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Critically assessing the 1968 Bilingual Education Act at 50 years: Taming tongues and Latinx communities

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ABSTRACT

As the 1968 Bilingual Education Act (BEA) reaches its 50th anniversary, we provide a critical historical review of its contradictory origins and legacy. By distilling the BEA’s history into three periods that we label “power to the people,” “pride for the people,” and “profit from the people,” we demonstrate that the bill was never meant to fully support 1960s Latinx activists’ goal for a race radical bilingual education to confront racism and structural inequities, yet it offered a transitory moment in which aspirations for such goals were partially realized. This finding is significant, as the article concludes by exploring what possibilities there are to create new moments to imagine more in this neoliberal multicultural era of dual language education, where bilingualism and cultural diversity are too often commodified off the proverbial backs of Latinx youth.

Introduction

Current bilingual education supporters in the United States often highlight the importance of the 1968 Bilingual Education Act (BEA) on its now semicentennial anniversary. However, this article demonstrates that the BEA’s passage was never meant to fully support the 1960s Latinx activists’ goals for bilingual education as part of a broader agenda to confront the racism and structural inequalities in U.S. society, a key point to critically assessing its contradictory origins and understanding its problematic trajectory over the past 50 years. Borrowing a metaphor from Anzaldúa (1987/2012) as subtitle to this article, we illustrate that despite widespread Latinx support for a more radical version of bilingual education as a tool to culturally and politically empowerment, the BEA promoted bilingual education programs that too often tamed the tongues and silenced the voices of language-minoritized communities.

We first review the historical context surrounding the BEA’s passage, paying particular attention to the Chicanx and Puerto Rican community struggles for bilingual education as a way of claiming some power over their children’s education. We refer to this as the period of Power to the People. We then discuss how policy makers coopted these goals, providing instead a BEA that at least initially seemed to offer Latinxs pride in being bilingual and bicultural. Yet we note that in this subsequent Pride for the People era, even this idea of pride was contested, as White nativist blowback pushed bilingual education programming toward English-only instruction and immersion. Finally, we reflect on how bilingual education has changed in...
the decades leading up to and since the BEA was abolished with the 2001 No Child Left Behind Act. In doing so, we consider what has been lost or gained in this current Profit from the People neoliberal era, where debates tying bilingual education to linguistic and cultural pride are giving way to a commodified bilingualism built on the proverbial backs of Latinx youth through so-called dual language programs.

In this article we focus on Chicano and Puerto Rican communities, the largest Latinx groups in the United States at the time of the passage of the BEA. This choice is not meant to diminish the important role that Native Americans played in the original struggles over language education and the continued efforts to develop meaningful bilingual education programs among many other communities, including, for example, other Latinx, Chinese, Haitians, Koreans, Russians, Vietnamese, and Arabic speakers. Rather, our emphasis on the Chicano and Puerto Rican communities merely acknowledges the important historical role that they have had, and continue to have, in the contestation over current federal bilingual education policy.

**Power to the people: La educación bilingüe y civil rights**

The demands to provide Latinx children bilingual education in the United States did not start during the passage of the 1968 BEA. Its roots have a much longer history born of war, conquest, and resistance. In the Southwest, the history goes back to the period following the Mexican-American War (1846–1848) and the annexation of all or parts of Arizona, California, Colorado, Nevada, New Mexico, Texas, Utah, and small sections of Oklahoma, Kansas, and Wyoming (Menchaca, 1999). This military conquest was followed by an explicitly raced language policy formation in which Spanish was substituted for English as the official language of school instruction, including in Texas by 1858, in California by 1855, and in New Mexico by 1921 (Hernández-Chávez, 1995). In the Northeast, its origins start with the gradual demands of the Puerto Rican community, citizens by virtue of the Jones Act (1917), which cemented Puerto Rico’s status as a U.S. colony. Puerto Ricans clamored for an adequate education for their Spanish-speaking children following their migration to New York City starting in the early 20th century and accelerating after World War II (Meléndez, 2017).

**U.S. Southwest: El Movimiento**

In the Southwest, scholars have documented how Mexican Americans advocated for Spanish in their children’s education throughout the 19th and early 20th century (Blanton, 2007; San Miguel, 1987, 1999). As migration from Mexico increased during the 20th century (Gutierrez, 1995), U.S. politicians responded by doubling down on the imposition of English and annihilation of what was perceived to be the “Mexican problem” of Spanish language and Mexican culture (González, 2001). Mexican American children too often were not allowed any access to local schools (González, 1990), and if they were able to enroll, their education was substandard at best. Mexican ancestry and the speaking of Spanish, which was perceived as “language deficiency,” were used as criteria for segregating Mexican American children into separate classrooms and schools that largely focused on Americanization and industrial education to maintain the existing socioeconomic order (Berta-Avila, Revilla, & Figueroa, 2011; González, 1990; Ochoa, 2016; San Miguel & Valencia, 1998).

