

Language Rights Issues to the Year 2020 and Beyond:

Language Rights Policy

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This article explores the many issues surrounding language rights and discusses how they will continue to affect the Asian and Pacific Islander community in the future. Issues relating to language rights are not new in this country. Because language is intertwined with national origin, identity and culture (and therefore, indistinguishable, in many instances), language rights need to be protected.

The substantive portion of the paper is a discussion of access to services—all types of services—as we currently do not provide enough bilingual and culturally sensitive services. Unless we advocate vigorously now, we will never have the services which are available to the public at large. A discussion of the relationship of education to issue of access to services is followed by an examination of workplace issues, focusing on discrimination. Workplace discrimination revolves around issues of “appropriate” behavior in the workplace and tolerance for diversity. It is the same intolerance of diversity which drives municipalities to institute discriminatory sign requirements, the next topic of inquiry. And finally, I examine the issue of race relations, which encompasses all of the preceding issues and creates a framework to combat the racism and anti-immigrant sentiment prompting all other forms of discrimination.

By broadly defining language rights, I deal with a number of critical issues for our communities. For as long as Asians and Pacific Islanders continue to be primarily foreign born with English as a second language, the issue of language rights will necessarily be a part of every facet of our lives.

Historical Context

Language rights (or the lack thereof) have been with us since this country was founded. Early drafts of the Articles of Confederation and the Constitution were written in German and other languages to ensure that all 13 colonies would help fight the English. During this same period, slave masters were using language as a tool of domination and control. Taking away an African's language meant taking away their culture and heritage and stripping them of identity.

Language again became an issue in the beginning of the 20th century when large waves of immigrants began arriving from Western Europe. Many Americans were worried that these immigrants were not becoming "Americanized" quickly enough. It was believed that in order to be a "good citizen," one needed to speak English, and native language retention was seen as anti-American. Concomitantly, onerous language requirements were used by the federal government to limit and discourage immigration.¹ States also used language restrictions to exclude foreigners from economic and political participation. In 1897, Pennsylvania imposed residency and English-language requirements on miners. In 1918, New York passed a law requiring foreign language speakers to be enrolled in English classes as a condition of continued employment. About this same time, the New York State constitution was amended to include an English literacy requirement in order to disenfranchise over one million Yiddish-speaking citizens. Many states had similar goals and objectives.²

The current crusade for English as the official language and the increased membership into groups like U.S. English take on broader significance when placed into the above context. U.S. English was founded in the early 1980s by John Tanton to advocate English as the official language of the United States. Tanton was also the founder of the Federation for American Immigration Reform (FAIR), a slow-growth, anti-immigration and anti-immigrant group.³ U.S. English believes

that assimilation (how “white male” can you look and act) is the only alternative for immigrant groups. They also believe that immigration leads to language segregation and will turn the U.S. into a poly-lingual Babel. These views have been widely circulated by U.S. English as part of a direct-mail fundraising campaign.

This contemporary English-Only rhetoric is not based so much on “Americanization” as it is on anti-immigrant sentiment. Given that the Asian and Pacific Islander communities have doubled in each preceding decade, coupled with the tremendous growth in the Latino/Chicano community, it is likely that some people will be anxious. However, our communities will only continue to grow,⁴ and the negative impact of the English-Only movement on our community will worsen. Unless much is done to ensure a co-equal place for Asians and Pacific Islanders, language will continue to be used against us to make us different and foreign and, therefore, relegate us to second-class status.

Identity and Culture

In order to discover why language is so important to our identity and culture, a demographic look at where we will be in 30 years is important. By the year 2020, there will be a large split within our community between those who are born here and those who are foreign born. In the United States, there will be one million foreign-born versus five million U.S.-born Asians between the ages of 0-24. For the same age category in California, there will be 500,000 foreign born and two million U.S. born. Conversely, for those in the 25-44 age group, there will be one million more foreign born than U.S. born for the country and there will be twice as many foreign born as U.S. born in California.⁵ For those 45 and older, there will be 5.5 million foreign born versus 900,000 U.S. born in the country, and in California there will be 2.3 million foreign born and only 300,000 U.S. born.

