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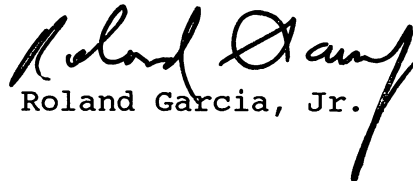
Dr. Hector P. Garcia
1315 Bright Street
Corpus Christi, Texas 78405

Dear Dr. Garcia:

I hope all is well with you in Corpus Christi. I recently ran across an article on the English only constitutional amendments in the American Bar Association Journal, December 1, 1988 issue. I thought you might like a copy of the article for your records and I have enclosed the same.

Both Gilbert Garcia, my brother, and I will be in Corpus Christi over the Christmas holidays. Hopefully, if your schedule permits, we will be able to see you during that time. Please keep in touch and I look forward to possibly seeing you over the Christmas holidays.

Very truly yours,


Roland Garcia, Jr.

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NO: MARTHA JIMENEZ

The myth of the "intransigent" immigrant has plagued all immigrants to this country. These same charges are once again being leveled at our newest immigrants, predominantly Hispanic and Asian, by official English groups.

What is the purpose of English-only legislation—a notion that our country's founders explicitly rejected? Will it help teach people English or provide instructional materials or additional teachers in classrooms around the country? Will it create unity out of diversity, as English-only proponents claim? Or will it merely serve to further restrict the access of newcomers to services and benefits of the American mainstream?

In the 13 states that have English as the official language (excluding Hawaii which has two official languages), there is no evidence that greater resources have been allocated to teach English or that people are any more united. Nonetheless, official English advocates such as U.S. English and English First, which seek to establish English as the sole language of the United States, insist that such legislation is necessary to "protect" English. For example, U.S. English leaders have opposed Chinese business signs and Spanish-language yellow pages in California, and have

attempted to limit Spanish-language radio stations in the Southwest.

Currently there are six English language amendments pending in Congress. This year, voters in three states—Arizona, Colorado and Florida—considered amending their state constitutions to establish the legal "primacy" of English. The effects of these bills are far from innocuous. One of the measures—in Arizona—is so restrictive that it could outlaw governmental use of all other languages at state and local levels. Two major Arizona judicial organizations, which rarely take sides on controversial issues, have publicly opposed the measure because of its potential harm to the administration of justice, including court interpretation.

In October, startling revelations about the underpinnings of the official English movement came to light through a 1986 memo by John Tanton, co-founder and chair of U.S. English. Tanton described what he perceived as inevitable consequences of Latin American immigration: a rise in Catholicism, corruption, overpopulation, lack of respect for the environment, and lack of English skills. "As whites see their power and control over their lives declining, will they simply go quietly into the night?" he asked.

MYTH V. REALITY

Contrary to Tanton's distasteful views, there is no evidence to suggest

that non-English speakers, both immigrant and native-born, are refusing to learn English. A May 1988 study on language shift among Hispanics in the United States by Calvin Veltman, professor of urban studies at the University of Quebec at Montreal, states that after 15 years, some 75 percent of all Hispanic immigrants speak English on a regular daily basis. Seven out of 10 children of Hispanic parents become English speaking for all practical purposes, and their children—the third generation—have English as their mother tongue. Professor Veltman's findings corroborate the results of a 1985 Rand study on language shift in California which found that 95 percent of first generation Hispanic immigrants learn English; all of their children are proficient in English and half speak English exclusively.

No one is more aware of the importance of learning English than the person who is struggling to make it in this country without being able to speak English. In Los Angeles alone, 40,000 people are on waiting lists to learn English. In New York City, the number exceeds 25,000.

The movement for an official language is not about language but about people. Not about symbols but about the struggle for human dignity. Language has never been a barrier to understanding in this country. It should not now be an excuse for intolerance. ■

OFFICIAL USE OF ENGLISH

Do we need a constitutional amendment?

"Se habla espanol" is both a sign of the times and a call to arms for U.S. English, the Washington, D.C.-based group that is lobbying for a 27th amendment to the Constitution, declaring English the official language.

Amid charges of racism and xenophobia, the five-year-old organization has succeeded in placing the issue on the ballot in three states during the last election. Fourteen other states have official English

statutes, some dating back to 1920.

Barnaby Zall, a Washington, D.C., lawyer who is counsel for U.S. English, argues that an amendment making English the official language will perpetuate governmental stability without jeopardizing individual rights.

But Martha Jimenez, a policy analyst for the Mexican-American Legal Defense Fund in Washington, D.C., sees the amendment as a smokescreen for intolerance and bigotry.

YES: BARNABY ZALL

In this post-bicentennial era, Americans have recognized that there are few institutions that are the foundation of a free, diverse and vibrant country. A shared belief in democratic principles is one of these institutions; a common language, spoken by every American, is another. By requiring that government function primarily in English, official language statutes ensure the preservation of English as our common language—an insurance policy for this vital, highest institution.

An official language is no legal novelty: in *DaLomba v. Director of the Division of Employment Security*, 337 N.E.2d 387, 689-90 (Mass. 1975), the court said, "English is the official language of this country and of this Commonwealth." Already 14 states have acted to declare English their official language and three states voted on initiatives in November. And 64 countries have explicit constitutional provisions designating official languages.

At a time when English is increasingly becoming the *lingua franca* of the 21st century, why is an insurance policy needed to protect our common language in this country?

Because not everyone agrees on

the value of having English as the common language, and because there is no current statutory protection for the role of English in most states. In the absence of explicit legal recognition of English, careless officials have ignored or diminished the role and status of our common language. In bilingual education, for example, programs to maintain native cultures and languages have been promoted instead of teaching children English as quickly as possible. In Berkeley, Calif., bilingual education advocates want segregated classes for limited-English proficient children. It is not government's role to maintain other languages and cultures; these valuable traditions can be best kept alive by private organizations and individuals, not by government.

THE SPREAD OF BILINGUALISM

In the 1970s, government began aggressively forcing English-speaking persons to use other languages. Recently, a Federal District Court ordered citizen-initiative petitions to be circulated bilingually, although the 10th Circuit Court of Appeals swiftly reversed (*Montero v. Meyer*, ___ F.2d ___, October 12, 1988).

In 1983, a grass-roots movement began, led by former U.S. Senator S.I. Hayakawa. Its basic goal is simple: to protect and enhance the role of English as the common language. One of the means chosen was declaring English the official language by statute

and constitutional amendment, to ensure that the language of government remains English.

These official language laws will make no change in individuals' lives. Following the official language amendment to California's constitution in 1986, the California Attorney General opined that the most significant effect of the amendment was to require that official documents, to be enforced in the courts, must be in English—just what California's courts had required for decades. *Guerrero v. Carlson*, 512 P.2d 833, 835 (Cal. 1978), cert. den., 414 U.S. 1137 (1974).

The California experience, in a state with a vibrant, diverse population and culture, shows that official language statutes can protect the English language without infringing individuals' rights. Even though the California constitution now explicitly invites lawsuits to enforce the provision, as of September, not one suit has been filed. Only one court decision has even mentioned the official language provision, and that case began two years before the provision's enactment.

For Americans, the English language has provided the means to create a single nation from an extremely diverse population. We must move now to protect the process that has served our nation well for over 200 years. The benefits of a common language are too important to lose. ■