Against this oppressive backdrop, Mexican American families fought back. Beyond other organizing efforts (Urrieta, 2004), parents began challenging school policies through the courts (San Miguel & Valencia, 1998; Valencia, 2008) within what has recently been labeled the “long civil rights movement” that began during the 1930s alongside the Great Depression and New Deal (Hall, 2005). For example, the League of United Latin American Citizens (LULAC) came into being in 1929 to fight the racialized social, economic, and political exclusion that Mexican Americans were experiencing. LULAC viewed schooling as key to this goal, as evidenced in its first major legal initiative, *Rio v. Salvatierra* (1930), in which LULAC sued Texas’s Del Rio Independent School District for racial segregation that resulted in partial victory (Kaplowitz, 2005). Mexican Americans also agitated

The 1954 *Brown* decision to racially desegregate schools heralded the beginning of the Civil Rights Movement (CRM) that challenged the racial injustices, discrimination, and segregation experienced by African American communities. The CRM produced a variety of legal wins, including the 1964 Civil Rights Act, which prohibited discrimination based on race, color, religion, or national origin; but continued outrage over slow progress and entrenched inequities moved protests into new directions in urban cities across the United States (Pulido, 2006). The fact that these supposedly official antiracist advances were largely understood as inadequate by the late 1960s belied what critical theorist Jodi Melamed (2011) describes as the rise of an insurgent racial formation (Omi & Winant, 1994) of race radicalism upon which new social movements arose and to which state policy makers were forced to respond.

Within this framework, the legal wins from *Westminster* to *Brown*—while rightfully celebrated and important to Civil Rights history—still represented what Melamed describes as a “racial liberal” racial formation where the White political elite was able to ensure that antiracist demands were “depoliticized and secured in advance of the differential value-making processes inherent to Cold War Americanism and state-oriented transnational capitalism” (2011, p. 22). In doing so, the court victories represented an interest convergence that also benefited U.S. Cold War antiracist propaganda by evading recognition of the collective material responsibility of White America and by instead blaming racism as an interpersonal issue premised on “inadequate knowledge, flawed reasoning, and the isolation of whites from blacks” (Melamed, 2011, p. 24; see also Bell, 1980; Dudziak, 2002).

However, the racial liberal order fell apart during the 1960s as a new range of race radical social movements arose. Symbolic of this shift was the much-publicized 1965 Watts race riots and 1966 formation of the Black Panther Party, based on a Black Power platform in Oakland, CA (Bloom & Martin, 2016) that took a “race radical” stance in which assertions of race and racism were reconsolidated to explicitly challenge the “cultural, ideological, political, and material forces” as embedded within American society and “the genealogy of global capitalism” (Melamed, 2011, p. 49). Drawing inspiration from the Black Power and allied struggles, Mexican American and Puerto Rican communities in the 1960s also asserted a new movement framework based on a race radical political consciousness that recognized their history as a colonized people who were minoritized through race and language (Ortiz, 2018).

The Chicano movement, *El Movimiento*, grew out of this new consciousness among Mexican Americans and included the struggle over land grants, farm workers’ rights, voting and political rights, as well as bilingual education (Muñoz, 1989). Prominent figures of the early Chicano movement organized in rural communities included César Chávez and Dolores Huerta, who cofounded the United Farm Workers Organizing Committee in 1962, and led the 1965 national grape boycott, and Reies López Tijerina, who founded *La Alianza* in 1963 to fight for original Spanish land-grant rights. Yet by the mid to late 1960s, *El Movimiento* clearly shifted focus toward organizing of urban Chicanx communities, where a majority of Mexican Americans now lived as farming jobs dried up and where unequal access to schooling continued to be a key organizing issue that tied economic struggle to cultural survival (Sung, 2017).

Based on how prior civil rights organizing also shifted toward young, urban Black leaders whose motto was Black Power, Mexican American high school and college students were similarly central to the new generation of urban Chicanx organizing. Chicanx students organized around educational issues tied to broader collective economic and cultural empowerment, since many students were being pushed out of their underresourced schools where Spanish was outlawed and they felt invisible (Donato, 1997). Indeed, despite the fact that roughly 80% of Mexican Americans were American-born (Sung, 2017), as of 1960 only 13% of adults had a high school diploma and only 6% attended

Yo soy Joaquín,

perdido en un mundo de confusión:

I am Joaquín, lost in a world of confusion,

caught up in the whirl of a gringo society,

confused by the rules, scorned by attitudes,

suppressed by manipulation, and destroyed by modern society.

My fathers have lost the economic battle

and won the struggle of cultural survival.

And now! I must choose between the paradox of

victory of the spirit, despite physical hunger,

or to exist in the grasp of American social neurosis,

sterilization of the soul and a full stomach.

...

I refuse to be absorbed.

González’s (1967, reprinted, 1972) poem begins by expressing the struggles of being lost/perdido, confundido, scorned, suppressed, destroyed by modern society in which his ancestors lost an economic battle and thus now “won” the struggle for cultural survival. Chicanxs must supposedly make a Faustian bargain between “victory of the spirit despite physical hunger” or continuing to “exist in the grasp of American social neurosis” to supposedly subsist. González rejects this framing as a false choice, refusing to be absorbed, as he highlights the necessity for Chicanxs to continue fighting for economic and political self-determination so that the next generation may not be forced to live in such contradiction. It was in this refusal that the Chicano Movimiento gained force and within which the fight over schooling and bilingual education was originally imagined.