<u>Age</u>	<u>United States</u>		<u>California</u>	
	<u>Foreign Born</u>	<u>U.S. Born</u>	<u>Foreign Born</u>	<u>U.S. Born</u>
0-24	1 million	5 million	500,000	2 million
25-44	3 million	2 million	1.4 million	700,000
45+	5.5 million	900,000	2.3 million	300,000

What this data implies is that the majority of our community will speak English as a second language well into the next century.⁶ This data also implies that a greater part of our culture and identity will continue to be manifested through our language and language usage—even for those who may speak English primarily and their native language secondarily. As a result, language will become an ever greater indicator of who we are and where we have come from. Therefore, the link between language and national origin will remain strong and perhaps get even stronger.

A language is much more than a way to communicate. By one's own language . . . one masters reality, one takes to oneself the most intimate and definitive emotions. . . . We quarrel, are jealous, love and hate with certain words, with certain tones, with certain inflections of the voice learned in childhood and adapted to a given set of gestures that also cannot be transported into another language.⁷

The laws of this country protect language and national origin for several reasons. The connection between language and national origin is so close that to limit language is to limit the rights of a person. This is also why language preservation and cultural identity are going to be crucial to continued development of our community.

One of the most widely accepted linguistic paradigms is that immigrants who come to this country lose their native language by the third generation. Historically, people who arrived from Europe spoke a language other than English. Their children were bilingual and their grandchildren were English-speaking with little or no native language retention. However, this paradigm only holds true when there is a single wave of immigration which then subsides. Studies within the Spanish-speaking population indicate that when accompanied by sustaining waves of immigration, language retention survives the third generation, and in many cases, increases the probability that those born in U.S. will speak their native language primarily and speak English secondarily.⁸ Whether this theory will hold true for our community is yet to be studied, and its implications can be enormous. At the minimum, it would increase the need for bilingual services and bilingual education. It could also create a language/cultural divide within our community so great that

the larger Asian and Pacific Islander movement may be pushed aside to be replaced with ethnic-specific agendas.

Access to Services

The Asian and Pacific Islander community is about 65 percent foreign born, and assuming that immigration rates will continue at current levels or even increase, we will need language-specific services everywhere in ever increasing numbers. Government, private industry, private nonprofits—all will be forced to look at the allocation of money for bilingual services. Access to bilingual and culturally sensitive services must be something that is a right, and not a “good idea” which should be funded but is not. The need to advocate aggressively for adequate services is imperative.

We must also ensure that people who have not retained native language skills but who have maintained cultural sensitivity not be left out of the equation. This will continue to be a concern because the U.S.-born population will increase by 211 percent in the U.S. and by 241 percent in California. Although our language retention rate may parallel that of the Hispanic community, it is conceivable that many Asians and Pacific Islanders born in the U.S. will not be bilingual but will maintain much of the culture.

There will be much debate and resistance to providing language-specific services. English-Only groups believe that people should learn English and, therefore, there should be no bilingual services. Ultimately, it comes down to money. Although the country will not always be in a recession, unless we can alter public policy to address our needs, even when there is money available, it will not be allocated for bilingual services. Some of our biggest opponents may be members of our own community. Like the late California Senator Hayakawa, older immigrant groups forget the language acquisition struggles of their ancestors and deny services to newer communities. We cannot allow this to occur.

