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**US Policy towards Minority Languages: The Ebonics  
Controversy in the Educational System as a Case**

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Literatures, and Civilizations.

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## **Abstract**

This dissertation is entitled “US Policy towards language minorities: The Ebonics controversy in the Educational System as a case”. The title refers to the plans, strategies, and practices applied by the different American legislative, political, and social actors in addressing languages other than the dominant English from the past to present and the debates raised upon it. What is definitively the most ambiguous and unknown notion for the majority of Algerian students is the so called “Ebonics”. It is a term coined by the scholar Robert L. Williams as an attempt to give a clear definition and a better stature for the language spoken by many African Americans. This research paper is to shed light on the debate on Ebonics whether it is a separate linguistic system or just a dialect of English providing each side arguments for more objectivity. When Ebonics is related to the education of African Americans, it received and still a lot of criticism and refusal and few of praise and acceptance. So, the focus here is to reveal the various factors if it is ideological, political, or social that led to the increasing rejection of languages other than English, more precisely African American Vernacular English without forgetting landmark legislative decisions either to encourage or to reduce maintenance bilingual programs. The role of media is very important as well in managing and directing such heated discussions which, in turn, to be covered in this dissertation.

## ملخص

عنوان هذه المذكرة هو "السياسة الأمريكية اتجاه لغات الأقليات: الجدل حول 'الايبونكس' في النظام التعليمي كحالة". يتم الإشارة في هذا العنوان إلى مختلف الخطط و الإستراتيجيات و الممارسات التي تم تبنيها و طبقت للتعامل مع اللغات الأخرى غير اللغة الإنجليزية السائدة في الولايات المتحدة الأمريكية، سواء كانت من طرف المشرعين أو السياسيين أو الفاعلين على المستوى المجتمعي الأمريكي. كلمة 'الايبونكس' هي كلمة غريبة و غير مألوفة عند الدارسين الجزائريين، فهي مصطلح صاغه و قدمه لأول مرة المفكر روبرت ويليامز كمحاولة لإعطاء تعريف واضح و مكانة أفضل لهذه اللغة التي يتحدث بها كثير من الأمريكيين من أصل إفريقي. يسلط الضوء في هذا البحث على النقاش الدائر عن 'الايبونكس' و ما إذا كانت نظام لغوي منفصل أم مجرد لهجة من اللغة الإنجليزية، و هنا سيتم طرح و عرض حجة كل طرف حرصا على الموضوعية . لاقت و لا تزال محاولات إدخال هذه اللغة في المناهج التعليمية الخاصة بالتلاميذ الأمريكيين من أصول أفريقية الكثير من الانتقاد و الرفض في مقابل القليل من الثناء و القبول. و بالتالي، فإن الواجهة هنا هي كشف العوامل المختلفة إذا كانت إيديولوجية، سياسية، أو اجتماعية التي أدت إلى الرفض المتزايد للغات الأخرى غير الإنجليزية و خاصة لهجة الأمريكيين من أصول إفريقية، دون إهمال التطرق للقرارات التشريعية التاريخية و التي كان و لا يزال لها الأثر البالغ إما لتشجيع أو الحد من تطبيق البرامج ثنائية أو مزدوجة اللغة. من جانبه، الإعلام له دور محوري في هذه المسألة بحيث يمكنه التحكم و توجيه النقاش و بالتالي التأثير على متخذي القرار، كله و غيره من الجوانب تم معالجته في هذه الأطروحة.

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## List of Abbreviations and Acronyms

<b>AAE</b>	African American English
<b>AAL</b>	African American Language
<b>AAVE</b>	African American Vernacular English
<b>ACS</b>	American Community Survey
<b>AYP</b>	Adequate Yearly Progress
<b>BE</b>	Black English
<b>BEA</b>	Bilingual Education Act
<b>ELL</b>	English Language Learner
<b>EO</b>	English Only
<b>ESEA</b>	Elementary and Secondary Education Act
<b>IDEA</b>	Individual with Disabilities Education Act
<b>LEP</b>	Limited English Proficient
<b>LESA</b>	Limited English Speaking Ability
<b>LSA</b>	Linguistic Society of America
<b>NAACP</b>	National Association for the Advancement of colored People
<b>NCLB</b>	No Child Left Behind
<b>NEP</b>	No English Proficiency
<b>OBEMLA</b>	Office of Bilingual Education and Language Minority Affairs
<b>OELALEAA</b>	Office of English Language Acquisition, Language Enhancement and Academic Achievement

<b>OSEP</b>	Office of Special Education Act
<b>OUSD</b>	Oakland Unified School District
<b>SD</b>	Standard English
<b>SEP</b>	Standard English Proficiency
<b>US</b>	United States



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## **Introduction**

Among a large number of controversial issues in the United States of America, the policy followed by successive US administrations to deal with language minorities in educational settings will be the focus of this research paper. The fact that America is a home of hundreds of languages, besides the dominant Standard English, makes it very normal to insert special bilingual programs into schools to accomplish certain goals including assisting and facilitating the acquirement of Standard English for limited or non-English speaking children. However, even after giving such an excuse or purpose in order to inject particular speech languages into schools, it is used to be and still undesirable like it is the case for African Americans' home speech. This case is going to be studied and highlighted throughout this dissertation under the label "Ebonics" or "African American Vernacular English"; both terms are to be utilized interchangeably.