Among the many Mexican American student groups being formed, none was more recognized than the Brown Berets. Starting as a Los Angeles, CA, high school group in May 1966, the Young Citizens for Community Action evolved into the Brown Berets over the following year, as they took a more militant race radical stance toward confronting racism and supporting political and economic self-determination (Pulido, 2006). Within this broader framework, the Brown Berets saw meaningful education as a key component. Cofounder Carlos Montes recalls the Brown Beret’s 13-point political program, which viewed self-determination as the goal, and agitating “for bilingual education, better school conditions, Chicano studies and more Chicano teachers” as one element within a broader agenda that included “a return of our land, release of prisoners, jobs, education, housing, an end to the destruction of the environment by the capitalists, open borders, solidarity with all revolutionary peoples engaged in the struggle for self-determination” (Montes, 2003; also see “Thirteen Point Program,” 1970).

As one of the first major initiatives, the Brown Berets helped spearhead the “Eastside Blowouts.” Predicted by the Los Angeles Times that the protests “could spell the beginning of a revolution” (McCurdy, 1968, p. c1), in March of 1968 over 15,000 Chicano students, faculty, and community members walked out of seven East Los Angeles high schools—leading to similar Mexican American student marches across California, Texas, Arizona, and Colorado (Chavez, 2002; Navarro, 1995; San Miguel, 2001). As blowout organizers noted, the protesting Latinx students and parents also perceived bilingual education within larger educational and economic concerns (Bernal, 1998). Among the demands made by protesters to the Los Angeles Board of Education were the following:

(1) Compulsory bilingual education in all schools where there was a majority of Mexican American students.

(2) The teaching of Spanish and Mexican American history, traditions, and cultural contributions to all faculty and staff as in-service education.
(3) The removal of all administrators and teachers who showed prejudice toward all Mexican American students.

(4) The development of textbooks and curriculum to show Mexican American contributions to U.S. society and the injustices they have suffered. (McCurdy, 1968)

Although these demands were not met, many credit the walkouts with giving the Mexican American community a sense of possibility and of sociopolitical consciousness. One of the student participants, Joseph Rodriguez, recalls that although his high school, Garfield, had a 57% dropout rate, one of the worst in the nation, “Until that day, it never crossed my mind that Garfield High was run-down, overcrowded and lagging behind public schools in wealthier white neighborhoods. All that changed after the blowouts” (Sahagun, 2018). Furthermore, as student organizer Vickie Castro explained, school board grievances compiled from blowout protestors went beyond individual consciousness raising to creating a new community base from which other Chicano Movement actions and organizations arose (Bernal, 1998; Trujillo, 1998).

The Mexican American community thus viewed bilingual education as one tool to help empower the community (Ochoa, 2016). To the extent that El Movimiento espoused bilingual education, it was always with connection to the broader race radical political economic project of self-determination as tied to alleviating inequality, exclusion, segregation, racism, and poverty. Bilingual education was never meant to be isolated from the structural racism and material oppression that needed to be alleviated in the larger U.S. society, as well as in schools. The same was true for the other large Latinx community of the 1960s--Puerto Ricans in New York.

**U.S. Northeast: La Coalición Pro Educación Bilingüe**

While the “Great Migration” to New York during the decade prior was beginning to ebb by the 1960s, the struggles of Puerto Ricans only amplified as they faced racism across various institutions, including the public school system (Del Valle, 1998). Educationally, by the mid-1960s Puerto Ricans made up roughly 10% of the total New York City population (Colón López, 2001; Sánchez-Korrol, 1994) and constituted 21% of all New York City public school students (Castellanos, 1983). Despite their overrepresentation in the city schools, only 331 received high school academic diplomas, and only 28 went on to college among the total 179,000 enrolled Puerto Rican students in 1963 (Lavietes, 2002). This pattern of academic struggle was representative; as of 1966, 87% of all Puerto Ricans adults 25 years of age and older in the United States had dropped out without graduating from high school, and the dropout rate for eighth grade was 53% (García, 2009, 2011).

So it was no surprise that Puerto Ricans, like Mexican Americans in the Southwest, also drew inspiration from the Civil Rights and Black Power movements to demand a more equitable education for their youth, as tied to a broader agenda of political and economic self-determination. Two Puerto Rican women in particular were instrumental in demanding equal rights for Puerto Rican citizens that incorporated school-based issues. One was Antonia Pantoja, who founded the community organization ASPIRA in 1961 to combat the student dropout rate by encouraging cultural pride, educational attainment, and leadership development among Puerto Rican youth (Pantoja, 2002). The message of inspiring self-determination through cultural awareness was popular. ASPIRA clubs spread to 13 city high schools by 1964, when Pantoja shifted her efforts toward structural reforms of the school system by helping draft an antipoverty grant request for $12.5 million to establish various programs, including bilingual prekindergarten classes, afterschool programs for at-risk students, and adult education classes (Lee, 2016).