EMERGENCY SERVICES

911 translator services and the people who respond to the calls are of particular concern. Although there is current legislation in California which mandates that 911 translators be available to language minority groups which comprise 5 percent of the service population, little is done to ensure that those responding to the calls are bilingual or even cultur-

ally sensitive.⁹ The current system, especially for Asian and Pacific Islander languages, makes use of “language banks” or other systems such as the AT&T language line. While this does provide some form of service, it is no substitute for hiring bilingual personnel. There have been at least two instances in May/June 1992 in which the Los Angeles Police Department called the Asian Pacific American Legal Center (APALC) looking for a Chinese translator to speak to a 911 caller. This is no substitute for hiring, retaining and promoting bilingual people in the department.

CRIMINAL JUSTICE SYSTEM

Police. In the aftermath of the Rodney King beating and the L.A. riots, the idea of community-based policing is even more imperative. However, in order for this to happen, especially in Los Angeles, the police must be bilingual, or at least culturally sensitive. As of June 1992, Asian and Pacific Islander officers comprise 3 percent of the Los Angeles Police Department. Although there are “recruitment goals” and good intentions to hire more Asian and Pacific Islander officers, nothing has come about. As a result, our community continues to be underserved. The L.A. County Sheriffs’ Department and the Probation Department also have 3 percent representation of Asians and Pacific Islanders. Much needs to be done to ensure that our tax money gets us the same quality and quantity of services that others receive.

A related problem is the issue of how our community is treated by the police. The APALC has received many complaints from Asians and Pacific Islanders who are stopped and often ignored by police because they do not speak English very well. There are also incidents of people who are arrested because of their lack of English skills to rebut charges or to tell their side of the story. This lack of sensitivity by police and problems with communication also have hampered attempts to report hate crimes. There have been many occasions in which Asians and Pacific Islanders have been discouraged from filing police reports. Also, when reports have been filed, there is no mention of racism.

Courts. Problems within the judicial system are everywhere. Civil servants, interpreters, public defenders, district attorneys, judges, and juries have a lack of sensitivity for our community and definitely lack sufficient bilingual staff. These problems have resulted in women not being able to file appropriate papers to obtain child support; criminal de-

fendants waiting hours, even days, for a court-certified interpreter; public defenders not being able to speak to their client (interpreters are only for the hearing itself, not for preparatory work), and oftentimes getting defendants to take a plea bargain without advising them on the immigration consequences (the public defenders often are ignorant that some misdemeanors and all felonies place a person's immigration status at risk and deportation could ensue); district attorneys not prosecuting hate crimes, or prosecuting the wrong person because of a lack of communication; judges not listening to clients because they do not speak English well enough; and juries convicting a person because the defendant did not look them in the eye, or testified through an interpreter. Much needs to be done to ensure that bilingual and culturally sensitive services are provided for our community.

BILINGUAL BALLOTS AND VOTER ASSISTANCE

The Voter Assistance provision (Section 203) of the Voting Rights Act was reauthorized in August 1992. Prior to August 1992, a jurisdiction provided language assistance if: (1) more than 5 percent of its voting-age citizens were members of a single language minority who did not understand English well enough to participate in the electoral process; and (2) if the illiteracy rate of this group was higher than the national illiteracy rate, which is defined as a failure to complete the fifth grade. According to the 1980 Census, Los Angeles County was not covered for any language—not even Spanish.

A coalition of language minority groups was successful in modifying Section 203 to include a 10,000 voters benchmark figure. Therefore, if 5 percent or 10,000 voters in a county are limited English proficient and have a higher illiteracy rate than the national average, they will be eligible for language assistance. The chart below indicates which jurisdictions will now be required to provide bilingual ballots and voting materials.

