexts with which people are already familiar may help arouse the public's interest. No matter how convincing the arguments a campaign uses, results come only when people pay attention to the messages. An important question concerns how to attract the various audiences, in particular the unaffected voters, who are not

invested in this issue. Massachusetts teachers' unions tried to involve teachers with the lawsuit issue, but in my hometown, even that threat was not enough to get people involved with Question 2. Chelmsford has a low population of ELLs and has never had the number that would require development of a program other than ESL. Thus, teachers saw the issue as irrelevant (DiVincenzo 2003). Clearly, attracting these unaffected voters is a challenge--yet it is imperative, since on election day this population did vote on Question 2! Here is a case where framing arguments within dominant discourses might be a good strategy, since it would make the Unz initiative part of something the people already cared about.

Furthermore, working within contexts provides opportunities to turn the other side's arguments on their heads. In so doing, activists against Unz not only promote their side, but simultaneously challenge Unz's side. For example, consider the point that native language instruction helps ELLs gain skills they need to become fluent in academic English. With this argument, activists against Unz promote their position while challenging Unz's claim that immersion is the best way. The activists are also able to stay within a discussion the public is already involved in: the best way to teach English to ELLs.

Not only can activists reframe the debate, they can reframe it in ways that will appeal to particular audiences. For example, perhaps a cautious discussion of the raced and racist aspects of the initiative could mobilize liberals away from the liberal talking points Unz uses, the segregation and rights terminology. This approach could appeal to liberal voters with subconscious racist tendencies. Once someone explicitly brought it to their attention that Question 2 was racist, these liberals would vote against it. Their

desires not to be explicitly racist would overwhelm the influence of subconscious racism when they saw that mandating immersion was anti-democratic.

Staying within the context, however, is not always desirable. The context may be problematic. For example, instead of arguing that native language instruction, not immersion, is the best way, the statewide campaign challenged the idea that there is one best way. They criticized Question 2 for this assumption, and argued that no one style of learning is a "one-size-fits-all" for students. Instead, children have a variety of learning styles.

Another example of a problematic context is the use of race in the Chaos ads. Acknowledging that racism played a role in voters' decision-making, the creators of this ad chose to stay within the framework. They got results but contributed to a larger social evil that is one cause of the popularity of the Unz initiative. Where is the line between contexts that can be accommodated and contexts so problematic that working within them is counter-productive? Could the creators of the Chaos ad have raised and challenged the issues of racism instead of drawing upon them?

Challenging these contexts can happen outside of the bilingual education campaign as well, if activists involve themselves in other issues of education policy, anti-racism, or election democracy--the issues that affect and shape the bilingual education controversy. Many activists are involved in these other causes, but as individuals. Is there a way for bilingual education activists as a group to advocate these other causes? If it were possible, would it be desirable, or would the campaign spread itself too thin?

Regarding strategy of future activists against Unz, what would happen if we preempted Unz in his national agenda? US Education Secretary Rod Paige came out as

against the Unz initiative during the Colorado campaign. He cited its rigidity as its flaw; he thinks decisions like that belong in the school district's legislation (Denver Post 2002). Could lobbyists capitalize on Paige's power and his dislike of the Unz initiative to win legislation that could protect against or even nullify the Unz initiative? Federal legislation trumps state law. Perhaps the administration is too happy with No Child Left Behind, or uninterested in this issue. Still, going to the federal government might be a way to bring positive publicity to the topic, to talk about the research that supports native language use in the classroom, or to begin to reframe the debate. Using the Bush administration as a conduit might be a strategy for communicating with more conservative voters, while activists could find other ways to reframe the debate to appeal to liberals.

These questions are only possible to consider given a thorough understanding of the role that various contexts and discourses have played in the passage of the Unz initiative. Only with a careful understanding of what the relevant contexts are and how they work can activists work to reframe the debate away from Unz's rhetoric and work to plan astute strategies.

## Conclusion

### 5.1 A Call for Further Research

As I stated in the introduction, this thesis represents only a stage in the process of careful and critical consideration of Question 2. My original hope was to do a survey of some of the unaffected voters to find out what motivated their vote. This idea was problematic for a number of reasons. The first is memory. People may not remember what they were thinking about when they voted, as the election was a year ago. Furthermore, new developments regarding bilingual education have been in the news, and these influence people's views, so that people's opinions now may be different from their views on election day. Also, the more subtle, contextualized, subconscious motivations likely would not come out with a poll. Nuances of survey methodology and problems of response rate further complicate matters. I continue to think that polling has a place. For example, a poll conducted right around election time to find out which campaign messages had reached people could give important information about how effective campaigns were in spreading their messages, and possibly also give information about which messages most resonated with people.

One aspect of the passage of Question 2 which I find intriguing but which was not within the scope of this paper was group dynamics within and among campaigns. Who were the leaders? How did they come to be leaders? Was the leadership explicit or implicit? Who decided the strategies? Were there tensions among the activists, within campaigns or from one campaign to another? These questions are important because the answers explain the campaigns' decision-making processes, and those decisions shaped the campaigns. For example, focusing on the official statewide campaign against

Question 2, someone made a decision along the way to use political consultants and focus groups. As I have demonstrated, that decision had a huge impact on the passage of the initiative. Group dynamics explain part of how organizations come to choose their strategies. A related issue also left for future exploration is the role played by professional teachers of ELLs in the campaigning, and the factors that influence these teacher's choices about activism.

One enormous regret I have is the restriction of my scope to white, predominantly suburban voters. While this group constitutes an important bloc numerically, it is by no means the only important or relevant population in the state! I agree with advocates who favor tailoring messages to particular audiences. Because I have limited my thesis to one voting bloc, I am unable to propose strategies for other constituencies. For example, 93% of the Latino population voted against Question 2 (Capetillo-Ponce 2002). That is tremendous! How important a role did campaigns play in spreading a no-on-2 message to this community? What impact did get-out-the-vote drives have? What can future campaigns learn? What about other populations besides Latinos? How did socioeconomic factors influence voting patterns? Unfortunately, a lack of statistical data impedes research here.

Another interesting research topic would be to investigate the communities in which Question 2 did not pass. In Amherst, almost 82% of voters opposed Question 2 (Galvin 2002: 462). How much of the successes in places like Amherst are due to the work of campaigns? What did those campaigns do right? Or, what messages influenced those voters' decisions? All these issues, and many more, merit further research.

## **5.2 A Warning**

Activists working against Unz must never focus only on defeating him. The real issue, the most important question, is not bilingual education versus immersion but the quality of the education that ELLs are receiving. Supporters of bilingual education argue that use of native language instruction has an important role in a good education; however, native language instruction alone does not ensure a quality education. Activists must never be content with the existence of bilingual programs; the programs must be good.

## **5.3 Conclusion**

The Unz initiative affects bilingual education pedagogy, but the campaign rhetoric reflects other issues, and further analysis reveals that yet more issues shape voters' decision-making process. The initiative is a complicated issue. I argue that in order to challenge Unz successfully in the long term, activists must first identify the issues society associates with bilingual education. The activists next decide which frameworks to work within and which to question. Then they devise a strategy, but here again they must be aware of all the contexts in which their messages are occurring. Because of the nature of the bilingual education controversy, contexts are key.

## Appendix

- Question 2, as it appeared on the ballot

<http://www.state.ma.us/sec/ele/elepdf/ifv02.pdf>  
pages 6-7

- The law passed by the Question 2 initiative  
*from a voter education book distributed by the state*

<http://www.state.ma.us/sec/ele/elepdf/ifv02.pdf>  
pages 11-13



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