The other woman was Evelina Antonetty, who founded United Bronx Parents (UBP) in 1964. Originally stemming from her work with the parents association at Public School 5, the purpose of UBP was to “overcome theories of Puerto Rican inabilities and incapabilities” and “to free our people from being colonized in the educational, political, economical and social institutions” (Kaplan, 2018, p. 105). UBP offered the community, especially mothers, bilingual classes in adult basic education and high school equivalency, political science, history, journalism, literature, law, Spanish, and English as a second language. From this base, Antonetty established *La Coalición Pro Educación*...
Bilingüe and taught parents to defend bilingual education as a right for their children, which was arguably her biggest legacy. As former UBP board member Vicky Gholson stated,

She was the spirit and the force behind bilingual education in the United States, to put it simply. It would not have happened in the quick form and fashion that it did if it were not for her energy and her organizing. (DeBenedetto, 2011)

Soon enough, the early organizing efforts of Pantoja, Antonetty, and others, including Gilberto Gerena Valentin and Manny Diaz, spilled into the foreground. In 1964 the National Association for Puerto Rican Civil Rights (NAPRCR) joined Black civil rights leader Bayard Rustin to boycott the NYC Board of Education’s failure to enforce “mandatory integration and academic excellence programs” (Puerto Ricans Gains, 1964). Nearly half of the city’s public school children participated, with 464,361 students boycotting schools on February 3, 1964, including three-quarters of the students in Black-dominant Central Harlem and Washington Heights, as well as heavily Puerto Rican-populated Lower East Side and East Harlem (Lee & Diaz, 2007, p. 52). Similar to the 1968 Blowout grievances, NAPRCR demanded the teaching of Spanish in elementary schools and integrating a multicultural Puerto Rican-centered curriculum for all students, requiring all teachers to possess a basic knowledge of Spanish, appointing a Puerto Rican to the Board of Education, and eliminating English standardized aptitude tests.

As with the Eastside Blowouts, whereas the demands were largely left unfilled, the protest shaped a new race radical consciousness among Puerto Ricans—and particularly Puerto Rican youth. Of the post-1964 organizations, the best known was the Young Lords (Lee, 2016). Modeled after the Black Panther Party and Brown Berets, a New York City branch of the Chicago-based Young Lords formed in June 1969 (Morales, 2016; Wanzer-Serrano, 2015). Their demands, which drew from a similar 13-point program, including jobs and housing, independence for Puerto Rico, and political and economic control over their lives, also stated: “We want a true education of our Creole culture and Spanish language…. The culture of our people is the only true teaching” (Wanzer, 2010, p. 10). Beyond protesting issues from police brutality to students’ rights, the Young Lords also began programs such as free breakfasts for children, a health clinic, and Puerto Rican history classes in New York City—as did branches in other cities across the East Coast and Midwest (Abramson & Morales, 1971/2011; Wanzer-Serrano, 2015).

The goal of this article section has been to highlight the often-minimized historical context within which Latinx organizing and demands for bilingual education connected to a broader agenda of recentering power to the people through political and economic self-determination. Likewise, as we will illustrate in the next section, the Bilingual Education Act’s passage cannot be divorced from its historic context—as the contradictions that limited its effectiveness and eventually led to its downfall were the same aspects that allowed its widespread Congressional support and eventual passage in the first place. Indeed, the BEA’s contradictory legacy began in 1968, the same watershed year in which the Civil Rights Era moved into a new phase marked both by tragic ends and inspired new beginnings, ranging from the assassinations of Reverend Martin Luther King, Jr. and Robert Kennedy and the Vietnam War My Lai massacre, to student protests for a Third World College at San Francisco State College and against racist policies at Columbia University, and Miss America contest protests that sparked national recognition of the feminist movement.

Pride for the people: The Bilingual Education Act and liberal multiculturalism

Substituting power for pride

As images of people protesting and cities burning flashed across television screens throughout the 1960s, educators and politicians also began to strategically support ending segregated English-only schools for Latinx students. In 1966 the National Education Association (NEA) released The Invisible Minority, a report on the status of Latinx education that was influential in the BEA’s 1967 Congressional hearings. The report detailed how underresourced, English-only schooling negatively
shaped Latinx students’ academic and cultural identity, and it proposed bilingualism to improve self-esteem and school success (NEA, 1966). The findings were seen as groundbreaking in how they highlighted discriminatory school practices and challenged assimilationism. However, despite promoting Spanish as a tool to improve self-esteem and achievement, the report still echoed a cultural deficit framing that referenced speaking Spanish as a “handicap” to be overcome by learning English at the expense of Spanish and ultimately appreciate an “American” way of life (San Miguel, 2004).

This seeming contradictory explanation of Latinx linguistic and educational struggle captured both the possibility and limitations present during the BEA’s passage and early legacy. Just as the shift from racial integration to political and economic self-determination was symbolic in 1960s organizing, state representatives were forced to shift their response in the face of these new disruptions to the social order. As Melamed (2011) explains, the need for the state to legitimate itself anew forced a shift from the postwar “racial liberalist” stance focused on blaming racism on the White individual prejudices toward and social isolation from Blacks that marked policy-maker responses to early Civil Rights struggles for integration and antidiscrimination policies. In doing so, a new “liberal multiculturalist” position arose supposedly aligned with the rise of Black Power and allied race radical movements that demanded cultural recognition as tied to political and economic self-determination. It is within this shifting liberal antiracist state position that the BEA arose as an explicitly racialized language policy formation.