The language minority groups were interested in establishing a benchmark figure because it appeared that language groups in large counties like Los Angeles would find it difficult, if not impossible, to reach the 5 percent requirement. The 1980 Census revealed that while 174,000 Spanish speakers could have used bilingual ballots, they did not receive them because they did not comprise 5 percent of the County. At

Hawaii

Kauai	Tagalog	covered under the 5% test
Mauai	Tagalog	covered under the 5% test
Honolulu	Japanese	19,226*
	Tagalog	17,900*

California

San Francisco	Chinese	covered under the 5% test
Alameda	Chinese	11,106*
Los Angeles	Chinese	39,886*
	Korean	35,000 are LEP but possess a lower illiteracy rate than the national average
	Tagalog	19,920*
	Vietnamese	12,870*
	Japanese	11,718*
Orange County	Vietnamese	13,906*
	Korean	10,000 are LEP but possess a lower illiteracy rate than the national average

New York

Kings	Chinese	15,796*
Queens	Chinese	19,162*
	Korean	8,500*
New York	Chinese	18,173*

*Number of people in the county who are limited English proficient (LEP) and possess an illiteracy rate higher than the national average.

the same time, 100,000 Spanish speakers in Fresno County received bi-lingual ballots.

Throughout the process to include a benchmark figure, there had been discussions as to whether it should be revised upward. These discussions generally arose in response to the great number of Asian languages which would be covered in Los Angeles. However, if the benchmark were raised to 15,000, it would wipe out Japanese and Vietnamese in every jurisdiction. If the benchmark were raised to 20,000, only Chinese would survive in Los Angeles. New York City would have missed the benchmark by 1,000 people. Therefore, it is crucial that the benchmark figure remain at 10,000 when Section 203 is reauthorized in 15 years.¹⁰

The task before us now is to educate our community about the availability of bilingual ballots and to encourage their use. Political empowerment is an important tool for our community, and we must utilize our voting rights to the fullest.

Education

K-12

In 1972, Congress found that language minority citizens had been subjected to pervasive discrimination and unequal educational opportunities which often resulted in high illiteracy rates. This high illiteracy rate was the cause of, among other things, systematic denial of the right to vote and low voter participation. These disturbing findings, still relevant even 20 years later, make advocacy for adequate K-12 education vital.

Bilingual Education. As the Anglo population ages and their birth rate declines, there will be a tendency to eliminate funding for K-12 education in general and for bilingual education in particular. By using the numbers from Assumption #1 of Dr. Paul Ong's Projection Model, the percentage of Asian and Pacific Islanders foreign-born children (age 15 or younger) will decrease in the next 30 years. However, there will still be 265,533 children born outside of the United States, with more than half of them living in California. If the numbers from Assumption #2 are used instead, however, the number of foreign-born children will increase by 10 percent in the country and by 24 percent in California. If Assumption #2 becomes reality, then the need for bilingual education/services will be even more critical. Given that current bilingual funding is minuscule, a 10 percent increase will mean that many Asian and Pacific Islander children will not receive an education. Even if there is a decrease in foreign-born children, if the native language retention rate is as high as predicted, then

there will still be a high need for bilingual education.

There has been and will continue to be debate over the efficacy of bilingual education, and what follows are some of the pros and cons. English-Only groups argue that bilingual classes become a “crutch” so that children do not acquire the English language. They also argue that by allowing bilingual education at every grade level, the children go from grade to grade without ever acquiring the English language. They believe that the “sink or swim” approach is the best way to ensure that everyone learns English as quickly as possible.

Studies have shown that far from being a “crutch,” bilingual education classes ensure that children acquire substantive knowledge while at the same time they learn English. The “sink or swim” method only ensures that the time spent in class trying to learn English means that no substantive learning is taking place. The bilingual classes are available at every grade level because children enter the school system at various ages and with various levels of prior instruction. Bilingual education is important to the transition process. Symbolically, the availability of bilingual education tells the children and their parents that although they are living in America, they are not required to leave their identity, culture or heritage at the border.

Nevertheless, no bilingual education system works without monetary and bureaucratic support. Many criticize current bilingual education programs because they do not work. But the programs are plagued by problems of lack of commitment from government and school administrations. We need to ensure that there are enough bilingual teachers, aides, and counselors available to serve our community. We cannot allow an aging Anglo population with declining numbers of school-aged children and English-Only groups to convince government officials that bilingual education is not necessary.