As a contribution will be added to previous related works, this research paper will attempt to come out with an explication to the US language policies in dealing with language minorities in general and with Ebonics, the spoken language by a large number of African Americans, in details. In this regard, Richard Ruíz introduces three orientations in language policy or planning; language as problem, language as right, and language as resource. So, after reviewing the American policies toward language minorities in education and basically towards Ebonics as part of bilingual education, a conclusion will be attained about which of and how this orientations/ approaches played a role in deciding the status of Ebonics at societal, legislative spheres and more precisely at the educational level as one of language minorities.

This study emphasizes bilingual education from the past to present and how it was and still a controversial issue in terms of its nature, purposes, and how it should be implemented. English only supporters are the ones to oppose strongly the maintenance of bilingualism in American society and so bilingual education. This debate will be seen clearly through the

case of Ebonics/African American Vernacular English (AAVE) which entails another important dimension. That is, a new division of views escalates on the legitimacy and correctness of Ebonics in addition to the first debate over English only vs. bilingual education. In other words, activists seeking bilingual education programs for African Americans speaking Ebonics are obliged to persuade their opponents, the American main stream, by their claim that Ebonics is a different language rather than a dialect of Standard English.

On the way to a well understanding and reading of this topic then coming out with a fair, reasonable, and helpful conclusions, going step by step in gathering related data for the study is more than necessary. Accordingly, a historical general idea involves and stresses the development of US strategies that addresses languages other than Standard English (SE) within the Educational system will be given. The most important legislations whether in favor or against bilingualism and bilingual education are also to be highlighted along with the different reactions on it. But before that, the study encompasses essentials and details on how much the American society is diverse linguistically, how many non-English speaking people are there, as basics should be learned.

African Americans are known by a unique and painful story which it has with no doubts an impact on the status of their home speech. This minority from African descents is mostly used to achieve its basic human rights by hard and after long fights, the same thing is happening with the expressed claims for bilingual education. The persons who started and suggested this matter found themselves under harsh attacks and criticism for the reason that their supposed different language, for the opponents, is just a dialect of English which has no place in this intended educational program. So, throughout this dissertation an attempt to be made to discover the origins of this debate, main points of disagreements, and the real and logical standing of this human speech. Debates on Ebonics were only present at academic

level between scholars. But after a resolution was declared loudly by Oakland, California School Board in 1996 embraces the view that Ebonics is different from English, the dispute is no more academic since all American people start to give their opinions, largely negative, on this subject.

A number of questions are to be the guide of this dissertation's development, among them the subsequent to be highly investigated: is there any difference in views, whether societal or legal, concerning languages other than English and so bilingual education between the past and the present? If yes, how it changed and why? Moreover, what are the types of bilingual programs which are, increasingly getting to be, preferred by the public along with policy makers? More importantly, even though bilingual education programs are strongly supported to help limited and non-English speaking children to improve their American Standard English, why it is refused for the African American minority which has difficulties in this concern? Is it because of their historical and socioeconomic statuses? Or, is it the way and the words used by African Americans to express their demand? If the latter is true, what are the real aims behind requiring bilingual education for African American children? It is also worthy to know why the American main stream finds it hard to believe the accuracy and legitimacy of Ebonics? Is there any hope of a delightful future for Ebonics?

This research is divided into three chapters. The first is entitled "US Legislative policy towards minority languages within the Educational Frame: Historical Background"; its aim is to investigate major transformations in the American educational policies addressing minorities. The second chapter is called "Disputes over the Historical and Linguistic Origins of Ebonics". This chapter, in turn, is partitioned into two sections; the first is named "the Story of African Americans along with their Home language", while the second is labeled "Ebonics in the Linguistic Community". "The US Responsive Policy about Ebonics Recognition within its Bilingual Education Programs" is the third and closing chapter which

stresses the way the different actors at political, legislative, executive, academic, and public American spheres tackles the Ebonics issue.

Scholars“ have diverged upon this subject between refusal and acceptance. This division of attitudes is clearly seen through numerous writings and researches done in this concern. Detractors of bilingual education for Ebonics speakers do not believe that Ebonics is very divergent from Standard English and thus opposing the integration of any English vernacular into schools. Advocates, on the other hand, are with celebrating and maintaining minority languages, linguistic diversity, and thus supporting its entrance within the educational plans. Their main and declared goal is to assist limited English proficient learners, including African Americans, to enhance their levels in Standard English and then to pave the way for them into better academic achievements.

John H. McWhorter is one of research scholars who criticized the confidence that Ebonics is a language different from English. In his “Wasting Energy on an Illusion”, McWhorter emphasized his belief in African American vernacular English as a Dialect of Standard English like the various English dialects spoken in the United States. Briefly, after making his stand stronger through illustrations, McWhorter concluded that asking translation from an English dialect, which all American children own one, into Standard English gives an impression of the stupidity of African American children among their peers on earth.

On the other side, Ernie Smith explains the contrary in an article labeled “What Is Black English? What Is Ebonics?” In which, he states that Ebonics stature should be based on its different grammatical patterns not on lexicon like it was the case for Standard English which was classified as a Germanic language while most of its vocabulary is from Romance or Latin language family. Smith finally stresses that African American children are actually limited English proficient (LEP) students who are denied their right, because of their race, for bilingual education as a good way to tackle their LEP needs.