While Melamed historicizes the “liberal multiculturalism” period in the 1980–90s, we reenvision this era to begin earlier and to have two distinct periodizations. The first “aspirational liberal multiculturalism” period from the late 1960s to late 1970s focused on “representation and cultural recognition [that] screened off differential power, dematerialized conceptions of race, and marginalized antiracisms that addressed material disparities in racial outcomes” (Melamed, 2011, p. 34). While movement activists continued a race radical critique, among policy makers liberal multiculturalism was a nearly uncontested hegemonic ideology during this period. The second “oppositional liberal multiculturalism” 1980–90s period aligns with Melamed’s literary cultural wars, where opposition to, and debate over, liberal multiculturalism is legitimated in mainstream discourse, and prior policies that supported minoritized cultural pride are challenged. As this section will illustrate, the BEA’s trajectory can be understood within this periodization from its initial 1960–70s birth and expansion to its later retrenchment and fall in the 1980–90s.

Like the 1966 NEA report, the 1967 Congressional hearings on the BEA promoted bilingual education as a means to improve Latinx students’ self-esteem through finding some pride in their language and culture. Yet policy makers did so within the War on Poverty’s leaning on “learning their way of poverty” (Silver & Silver, 1991) that divorced the bill from Latinx activists’ broader political and economic struggle and instead tied it to a cultural deficit discourse of handicaps that Latinxs must overcome to find work and improve their economic standing. For example, when Senator Ralph Yarborough (D-TX) began the BEA bill hearings, he stated that Latinx students were victims of “the cruelest forms of discrimination” and that “English-only policies, no-Spanish speaking rules, and cultural degradation have caused great psychological harm to these children and contributed to their poor performance in schools” (Bilingual Education: Hearings, 1967, pp. 599–600). Yarborough continued that bilingual education could help overcome this linguistic and cultural discrimination, thereby improving self-esteem and school achievement.

Yet promoting student cultural pride did not mean that policy makers inherently viewed Spanish as an asset. Rather, as initiators of the Senate and House BEA bills Yarborough and Rep. Edward Roybal (D-CA) explained in another 1967 proceeding, “Children with knowledge of another language” are “handicapped … and in need of immediate and aggressive remedial action to help overcome this handicap” (Calvo, 1968, p. 34). Within this framework, bilingual education allowed policy makers to redirect Latinx economic and political self-determination demands into self-help reforms. Cultural pride was seen as a tool to help Latinx students economically by building human capital and social mobility through school success, and bilingual education programs allowed the institutional recognition of particular Latinx leaders to maintain social control of their youth by
becoming middle-class state-authorized role models to both support and discipline potentially “problematic” urban Latinx families and communities (Sung, 2017).

While Latinx activists recognized the problematic framing, they hoped the BEA would still offer a chance to address some genuine educational, economic, and political concerns. As Latinx poverty continued to rise during the 1960s despite legal civil rights victories, strategically allying with policy makers where agendas seemed to overlap seemed worthwhile (Sung, 2017). Activists also believed the BEA would galvanize Latinx communities toward other efforts, highlighting what anthropologist Renato Rosaldo (2003) called “cultural citizenship” that went beyond individuals’ discrete civic actions to include collective organizing of minoritized groups to make political demands. Thus, activists offered conditional support that did not simply echo policy makers. For instance, when LULAC president Alfred Hernández finished his BEA hearing testimony, Senator Yarborough asked: “If these children learned English, you don’t think they would have any difficult getting a job or fully integrating into our society in an economic way?” (Bilingual Education: Hearings, 1967, p. 401). Hernandez answered only that “This has been a definite barrier for the Mexican American,” reiterating his stance that learning English was important but not the only nor primary barrier Latinxs faced to economic or social integration.

While the BEA passed, Latinx activists’ hopes for bilingual education were ultimately coopted by policy makers who redirected the discourse toward a liberal multicultural framing that offered cultural pride as divorced from broader political economic critiques. And so the BEA came into being with the Latinx community and the state mostly at odds about its goals. Although Latinx activists still hoped that bilingual education held the possibility of educating their own children with a historical consciousness of who they were as conquered and colonized people, and with their own bilingual practices at the center, mainstream educators largely tolerated it only as a more effective program to teach English and to Americanize—this time using the Latinx community as the educators and agents of Americanization.

This is not to say that the bipartisan support for its passage during a period of intense partisan struggles over other civil rights and educational initiatives was no small victory in itself. Indeed, President Lyndon B. Johnson’s public statement upon signing the BEA (Title VII of the Elementary and Secondary Education Act) that now “thousands of children of Latin descent, young Indians, and others, will get … to believe in themselves, in their basic worth as human beings, and in their native capacities” (cited in Andersson & Boyer, 1970, p. 1) provided a new version of liberal antiracist imagining—and provided minoritized communities the opportunity initially to make further strides. Without Latinx activism the BEA would not exist, but its creation was as much a response to provide a genuine concession as it was to offer an additional tool to channel more radical Latinx demands.