Parent Involvement. Regardless of whether the number of foreign-born Asian and Pacific Islander children will decrease or increase over the next 30 years, the number of foreign-born adults will significantly increase.¹¹ Using Assumption #1, the 25-44 year olds who are foreign born will grow by 49 percent by the year 2020 in the United States. In California, this increase is 67 percent. Assumption #2 shows that this same age group will increase by 83 percent in the country and by 104 percent in California. This means that the parents of the children in our schools will more than

likely be limited English proficient. To ensure that our children stay in school and succeed, a cohesive parent-teacher-administration relationship must be established which provides bilingual communication, both oral and written. Also, cultural sensitivity cannot be ignored in the process. Just recently in Los Angeles, an elementary school's PTA began providing bilingual interpreters at the meetings. Heralding this as a model for other schools, the PTA decided to videotape the meeting to show how easily the translation could be integrated into the agenda with little or no disruption. Unfortunately, the immigrant parents saw the video cameras and thought that it was the INS looking for undocumented aliens. They left without ever participating.

Non-Citizen Voting in School Board Elections. Another means to increase the participation of parents of school-aged children is to promote the right of non-citizens to vote in school board elections. One of the legal justifications used by jurisdictions like New York City, which has allowed non-citizen voting in school board elections since the late 1970s, is that all people are guaranteed representation—citizens or not. For the affected parents, there is a vested interest in their children's education and around issues such as bilingual education. If parents were to wait the requisite three-to-five years to become citizens so they could vote, their children would be out of the school system. If non-citizen voting is to become a reality, however, bilingual ballots *must* be available.

POST-SECONDARY

Many community colleges and California State Universities are beginning to require English literacy exams as a graduation prerequisite. As a result, many students who speak English as a second language are finding it difficult, if not impossible, to graduate. From my understanding, this examination is much harder than the TOEFL (Test of English as a Foreign Language) which is *already* required for those seeking admission to these campuses. The impact of this disturbing trend is unclear. Although those within the 15-24 year old category (those most likely to be attending college) who are foreign born will decrease by 1 percent over the next 30 years, there will still be 351,795 of them in California. However, much more research needs to be done in this area to assess fully the implications of the situation.

Another issue facing many college students is the "foreign language"

requirement for graduation. Traditionally, European languages have been required (German, French, Spanish). However, when Asian and Pacific Islander students request that Asian languages be allowed to count for “foreign language” credit, they are rebuffed. Opponents have argued that Asian languages should not be counted because this would give credits to a student for being Asian and Pacific Islander.¹² But as the world becomes smaller and the Pacific Rim becomes an ever increasing part of our economy, we will need to change how our education system values different languages and cultures.

Workplace

No matter what the problem in the workplace—English-Only rules, accent discrimination, or bilingual skills compensation—we must ensure competent, adequate, and continuous cultural sensitivity training for everyone (Asians and Pacific Islanders included). There must be a full commitment from white corporate America to implement diversity training. Combatting language discrimination must be included in any diversity training package. If this does not happen, then issues like language rights will always be a red herring to the real problem of intergroup conflict.

Another solution is to continue litigating language discrimination cases. However, because there has been a plethora of appointments of conservative judges since 1980, issues of concern to our community will not likely prevail. This is not to say that we should abandon litigation, but that we will need to be more selective about the cases we bring and that careful analyses should be made of potential U.S. Supreme Court claims.

ENGLISH-ONLY RULES IN THE WORKPLACE

What prompts English-Only rules in the workplace is a growing intolerance of immigrants and the languages they speak. Monolingual English-speaking workers often assume that when they hear others speaking another language, it means that they are the subject of the conversation because they equate the act with whispering or conspiracy or being un-American. Moreover, there is a misperception that people choose to speak other languages. There is a lack of understanding of the “code switching” which naturally and automatically occurs. “Code switching” is a linguistic term to describe what happens when bilingual

people speak to each other. Because each knows that the other speaks both English and Spanish (or any other non-English language), their conversation is peppered with words and phrases in both languages. During the course of the conversation, no one is aware of what is being spoken in which language. All they know is that they are communicating. The naturalness or unconsciousness of this phenomenon is what makes English-Only rules so onerous. These rules force the person to adhere to what is not natural.