The research will be based on the qualitative method since the nature of the topic demands a detailed exploration and deep investigation to reveal the stands of those who are concerned with this issue: politicians, linguists, law experts, activists, etc. The argumentative method is also used in this dissertation in order to justify the legitimacy of African American Vernacular English is not accepted until now. Discourse analysis is also followed so as to interpret and analyze political laws, speeches . . . etc. Besides, as the study takes African-Americans' language as a case study, the historical method is given an important place in the context as well. Furthermore, the MLA style will be used in this research

## **Chapter One:**

### **US Legislative policy towards minority languages within the Educational**

#### **Frame: Historical Background**

Throughout the history of the United States, multilingual societies have coexisted together. Among the diverse array of languages spoken throughout the country, in addition to the Native American languages, there were a multitude number of other languages that immigrants from all over the world brought to the country. At the top, English regarded as the most spoken language, besides to German, Dutch, Polish, Yiddish, Spanish, Chinese, Japanese, French, and African languages.

As a result of this ethno-linguistic diversity, language-based controversies have often come to the forefront of the political debates in the United States. For many ethnic minorities, assimilation to the mainstream culture was a hard task for them, especially when it comes to abandon their cultural and linguistic heritage. This distinctiveness has exhibited many barriers to those minorities at different levels mainly at the educational one, because the language of instruction which was commonly implemented in classroom programs was English. Actually, before the 19<sup>th</sup> century, the issue of language instruction in public schools was not a focal point in the US political debates since it was in the hands of local educational agencies, but after the Civil Rights Movement a great attention has been driven upon this issue.

The chapter stresses many points regarding the US language policy towards minority languages within its educational system. Firstly, a brief overview about America's ethnic and linguistic diversity will be provided. Then, the chapter will go further through history to explain the constitutional grounds upon which programs regarding language-minorities were set. This will be followed by a discussion of the bilingual education history stressing the role of the federal and state governments on developing programs assisting minority-language

students, and clarifying the impact of the English-Only movement on the bilingual education. At the end, light will be shed on the prevalent discriminatory feature of the US public schools towards minority students in the recent decades.

### **1.1. The United States: a Nation of Immigrants, a Nation of Languages**

The US has always been ethnolinguistically diverse. Besides to the indigenous Native American groups who spoke over 300 languages and the English settlers, German and Spanish population entered America. The makeup of non-English European immigrants was one-quarter of the whole population; two-fifths of the population spoke German in Pennsylvania. Moreover, an unknown but a significant portion of the new nation's settlers spoke an American-Indian or African languages, assuming that perhaps one-third or more of the whole population spoke a language other than English (Rumbaut and Massey 1). Based on this statistical ground, what becomes apparent is that the US is not a monolingual nation; however, its linguistic composition is distinctively very rich.

Invasion played a great role in creating language diversity in America, but immigration was the primarily driven force to make the United States a polyglot nation. In 1840s and 1850s, Germans and Celts entered America in a large numbers, followed by Scandinavians in the 1870s and 1880s, and then by Slavs, Jews, and Italians from the 1880s to the first mid of the 20<sup>th</sup> century. The census of 1910 counted a whole population of 29 million; 10 million immigrants spoke a mother tongue other than English or Celtic, including 2.8 million German speakers, 1.4 million Italian speakers, 1.1 million Yiddish speakers, 944.000 Polish speakers, 683.000 Swedish speakers, 529.000 French speakers, 403.000 Norwegian speakers, and 258.000 Spanish speakers (Rumbaut and Massey 1). Language diversity in America was centrally driven by the waves of immigration coming from different world countries.

As the mass immigration declined during the following decades, so did the linguistic diversity. Over the second half of the 20<sup>th</sup> century, the rate of the foreign born population fell



dramatically to reach a nadir of 4.7 % in 1970, when the Census Bureau stopped asking for statistics on mother tongues. English, at that era, kept to be the most spoken language by the immigrants; over 1.7 million speakers came mainly from Canada, the UK and Ireland, followed by Spanish, with approximately 1.7 million speakers, then German with 1.2 million, Italian with 1 million, and with less than 500.000 speakers for Yiddish, Polish, and French. . . . By 1980, for the first time, Spanish surpassed English as the most spoken language by immigrants, and the number of non-English spoken languages has increased as well (Portes and Rumbaut 6). Though the foreign born population has decreased during the second half of the 20<sup>th</sup> century, but the number of non-English spoken languages has decreased. This shows how ethnic minorities preserved their linguistic heritage.

Fix and Passel, experts on immigration to the United States and the demography of racial and ethnic groups, estimated that the numbers of immigrants who came to the US reached a climax point during the 1990s. They also pointed out that the English Language Learner (ELL) population increased by 52 % in the 1990s. Furthermore, they expected that the immigration influx would keep in the same level, if not increase, during the 2000s. The US demographic diversity was and still changing in a drastic way. The numbers of immigrants that came from Latin America and Asia in the second half of the 20<sup>th</sup> century superseded the number of the European immigrants came to America in the early 20<sup>th</sup> century. By the year of 2000, more than a quarter of the US population was composed of ethnic minorities.... (qtd. in Nieto 1). In fact, this change in the US demographic diversity was due to the US restrictive policies imposed on immigrants in a given periods.