This contradiction in the BEA’s origin would become its downfall in the coming decades, but in the immediate term there were more pressing issues. For one, there was no federal bilingual education funding provided for the first year and a half. Second, once funding was finally appropriated, the law’s wording of providing “financial assistance to local educational agencies to develop and carry out new and imaginative elementary and secondary school programs designed to meet these special educational needs of the large numbers of children of limited English-speaking ability in the United States” (PL90–247) led to even more questions, as it did not require districts to provide bilingual education nor define what bilingual education should even look like. Even so, the federal BEA opened the door for other policy changes at the state level, and between 1968 to 1974 sixteen states either passed bilingual education bills or repealed English-only laws (San Miguel, 2004).

In addition, the BEA’s support for “imaginative” programs fueled the early hopes of Latinx community leaders, who often rushed to prepare themselves as bilingual educators and open up community-based programs where viable to do so. Despite these “maintenance” bilingual education programs often being relegated to school basements (Flores & García, 2017) and hallways, the idea of at least being able to create culturally affirming school spaces for Latinx students was still appealing. Alicia Pousada recalls, “Bilingual education was on the agenda of every Puerto Rican school board candidate or politician… . Besides a pedagogical reform, it was a source of ethnic cohesion and a
source of community control” (1987, p. 19). In 1972 New York City opened the Office of Bilingual Education with Hernán La Fontaine, a Puerto Rican educator and principal of the first bilingual school, PS. 25, as director (Kaplan, 2018; Pousada, 1984). That same year, District 4 in East Harlem, El Barrio, became the first Puerto Rican-controlled school district in the city’s history, and in 1974 East Harlem was declared a “bilingual school district” (García, 2011).

Cultural pride to culture wars

Yet the initial excitement among Latinx and other minoritized groups advocating for bilingual education was obviously tempered by challenges across many quarters. While there were some hopeful beacons, one of the first national studies evaluating bilingual education programs found that roughly 80% actively discouraged use of the child’s native language (Kjolseth, 1972). Likewise, in some communities the struggle to create bilingual education programs was met with resistance from local districts. The first major legal challenge to reach the U.S. Supreme Court was initiated in 1968 by Chinatown families and community activists suing San Francisco schools for inadequate education being provided to their children. The resulting 1974 *Lau v. Nichols* ruling was germinal for two reasons: (a) it found English-only education to be a violation of the 1964 Civil Rights Act equal education clause, and (b) it required schools to provide special assistance for students to learn English, beyond just providing equal access to schools, textbooks, curriculum, etc. (García & Kleifgen, 2018).

In 1972, ASPIRA also filed a federal court suit to demand Spanish bilingual classroom instruction in New York City for struggling Puerto Rican students, who still had only a 30% high school graduation rate (Reyes, 2006; Santiago, 1986). After Lau was decided, the ASPIRA Consent Decree was signed in 1974, requiring that children with “English language deficiency” be given a “planned and systematic program” to develop English, but also: instruction in *substantive courses in Spanish* (e.g., courses in mathematics, science, and social studies) … [and] a planned and systematic program designed to reinforce and *develop the child’s use of Spanish*” (Aspira v. Board, 1974a, para. 2, cited in Santiago, 1986, p. 160, our italics). Thus, like civil rights activists of a generation prior, community-based bilingual education advocates were initially able to use the federal courts to help maintain momentum in the face of increasing resistance to helping their children be “bilingual and bicultural, as well as economically, socially and politically able to function in U.S. society” (Pousada, 1987, p. 20).

Applying judicial pressure seemed wise, considering what the 1974 BEA reauthorization offered. While finally defining what bilingual education was, the new act stepped even further away from the Latinx activists’ initial intentions. Bilingual education was instead recast as transitional, with “instruction given in, and study of, English and (to the extent necessary to allow a child to progress effectively through the education system) the native language of the children of limited English speaking ability” (quoted in Castellanos, 1983, p. 120), with the goal of transitioning from home language to English rather than developing both languages. The 1974 reauthorization and *Lau* decision expanded bilingual education, increasing funding from $58 million to $135 million and program numbers from 383 to 565 between 1974 and 1978 (San Miguel, 2004). However, this institutionalization arose within debated expectations over the purpose of home-language support instead of how bilingual education could meaningfully build toward self-determination, the hope 1960s Latinx activists had for the original act (Flores, 2016).

If the original BEA offered aspirations of liberal multiculturalism in which cultural affirmation of Latinx children in bilingual education classes and pride in the symbolism of legitimating the Spanish language offered hope, however diminished from 1960s Latinx activists vision of self-determination, then the 1980s were marked by the increasing conservative backlash toward even this limited framework. The opening salvo at the federal level happened in 1980 when President Ronald Reagan stated,
It is absolutely wrong and against American concepts to have a bilingual education program that is now openly, admittedly dedicated to preserving their [non-English] native language and never getting them adequate in English so they can go out into the job market and participate. (Democrat-Chronicle, Rochester, 1981, p. 2A)

Putting bite behind his bark, Reagan’s first Secretary of Education withdrew the existing Lau Remedies by April 1982, and now even the “basements” to which the bilingual education programs had been relegated started to lose oxygen.