In order to remedy the problem of English-Only rules, we will need to continue litigating these types of cases. But until management behavior changes, these cases will continue to multiply. Both federal and state laws governing these rights are adequate, but are not publicized and made accessible to communities. Also, a substantial number of the managers who institute the English-Only rules never even bother checking with upper management, human resources departments, or a lawyer. They just assume that because speaking a language other than English in front of someone who does not understand is "rude," that regulating this behavior is within their discretion.

ACCENT

Every person. . .has an accent. Your accent carries the story of who you are—who first held you and talked to you when you were a child, where you have lived, your age, the schools you attended, the languages you know, your ethnicity, whom you admire, your loyalties, your profession, your class position: traces of your life and identity are woven into your pronunciation, your phrasing, your choice of words. Your self is inseparable from your accent. Someone who tells you they don't like the way you speak is quite likely telling you that they don't like you.¹³

Hiring. The U.S. General Accounting Office (GAO) issued a report in March 1990 in which they found that of the 400,000 employers surveyed throughout the country that one-third "would refuse to hire" or "refused to hire" people who sounded foreign or had an accent. A similar survey was conducted in the same month by the Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA) in which the findings were very similar, if not slightly higher. The bothersome aspect of the results is that a

third of the employers surveyed openly admitted to discriminating on the basis of national origin. Most employers are not so ignorant and would have modified their answers to those questions. Therefore, there is more discrimination occurring than is documented by these reports.

Generally, the reason discriminatory hiring occurs is because the employers are afraid of the consequences if they hire an undocumented alien with forged papers. Therefore, when they come across a person who “sounds” like she does not have work authorization, they will run the risk of not hiring (after all, how often does an unemployed alien file a discrimination lawsuit?).

Glass Ceiling. According to reports from our own community, as validated by the U.S. Commission on Civil Rights Report issued February 1992 entitled *Civil Rights Issues Facing Asian Americans in the 1990s*, we face a glass ceiling in the workplace. It is already difficult for Asians and Pacific Islanders to obtain mid- or upper-level management positions. Recently, businesses have been using accent or communication skills as a “neutral” job requirement which has disproportionately affected our community. Complaints have been filed by immigrants (engineers, technicians, accountants, etc.) who apply for management positions. Many of these people have been unofficially functioning as managers for many years, but there has been no promotion or pay raise commensurate with the responsibilities. When the official position opens up, these applicants are not given the promotion because of a lack of communication skills. For many, English is a second language, but communication has never been a problem (they have, in fact, already been doing the job for which they are now deemed not qualified). There may in fact be some communication problems, but when this is the main justification for blocking promotions, there is the possibility of illegal discrimination.

BILINGUAL SKILLS COMPENSATION

Bilingual skills compensation has been a primary concern for the Latino/Chicano community in the past few years. As Asians and Pacific Islanders advocate for increased bilingual services, we will need to ensure that the people who serve our community are also properly compensated. *Cota v. Tucson Police Department, City of Tucson, et al.* was recently litigated by the Language Rights Project at MALDEF (Mexican American Legal Defense and Education Fund). Although the plaintiffs did not prevail,

the issues raised will affect every context in which bilingual services are being provided.

One issue was a question of bilingualism. Studies within the Latino/Chicano population have shown that their Spanish-speaking abilities range anywhere from "enough to speak to my grandmother" to "can write and speak fluently in either language." Because of their higher-than-average native language retention rate, many speak Spanish conversationally, but not well enough to perform important or technical translation services. This was especially true in the Tucson police department, when often the only link to the victim and the police was the clerk/typist who happened to be working that day. This lack of training, coupled with the person's desire to help their community, added to the stress on the job.