In parallel with the rise of immigration in recent decades, the rate of the speaking only English at home has smoothly fallen, dropped from 89.1 % in 1980 to 79.7 % in 2010, while non-English speaking portion subsequently rose from 11 percent to 20.3 %. In fact, the number of persons, 5 years or older, speaking a language other than English at home

increased from 23.1million to 59.5 million; two thirds of the increase caused by the growing number of the Spanish speaking people at home who made up 12.6 % of the total population. Immigration from Latin America has caused the most increase. In fact, nearly 60 million of non- English language speakers are immigrant. Just 2.6 % out of 230 million persons who spoke only English language at home in 2010 were born outside the United States, and 49 among the Spanish speakers were of foreign born (Portes and Rumbaut 6). To sum up, the rise of immigration during the last decades of the 20<sup>th</sup> century has lead to the rose of non-English speaking portion, which mostly caused by the growing number of the Spanish speaking population.

World migration to the United States has caused the development of a nation with great ethno-linguistic diversity. Immigrants who came to America preserved their unique culture, mainly their languages. This ethno-linguistic distinctiveness leads to the emergence of many ethnic-related problems; one crucial, long lasting problem was that of language. Since the foundation of America, and because of its legislative policy towards language-minorities, language-based disputes emerged and lasted for long. This urged the US federal and states governments to reexamine their policies towards those language-minorities, in order to preserve their language rights. A vision into the American Constitution is needed so that the status of language-minorities would be clarified.

## **1.2. Language-Minorities in the American Constitution and Supreme Courts**

The anti-immigrants emotions that prevailed the United States during the World War eras pushed the proponents of the minority rights, minority-languages rights, to take advantage of all available means which may give their claims legitimacy. In this concern, the most effectively employed weapon in front of the different restrictions was the American constitution, particularly the fourteenth amendment section 1 ratified in 1868 after the Civil War:

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws ( Legal Information Institute).

The fourteenth amendment section 1 contains two main clauses that played a significant role in courts to consider the restrictive laws passed by certain states against languages other than English to be unconstitutional. The clauses are: The Due Process and Equal Protection Clauses; Del Valle clarified that: “The Due Process and Equal Protection Clauses appear to be limited to functional process: the Due Process as a guarantee of fair procedure” (23). That is, no state has the right to prevent any person from life, liberty, or property without passing through equitable legal steps. For the Equal Protection Clause, it ensures for all citizens a similar processing in courts and also while deciding or enacting laws. There is another clause, “the forgotten clause”, called the Privileges or Immunities Clause; but since it is limited to just certain rights such as the right “to assemble and petition”, the reliance on this latter was not as it was on the previous mentioned ones (Del Valle 24). Historically, the utilization of the Due Process and Equal Protection Clauses helped many language-minorities to judicially cancel a number of restrictive laws against minority-languages.

By the end of the First World War, many states have passed restrictive legislations that limited the use of languages other than English in public and private schools. In Nebraska, a parochial school teacher called Robert Meyer was condemned and fined because of the instructions that he gave to his students using the German language. At first, Meyer lost the case in the Nebraska Supreme Court which considered: “the teaching of German to children of immigrants was detrimental to national safety and in conflict with national self-interest”

(Wiley and Lee 8). In 1923, the US Supreme Court took another important decision that declared the Nebraska statute to be unconstitutional, since it violated the Due Process Clause of the fourteenth Amendment. Moreover, the decision included that; during peacetime, teaching foreign languages did not represent any menace to the national security, and thus no one can infringe the right of parents or teachers to teach their children and students the language they want (Wiley and Lee 8). *Meyer v. Nebraska* case was a realistic epitome showed the ability of the fourteenth amendment to provide some protection to languages other than English in the US schools.

The US Supreme Court witnessed many language-minority related litigations after *Meyer* case. In 1925, the governor of Hawaii Farrington introduced a legislation to limit the functioning of foreign language schools in the region, and of course the law was enacted as the “Foreign Language School Act of the territory of Hawaii” (Del Valle 41). Because of the huge number of Asian population that came especially from Japan, china and Korea, a considerable number of foreign language schools were open for non-English speaking students living there. The majority of these private schools, more than 140, were Japanese. Handed down in 1927 concerning the case of *Farrington v. Tokushige*, the US Supreme Court unanimously concluded that the territory of Hawaii’s law violates the Due Process Clause of the fifth and fourteenth Amendment. Wiley and Lee clarified the importance of this case:

“*Tokushige* has significance for heritage and community-based education today because these communities are often the prime movers in promoting languages other than English” (8). In other words, this case became a landmark in defending the right of local communities to decide about the education of their children.

While the first mentioned cases took advantage from the activation of the Due Process Clause of the Fourteenth Amendment, there were other injustice legislations illegalized through the employment of the other important clause of the same Amendment. The Equal

Protection Clause was the basis on which the US Supreme Court unanimously ruled a landmark decision in which the Plessey doctrine (1896) of “separate but equal” was outlawed. Before the 1954 *Brown v. Board of Education of Topeka* court decision, race-based segregation in public schools was a constitutional educational policy. But after the historical declaration written by Chief Justice Earl Warren in which he stated that this segregation violated the Equal Protection of the laws, this racial based separation in the American schools became unconstitutional. More precisely, Contreras and Valverde states the effects of the brown case on the educational policy towards minority communities: “The Court’s decision in *Brown* created not just desegregation strategies . . . but also instructional approaches such as title 1 programs . . . and bilingual and multicultural education” (470). Thus, this Court ruling landmark played a remarkable role in the gradual improving of the educational context for minority groups in the US.