Conservative critics were now emboldened, and bilingual education became one of the front lines in the new “culture wars” that fundamentally challenged the ideology of liberal multiculturalism. As with the 1960s, political economic changes challenged the social order, as mounting poverty became a concern amid the economic downturns of the 1970s and early 1980s. However, instead of President Johnson’s liberal War on Poverty, President Reagan’s policies scapegoated immigrants with a focus on detaining undocumented workers alongside increased funding for detention centers and militarizing border control. This newly ascendant nativism also targeted bilingual education, and in 1981 the first constitutional amendment to declare English the official language of the United States was introduced in the Senate, alongside a wave of 29 state laws declaring English the official language passed between 1978–2007 (Bale, 2009).

In response to conservative attacks on bilingual education, supporters shifted toward an even narrower platform of trying to legitimize itself by both professionalizing the research to show pedagogical effectiveness and the training of bilingual education teachers in hopes of programmatic survival. In doing so, the bilingual education profession suffered two losses. On the one hand, many bilingual educators lost their jobs, as teacher certification requirements demanded passing standardized tests that measured mostly norms of written English, instead of content or pedagogical knowledge; on the other hand, the growing professionalization of bilingual education and its educators distanced it from its beginnings in minoritized communities and commitment to them (Flores & García, 2017). This followed the shift in mainstream educational policy and research debates over bilingual education that now shied away from prior goals of cultural pride and affirmation to instead focus on implementing programs that most quickly were said to teach English regardless of other potential effects.

Not surprisingly, starting in the 1980s every subsequent reauthorization of the BEA showed a movimiento in retreat, moving toward its own annihilation. The 1984 BEA reauthorization opened the door to funding English-only programs, although it imposed a quota of no more than 4% of the total of programs funded. That quota was raised to 25% in the 1988 reauthorization. Finally, that quota was lifted in the last reauthorization of the Bilingual Education Act in 1994. And for the first time, serious attention was given to two-way immersion programs, a type of program that took primary attention off the educational needs of minoritized youth and communities. In place of the liberal multiculturalist aspirations that originally drove 1960s policy makers, there was now an ascending neoliberal trend in bilingual education that distancing itself from its beginnings has come to be called “dual language education.”

**Profit from the people: Neoliberal “dual language” education**

The move to channeling BEA funds into English-only programs accelerated throughout the 1980–90s, and bilingual education’s end, as we had known it up to then, came in the state where the Eastside Blowouts occurred 30 years prior. In 1998 California Proposition 227 won on an anti-immigrant, nativist campaign and effectively dismantled bilingual education programs by mandating English immersion instruction in nearly all cases. Subsequent antibilingual education laws were passed in Arizona (2000), Massachusetts (2002), and almost passed in Colorado (2002) and Oregon (2008). This wave of state-level legislation had a chilling effect on federal education policy. In 2001, the BEA was replaced with a new Title III of the No Child Left Behind Act (PL 107–110), now titled “Language Instruction for Limited English Proficient and Immigrant Students.” In doing so, the
word “bilingual,” what Crawford (2004, p. 35) has called “the B-Word,” was progressively silenced. With NCLB, every federal office with the word “bilingual” in its name was renamed, substituting “bilingual” for “English language acquisition” (Garcia, 2009).

At the same time, a type of bilingual education called “dual language” education (DL) started to make inroads nationally. DL programs, as Lindholm-Leary (2001) explains, are “similar in structure to immersion programs, but differ from the previously mentioned variations of immersion in terms of one very important factor: student composition” (p. 30). She states that unlike other English immersion programs, in DL classes “English-dominant and target-language-dominant students are purposefully integrated with the goals of developing bilingual skills, academic excellence, and positive cross-cultural and personal competency attitudes for both groups of students” (p. 30). Modeled after Canadian immersion programs, DL is purposely geared toward language-majority students and the teaching of two languages.

Yet the reframing of bilingual education to focus its benefits for language-majority students twists the original intentions of both 1960s Latinx activists and liberal multiculturalists who viewed bilingual education as specifically attending to the needs of linguistically minoritized youth and communities. Instead of the prior bilingual education lens of educational equity and cultural affirmations, regardless of whether they were connected to a broader agenda of self-determination or not, an ideology in which neoliberal marketization of everything, including the ideas of multiculturalism and culture itself, now forms the new basis undergirding social consciousness and formations. Melamed (2011) has referred to this ideology as “neoliberal multiculturalism.” According to Melamed, neoliberal multiculturalism offers a type of consumerist diversity in which “diversity has been cast as the essence of neoliberal exchange” (p. 42) and where multicultural “experiences” and multilingualism are seen as valuable assets that can now be commodified in educational settings such as DL classes.

DL programs thus remove the historical contexts from which bilingual education programs were originally offered and instead focus on how bilingualism can benefit those who are already language dominant. In doing so, the race radical and liberal multicultural imaginations of social equity for minoritized communities through bilingual education are replaced by DL programs that promote the accumulation of multicultural/lingual capital through the “hyperextraction of surplus value from racialized bodies” (Melamed, 2011, p. 42) in the form of authentic “diversity” experiences—most often in the form of learning Spanish with and from low-income Latinx students. As Pimentel (2011) reiterates, in many of these DL programs, Latinx students become “commodities that can be consumed by White, English-speaking students” (p. 351) insofar as they maintain their profitable value as authentic Spanish-speaking models.