Rarely, however, is a person's level of bilingualism taken into account when the need arises. In hospitals throughout Los Angeles, custodians and high school interns routinely are pulled into emergency rooms to translate complicated medical terminology, deal with distressed relatives, and give proper medicine dosage information. It does not matter that the person doing the translation knows no medical terminology or has no medical training.

Despite the need for interpreters (regardless of the availability of "qualified" translators), many employers refuse to compensate their employees for their translation services. As the city of Tucson told the plaintiff in *Cota*, "why should we pay you for being Mexican!?" The city's reasoning was that the employee learned how to speak Spanish at home, that this was not really a skill but part of being Mexican; therefore, there should be no extra compensation. The city does not pay Blacks for being Blacks or Whites for being Whites.

There are two points which are not being addressed. One is the problem of bilingualism. If speaking Spanish is not a skill, but a part of being Mexican, then there should be no differential in Spanish language ability between people. The second and more important problem is that the employer does not view bilingual services as an asset. As long as the employer believes that serving the non-English speaking public is neither a priority nor a significant percentage of their business, bilingual pay will not be a reality.

The last problem in this area relates to assigned job duties. While the

filing clerk or the custodian spends four hours in the emergency room translating for the doctor (who just pulls in the worker and never clears it with the supervisor), the files are not being filed and floors are not being cleaned. As a result, many employees are either docked wages for non-performance of their job, or suspended for spending too much time on unrelated duties.

These predicaments confront the Latino/Chicano communities. Asians and Pacific Islanders must work very diligently to ensure that we are not similarly victimized. However, we are fortunate that the ground-work has been laid by the struggle of others. We just need to clearly articulate our priorities and advocate for fair and equal treatment.

Signage

As a means of keeping their city from becoming another "Monterey Park" (in other words, how to keep the Chinese out), many cities throughout Southern California have passed unconstitutional sign ordinances. Typically, these ordinances require half of the business sign to be in English. In 1988, there were approximately seven cities which had these sign ordinances. Monterey Park started the debate in 1986 when long-standing Anglo residents complained to their city council that Monterey Park did not look like their town anymore; that when they walked down their street, they could not read any of the signs; and that there suddenly were all these Chinese people.¹⁴

The issue was finally decided in *Asian American Business Group v. City of Pomona*, in which Judge Takasugi found that these types of sign ordinances were unconstitutional because they violated free speech and were aimed at language minority groups. Since this decision, the cities of Temple City, Rosemead and Garden Grove have rescinded, repealed or modified their sign ordinances. To date, the cities of San Gabriel, Arcadia and San Marino continue to have unconstitutional ordinances.

Since the opinion was rendered in *Asian American Business Group*, however, there have been no new instances of cities passing these types of sign ordinances. While the problem has yet to go away (there are still cities which need to be sued to remove their ordinances), it does not appear to be getting worse. This does not mean that our vigilance can waiver, however, because the anti-immigrant sentiment is still prevalent and could be resurrected.

Race Relations

Language discrimination has been a vehicle for anti-immigrant sentiment and intolerance, such as denial of access to services, adequate education, and equal opportunity in the workplace. Race relations have been affected by language discrimination. On Los Angeles high school campuses, race wars are based on what language students speak. Language-specific cliques are being formed and turf wars ensue. This is not to say that differing languages cause division (this is U.S. English's line), but that it is an integral part of the problem. Deep-seated racism may be the cause of the conflict, but the rhetoric is couched in English-Only terms. The questions that must be asked are, why is language being used to divide and what can we do to stop it?