Although the Fourteenth Amendment was ratified in 1868, it took long decades before touching its implementation on the ground. The controversy while interpreting what was written in the American Constitution played a significant role for this delay; the *Brown* case showed clearly that what was considered before the Supreme Court decision in 1954 as something constitutional was seen unconstitutional and illegal after. *Meyer*, *Tokushige*, and *Brown* Court rulings were the cornerstone that helped to a certain degree minority-language communities to possess an important legal weapon to defend their claims. The road is still long since pro- minority groups’ rights are asked to fight until passing clear and direct legislations at states and federal levels through which they guarantee the total protection of minority languages in public and private schools.

### 1.3. The Legal History of Bilingual Education in America

In the United States, bilingualism was always a common characteristic. As it is frequently assumed, masses of immigrants descend from various origins and places around the world alongside with the multi-ethnicity of the Native Americans represent the primary component of the American population. This fact entails that “English is not an indigenous language in North America, nor has the United States been in anyway linguistically homogeneous before, during or since its founding” (Wiley and Lee 2). Consequently, bilingual education was something prevalent during 18<sup>th</sup> and 19<sup>th</sup> centuries (Malakoff and Hakuta 1).

Before the end of 19<sup>th</sup> century, the education policy was managed and determined mainly by local actors; as Malakoff and Hakuta state “The school was supported entirely by the community, teachers were often recruited from community, and the language of instruction was frequently the language of the community” (1). The status of the different languages in America within schools was subject to the merits and the major languages spoken in a given community. For instance, there were both Spanish and English schools in New Mexico and California while French schools in Louisiana, in addition to German language schools in the mid-west (1). The acceptance and tolerance concerning minority languages existed in this period was incarnated and transformed into laws at both federal and state levels.

At the state level, Ohio was the first to legalize bilingual education in its schools in 1839. This step was a positive response upon the demands raised by parents of German origins calling for German-English instruction for their children. Afterward, in 1847, Louisiana passed a law permitted French and English instructions in its schools; the same thing was done in New Mexico for Spanish to be officially a language of instruction in 1870. By the end of 19<sup>th</sup> century, bilingual education was approved in a considerable number of states, thus many minority languages were a medium of instruction like Norwegian, Italian, Czech, Polish, and Cherokee (“History of Bilingual Education”).

However, in 1864, the enacted laws were not that encouraging since the first federal regulation passed in relation to bilingual education was restrictive, and prevented Native Americans from being taught in their own languages (“History of Bilingual Education/ESL...”). Such compelling legislations have not stopped at that point but “In the 1880s, the US government implemented an aggressive policy of coercive linguistic and cultural assimilation through its boarding school program that forcibly separated Indian children from their parents and communities” (Wiley and Lee 6). This law had been executed until 1934 when it was repealed by the Bureau of Indian Affairs (“History of Bilingual Education/ESL...”). Native Americans were not the only minority group which experienced oppressive plans against their native language.

By early 20<sup>th</sup> century, the German minority group was the dominant one in the United States. Therefore, at least 600,000 primary students were instructed, either partly or entirely, using the German language (qtd. in Loos et al. 3). A wave of anti-immigrant minority languages sentiment especially against the German minority prevailed the country, and it was strengthened with the participation of the United States in World War I and with the large number of immigrants entered the American territory at that time. Before, during, and even after the war, the Americanization movement played a decisive role in the decline of German along with other minority languages in schools. The latter led to a large number of states (34 states) to pass restrictive laws that prohibited teaching in German and languages other than English (Wiley and Lee 7). As a result of these coercive decisions, bilingual education was dismantled throughout the country until 1960’s, when new regulations would be adapted.

Until 1960’s, there were several reactions upon the aggressive legislations against language-minorities and in favor of English language. Thus, “by the early 1920s, several legal challenges had been raised to the U.S. Supreme Court against these restrictions” (qtd. in Wiley and Lee 7). The most prominent case was that of Meyer v. Nebraska (1923), in which

the Supreme Court has taken a landmark decision illegalized the Nebraska law, since it represented an infringement of the fourteenth Amendment of the constitution that guarantees Due Process (Del Valle 37). Despite the several positive court decisions illegalizing the restrictive laws in many states, the Americanization movement continued its campaign against all the threats on the American identity of the country. Unfortunately, foreign languages or immigrant languages were the first target.

Under the pressure of the Civil Rights Movement in 1960s, the American policy makers were obliged to assume numerous legislative reforms concerning minorities. The educational sector, particularly regarding language-minority students was one of the areas to be revised. The year of 1968 witnessed the enactment of the Bilingual Education Act (BEA). According to Wiley and Lee, this was the first step of the U.S. federal government to pay attention to the linguistic needs of language minority students (9). The BEA gave funding to many bilingual programs for Limited English Speaking Ability (LESA) students and, more importantly, “it encouraged instruction in a language other than English as well as cultural awareness” (Stewner 1). The Bilingual Education Act which also called Title VII was amended several times to serve the variable needs.