Although DL programs are gaining in popularity throughout the country, and despite research that acknowledges some gains for bilingual students in programs that are implemented well (Li, Steele, Slater, Bacon, & Miller, 2016; Lindholm-Leary & Hernández, 2011; Thomas & Collier, 2002), many scholars have decried the abandonment of an equitable education for language-minoritized students and increased focus on bilingualism for neoliberal economic interests and global human capital (for example, see Cervantes-Soon, 2014; Flores, 2013; García, Menken, Velasco, & Vogel, 2018; Palmer, Martínez, Mateus, & Henderson, 2014; Valdés, 1997; Varghese & Park, 2010). Early on, Valdés (1997) had issued a cautionary note about this danger. It is precisely the attention to bilingualism as an economic resource for those who already hold power that has fueled the 2016 reversal of California’s bilingual education restrictions with Proposition 58. Flores and García (2017) have called attention to this shift from what were previously perceived as “basement” programs to now being showcased as “boutique” programs where everyone can supposedly invest in diversity; but yet, limited access to these programs maintains a social hierarchy too often built on the backs of Latinx students and communities.

Yet many Latinx families all over the country, anxious to educate their children bilingually, have gone along with the DL wave knowing that it is often the only opportunity they have to do so. To this end, Latinx communities have mostly accepted DL programs as the only way to educate their children bilingually—in the worst cases, in programs where their children are being used as linguistic resources for White children; in the best cases, in programs that provide instruction in Spanish, as well as English, without raising their children’s consciousness of the raciolinguistic ideologies (Flores
& Rosa, 2015; Rosa & Flores, 2017; Sung, 2018) to which they are subjected. Furthermore, to provide this educational experience for White students, DL programs must maintain a dislocated consciousness (Sung, 2015) among minoritized students who simultaneously need to “buy” into the value of DL education and sustain an “authentic” otherness culturally and linguistically. In this way, Latinx students in DL programs many times become commodifiable in DL programs that White monolingual families, motivated by a neoliberal multicultural ideology, aim to profit from.

**Conclusion**

Following the BEA’s origin and trajectory over the past 50 years illuminates two key points. First, the NEA’s passage, and early subsequent victories represented an aspirational stage, in which the bilingual education was meant to selectively respond to Latinx demands and assuage civil unrest. The BEA thus offered a genuine concession that also allowed policy makers to legitimize a liberal multicultural stance of celebrating cultural pride while trying to divorce it from the broader race radical political and economic agenda that 1960s Latinx activists were fighting for. By coopting the political economic dimensions, policy makers were able to tame Latinx demands for the material power of self-determination and instead reframe bilingual education as a compensatory program where “linguistically deficient students” could find enough pride in their home language and culture to build their self-esteem, learn English, succeed in school, and be productive American citizens (Flores, 2017; Flores & García, 2017).

Second, the opposition to this liberal multicultural brand of bilingual education produced a new ideology in which bilingual education became divorced from the concerns of educating minoritized students and instead became a tool for language-majority students to gain cultural capital in the form of a second language and “diversity experience.” As Sánchez, García, and Solorza (2017) state, “The difference between teaching students bilingually and teaching two languages lies at the heart of the change” (p. 39). Within this new version of bilingual education, the word “bilingual” disappears, and community connections and cultural relevancy are replaced by a neoliberal multicultural imaginary in which bilingualism itself becomes a commodifiable educational choice within a consumerist version of diversity. Latinx families are now also increasingly choosing DL programs, creating a seeming interest convergence in which conditional consent is offered because of the very limited other options they have to educate their children bilingually.

While the BEA was never designed to fully support 1960s Latinx activists’ goals for bilingual education within a broader agenda for self-determination, the BEA’s legacy does not have to end here. Just as DL programs breathed new life into how bilingual education could be imagined, the history of the 1960s has shown that this can be done again if Latinx communities can galvanize anew for collective action that learns from past struggles. For example, Sánchez et al. (2017) have called for dual language bilingual programs, bringing back the community’s dynamic bilingualism into perspective and emphasizing the education of bilingual children aware of racism, injustice, and struggling for possibilities that Latinx activists originally imagined. Action informed by historical consciousness is a powerful tool from which 1960s Latinx leaders drew strength in their organizing. We hope this article can make a small contribution to untaming the next generation of Latinx and other minoritized community leaders so they can join together in light of #familiesbelongtogether, #blacklivesmatter, #metoo, #occupy, #noDAPL, and other allied movements, that are critiquing the current social order.

**Notes**

1. We recognize the incomplete account offered here, as we do not have the space to include a longer history that rightfully highlights how indigenous peoples and languages across the Americas were also colonized and extinguished as a product of settler colonialism enacted by the United States, as well as by Spain and Mexico. For more on this important layered history see (Lowe, 2015; Wolfe, 2006).
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