On another level, the many coalitions forming between African Americans, Latino/Chicanos, and Asians and Pacific Islanders may be strengthened or destroyed depending on how the "language" issue is handled. Language rights is but one of several issues which naturally link the Latino/Chicano and Asian and Pacific Islander communities. But the issue could distance the African American community. However, language rights do hold a special place in the African American community. African Americans were one of first groups to have their culture destroyed because of the elimination of native languages. Thus, their place within the coalition must be preserved. These linkages *must* be recognized if we are to work together. Reinforcing these linkages will become increasingly important as the Latino/Chicano and Asian and Pacific Islander communities grow and the African American community shrinks. The few gains made by the African Americans must be preserved, but the other groups must have their share as well. How we shape and settle these issues during the next 30 years will depend on how well we remember how much we have in common.

Notes

1. Edward G. Hartmann, *The Movement to Americanize the Immigrant* (New York: Columbia University Press, 1948).
2. Arnold H. Leibowitz, "English Literacy: Legal Sanction for Discrimination," *Notre Dame Lawyer* 45 (Fall 1969), 42; John Higham, "Crusade for Americanization," in *Strangers in the Land: Patterns of American Nativism, 1860-1925*, edited by John Higham (New Brunswick, New Jersey: Rutgers University Press, 1955), 72; Susan S. Forbes and Peter Lemos, "History of

American Language Policy," in *U.S. Immigration and the National Interest*, Staff Report (Washington, D.C.: Select Commission on Immigrant and Refugee Policy, April 30, 1981), Appendix A, 53.

3. Currently, FAIR has aligned itself with groups such as the Sierra Club. It appears that the slow growth and anti-immigrant movement have found sympathizers with those trying to preserve the environment.
4. All references to Asian and Pacific Islander populations and projected growth are based upon the "Ong Projection Model" as written by Dr. Paul Ong with the help from Dr. Jane Takahashi, which was developed for this project. Assumption 1 was used primarily in this paper because it was the most conservative projection. If the other projection assumptions are used, they shall be indicated in this paper.
5. While those within the 25–44 age range are predominately foreign born, it should be noted that the percentage increase for U.S. born is 320 percent for the country and 315 percent for California.
6. The assumption is that those who are foreign born will be more likely to speak English as a second language and, in most instances, be limited English proficient. For those born in the U.S., however, the assumption is that they will not speak English as a second language, nor will they be limited English proficient. As a result, language assistance will be needed for those who are foreign born. Caveat: see the discussion below about Spanish language retention and this theory's applicability to the Asian and Pacific Islander community.
7. Carlos Alberto Montaner, "Talk English—You Are in the United States," in *Language Loyalties: A Source Book on the Official English Controversy*, edited by James Crawford (Chicago: University of Chicago Press, 1992), 163.
8. Yolanda Sole, "Bilingualism: Stable or Transitional? The Case of Spanish in the United States," *International Journal of Social Languages* 84 (1990), 36.
9. The availability of bilingual translators in other jurisdictions is unknown because the research has not been conducted.
10. Note that in Los Angeles and Orange counties, Koreans will not be covered under any benchmark scenario because of their high literacy rate. Note also, however, that in Queens, New York, Koreans have a higher illiteracy rate but there are only 8,500 who are limited English proficient.
11. The assumption being made is that those between the ages of 25–44 will more likely have children in the under-15 age range. Whether they bring their children with them when they immigrate, or whether they have their children here, this age group will speak English as a second language and will probably be limited English proficient.
12. Similarly, some employers refuse to provide additional pay to bilingual employees for utilizing their bilingual skills on the job. It is generally postured as "Why should I pay for you for being Mexican?" See a parallel argument in the section in this paper, "Bilingual Skills Compensation."

13. Mari Matsuda, "Voices of America: Accent, Antidiscrimination Law, and a Jurisprudence for the Last Reconstruction," *Yale Law Journal* (1991), 1329.
14. For a fuller discussion on the politics and dynamics of this torrid time in Monterey Park's history, see John Horton and Jose Calderon, "Language Struggles in a Changing California Community," in *Language Loyalties*, 186.