Along with the federal recognition to the establishment of bilingual education, attacks over language-minorities had never been stopped. The emergence of several organizations defending English-only policies had led many states to adapt this orientation and pass restrictions on the bilingual education in public schools as it was the case in California, Arizona and Massachusetts (Wiley and Lee 10). During the first decade of the 21st century, Bush administration came with new policies for education, and it was introduced under the No Child Left Behind Act (NCLB). This Act marked the beginning of a new policy toward language-minority students especially when all the references to bilingualism were deleted as Wiley and Lee argues: “The very term „bilingual“ has disappeared completely from federal



educational law and the broader educational policy discourse in the United States” (11). The sole focus of this new federal legislation is English and how to develop the English proficiency for the Limited English Proficient (LEP) students through appropriating funds to states. Legislation for limited English proficient students is found under Title III of (NCLB).

The multilingual nature of the American population gave rise to many disputes concerning language-related issues. Consequently, throughout the American history the way and the goals behind the implementation of the bilingual education programs were controversial subjects.

This was noticed from the changed legislations, either at federal or state levels; moreover, there were times when federal laws stated something in this concern while state enactments contained the opposite.

#### **1.4. Programs for Language-Minority Children**

Bilingual Education is mainly defined as the use of two languages in teaching academic content. However, the application of such type of education is generally characterized by its divergence, depending on the goal planned by each state or school district as well as the concerned population for whom the program is designed. Therefore, the United States” schools, mainly after the authorization of the bilingual Education Act in 1968, have witnessed diverse bilingual program models for language-minority students. Some models focus on maintaining the two languages, others aim solely at improving students” proficiency in English.

As the American population”s composition is plenty of diverse origins, cultures, social status, and spoken languages, it is not wondrous to find this difference while implementing a bilingual education. There are two main models of bilingual education in the United States; Del Valle describes well the map of “dual language” programs when she stated: “Bilingual education programs can be seen on a continuum with maintenance or developmental programs, with the richest use of the native language at one end of the spectrum, and

“structured immersion” classes (barely “bilingual”) at the other end” (220). Starting with structured immersion programs, ending with the maintenance programs, and depending on the context, this is how the dual language education took its path into application.

According to Dicker, the major purpose of structured immersion programs is “mono-lingualism in English”. To come out with this result, minority-language children are put in separate classes where all instruction is in English. Those limited English proficient (LEP) students are to be transferred into “mainstream classes”, after a planned period of time (116). This form of bilingual education gives no consideration or any value to the native languages, as the main goal, for social and political factors, is to make those minority-language children assimilate totally in the mainstream.

Transitional bilingual programs have the same goal as structured immersion programs but there is a slight difference in the way of implementation. Before stating the followed approach in such programs, it is worth to mention that this form of bilingual education represented the most prevalent one in the last decades (Cummins 1). In their first years, non-English speaking students and limited English proficient (LEP) students are used to have content area courses in their native language alongside with the study of English as a second language. After the targeted students acquire the necessary English proficiency, they are automatically mainstreamed into content area classes with English-only pupils (Del Valle 221).

Depending on the time spent by the learner, this model is categorized into two types of programs; Early-exit and Late-exit programs. In the first type, the transition to the mainstream program occurs by grade 2 or 3, while with the second type it takes place the whole elementary school before moving to a total content area courses in English (Cummins 8). The role of Transitional bilingual education is to serve as bridge for language-minority students to move from home language to English, and then to assimilate into the mainstream of the majority society. Both mentioned programs, structured immersion and Transitional bilingual

education, are to be classified, according to May, under the subtractive category since their main destination is to elevate learning in the predominant language among the LEP students (qtd. in “Successful Bilingual and Immersion...”; Roberts 373).

Another category of bilingual programs targeting language-minority children, but differs from the previous ones in terms of purpose includes: Maintenance bilingual education and Enrichment bilingual education. Dicker described this category as “a rarer breed” (117), due to its limited spread and implementation in the American public schools. The objective behind exposing non-English speaking students as well as LEP students to such kind of program is to maintain the minority language, in order to facilitate “the acquisition of literacy in an L2, on the basis of the developmental interdependence principle”(qtd. in “Successful Bilingual and Immersion...”). That is, if the student is highly proficient in the first language (home language), it will be easier for him/her to master the second language. Maintenance bilingual education and Enrichment bilingual education both share the intent to preserve bilingualism and biliteracy so; they are strongly additive. However, the latter model is more ambitious in a way that makes the goal not limited to linguistics. The real aim then is to reach pluralism and independent cultural groups (qtd. in “Successful Bilingual and Immersion...”).

It is clearly noticed that bilingual education in theory, in major situations, does not exist on the ground in the United States of America; of course, because the most implemented bilingual programs are those subtractive models which aim at mono-lingualism for minority children. Historical, social, and political factors play a greater role in deciding about the most accepted language related legislations in educations and thus it is similar for the bilingual education programs. The Bilingual Education Act of 1968 gave each school district the right to implement innovative programs in teaching English to LEP students, what made this Act to be very critical and decisive concerning the emergence of various bilingual education program models.

## **1.5. The First Federal Recognition of Language-Minorities Rights: The Bilingual Education Act from 1965 to 1994**

Before 1960s, the education of language-minority groups received harsh reactions from many opposing groups, mainly from the proponents of the Americanization movement<sup>1</sup>. However, the Civil Rights Movement and the War on Poverty stipulated the political conditions for the development of the Elementary and Secondary Education Act (ESEA) (Crawford, “Reauthorization of the Elementary...” 1). During the Civil Rights Era, when the nation’s main interest turned to the educational issues of minority groups coming from impoverished families, and of language-minority children, the bilingual education became a focal point (Del Valle 225). The status of language-minorities within the US public school systems had undergone a positive shift during and after the civil rights movement.

In 1964, President Lyndon Johnson set forth a new commission concerned with the educational issues referred to as “the Gardner Commission”, which was under the leadership of John W. Gardner. The central concern of the commission was to create a new ways of thinking for the federal education support (Thomas and Brady 52). The idea of the educational assistance was proposed to President Johnson’s War on Poverty agenda<sup>2</sup>. In particular way, the commission suggested that “federal education aid” should be managed according to certain conditions, including poor children’s education (qtd. in Thomas and Brady 52). Title VI of the Civil Rights Act, passed by the US Congress in 1964, set a “minimum standard prohibiting any segregation on the basis of race, color, or national origin” in the programs receiving federal financial support (Wiese and García 3).

In 1965, the Bilingual Education Act (BEA) was passed into law by Congress as a part of President Johnson’s Great Society program<sup>3</sup> (Crawford 1; Del Valle 226). The central goal of the legislation was “to equalize education opportunities and assure that every child can develop to his or her inherent mental capacities” (Alford 483). Title I was the largest funded

section of the legislation, and its main aim was “to provide financial assistance to the local educational agencies serving areas with high concentrations of children coming from low-income families to expand and improve their educational programs by various means” (qtd. in Kirts and Jung 6). The Bilingual Education Act of 1965 aimed at equalizing education opportunities among all minority and dominant groups, and to provide assistance to local schools, ensuring the education of the impoverished children.

Despite that the general idea of the ESEA was largely accepted, its expanding federal role in education received some unfavorable opponents. One of the most discontent opponents was the National Education Association, which strongly disagreed with the expenditure of federal dollars on private schools (qtd. in Thomas and Brady 3). The drafters of the ESEA stated explicitly their position towards the federal national control over education, explaining that the federal government could not “exercise any direction, supervision, or control over curriculum, program of instruction, administration, or personnel, or over the selection of any instructional materials in any educational institution or school system” (qtd. in Thomas and Brady 3). The task of federal government in the legislation of ESEA was restricted to funding, and it did not interfere in the school instructional programs designed for the bilingual learners.

Senator Robert F. Kennedy doubted that private schools would know how to manage the federal funds to achieve the targeted goal of ESEA. He assumed that the failure of children was linked to “disinterested and inefficient” school leader (McLaughlin 3). Kennedy conditioned the allocation of Title I monies upon making an “evaluation mechanism” which might keep schools responsive to the appliance of the program. He declared that his support to the ESEA was conditioned upon the addition of “reporting requirement” and to guarantee that school leaders would be responsive to their constituents, and to make children’s academic achievement the measure of success in judging ESEA. These “reporting requirement” were to ensure that parents, who were previously disconnected and uninformed, would know the new

developments made by the program. Besides, Kennedy hoped that reporting provisions of ESEA would help impeding local educational institutions from controlling information about the effectiveness of the program. He hoped that these reporting requirements would force education agencies to emphasize their attention on the needs of disadvantage children and to enable parent stakeholders to “negotiate from a position of strength” (Mclaughlin 24).

The bilingual Education Act of 1965 or ESEA encouraged innovative programs designed to support the education of language minority students coming from families of low-income, but it did not require developing education programs regarding the use of the student’s native language as an instructional language in addition to the English one. In 1968, the US Congress passed a significant legislation authorizing local schools to provide bilingual education programs for students with “Limited English Proficient” (LEP), and it was Title VII of the Elementary and Secondary Education Act which turned the federal attention to the educational issues of impoverished students (Del Valle 226). Although the 1968 act offered services to student of poor background, provision to the act in 1974 ensured that bilingual education programs touched all students of limited English proficiency. Furthermore, while the provision of 1974 made students with limited listening and speaking skills eligible for the program, the modification made to the act in 1978 ensured that students of limited proficiency in other skills, writing and reading were also accepted in the programs of special services (qtd. in loos et al. 20). The BEA of 1965 was extended to embrace other programs dedicated not only to the impoverished students, but to all students with limited English proficiency.

An amendment to the act in 1978 made the students of English-language speaking eligible to the program (qtd. in loos et al. 20). This amendment did not only gave the opportunity to the students of native-English speaking acquiring a foreign language, but it also stressed that “non-native speakers” can preserve their native language. Most significantly, was the integration of “language-minority students and language-majority students” in the same

programs to avoid any practice of segregation and discrimination (Ovando and Combs 66).

As it is concerned with the students of native-English speaking, bilingual education programs designed primarily to the students with Limited English Proficiency, became inclusive and responsive to all the students regardless of their speaking language and social status.

Title VII witnessed many changes from 1968 to 1994. In 1994, the new modifications stressed a new set of principles for the supporting of minority students, emphasizing the positive impact of the bilingual education on cognitive and social development, and its positive influence on the US economy. The new act of 1994 also heightened the need “to provide minority students with an equal opportunity to learn the challenging content and high level skills that school reform efforts advocate for all students (Ovando and Combs 68). The Title VII hence resulted in significant funding of the educational instruction of language-minority students but, at the same time it ensured the integrity of the educational content and environment of language minority students. The Title VII was eliminated in 2002, and replaced by No Child Left Behind Act (Loos et all. 21).

The Bilingual Education Act was reauthorized in 1994 and replaced by the Improving America’s School Act. The legislation’s central goal was to “develop bilingual skills and multilingual understanding” (qtd.in Crawford 19). The outcome of this expanding legislative law was the enhancement and establishment of developmental bilingual education, which included “two-way” bilingual programs. These programs continued to provide services for both mainstream and language-minority students. Both groups benefited from the programs to develop their skills and to acquire a second language (qtd. in Neito 4). Improving America’s School Act of 1994 was the strongest reauthorization of the Title VII in promoting bilingualism for English Language Learners (ELLs).

Since the Civil Rights Era, the education of language minority students has witnessed many changes in favor to the bilingual education, but the admission of those programs was

highly critical, and many opponents show their disagreement, supporting the English-Only laws. Thus many acts after the Title VII of the Elementary and secondary education Act emerged to articulate new restrictive language policies.

### **1.6. The English Only Movement Legislation**

Since 1981, 22 states have passed laws recognizing the significance of English language to their social and civic life. In one hand, these laws are labeled “Official English” laws mainly by their proponents, who argue that “private bilingualism and minority languages usage is not being targeted”. In other hand, they are called “English-Only” laws, usually by their opponents who demonstrate that the hidden target is the minority languages. This legislation can be considered as an attempt to merely acknowledge the power of English in the country, or it may have a greater impact on restricting the languages in which the government can operate. In one way or another, disputes over language minority use, and the degree of the government’s support of those languages have received a little attention (Del Valle 55).

The English Only (EO) movement was established in 1983 by the US English organization (Loos et al. 10). It was the movement that attempted to make English the official language at the national and state level (Bosiak 1). Senator S.I. Hayakawa, one of the US English organization founders and a major proponent of the EO movement, stated in 1982 his view of the great influence bilingualism may have on the US and the threat it may pose to the unity of the country (qtd. in Loos et al. 10).

Since 1982, the immigrants’ numbers has continued to increase, accordingly, the number of non-English languages, spoken in the US, has also witnessed a dramatic rise, the 2000 US census reported a total of 322 languages. English-Only movement supporters held the idea that not only the “mutual linguistic intelligibility” would be ensued, but the cultural equity as well provided that English were to be declared as the official Language (Kramsch 74). In his book *Language and Culture*, Kramsch states that, by declaring English as the official



language, US English seeks to enhance American citizens' educational, economic and social status (75). For the proponents, English was seen as a means of the US unification and the language which might lead to the educational, social, and economic advancement of people.

For opponents, Official English was synonymous with English-Only; a "mean-spirited" attempt to coerce Anglo-conformity<sup>4</sup> by terminating essential services in other languages. The amendment posed a threat to civil rights, educational opportunities and free speech, even in the private sector. It was an insult to the heritage of cultural minorities, including groups whose roots in this country go deeper than English speakers; Mexican Americans, Puerto Ricans, and American Indians. Worst of all, the English-Only movement served to justify racist and nativist biases under the cover of American patriotism (Crawford 3).

Opponents reject the idea that national unity can be reached through language use restriction policies (Boisak 3). James Crawford, the director of the Institute for Language and Education Policy, and his subcommittee presented a testimony regarding proposals to declare English as the official language. They believe that such English only legislation is „ill-advised“: “harmful to individuals, to the nation, and to the goal of language learning” (Crawford, “Official English Legislation...” 1).

At the national level, since Senator Hayakawa first introduced his amendment, attempts to make English the official English of the US has been introduced in every congress season. In 1996, proponents succeeded in passing bills in the House of Representatives and in the Senate in 2006 and 2007. But each time the legislation failed to be taken up by the other chamber (“The History of U.S. Language...” 9). The English-Only movement, emerged in 1980s, came as reaction to the increased bilingual education programs implemented in the US public schools. It criticized the use of languages other than English in the school instructional programs, which in accordance to their regard saw the bilingual education as a menace to the US conformity.

### **1.7. The Maintenance of Racial Disparities within the U.S. Public Schools.**

The Fourteenth Amendment with its Equal Protection and Due Process clauses sought to protect minority-language rights. Then, the landmark decision in *Brown v. Board of Education* stood for the proposition that the federal government had to prohibit states and municipalities from denying equal educational opportunity to a historically oppressed racial minority, Blacks. This legislation had an impact on the educational improvement of other language-minority groups. Furthermore, the Civil Rights Movement has resulted in the legislation of several acts assisting the educational status of language-minority groups.

Since 1960s, language-minority status witnessed positive shifts in the US federal and states legislative policies, therein; the bilingual education was reapproved and expanded to the 1970s. However, despite these significant policy initiatives that supported the maintenance and use of languages other than English in education and civic life, federal and state governments did not seriously address the educational needs of minority students and other historically stigmatized groups unless forced to do so under the political pressure brought by such groups (Wright and Ricento 286). The changes in the US educational policies towards language-minorities did not guarantee an equal education for those minority groups, however; deficiencies were remarkable in those legislative policies reflecting in negative outcomes in the minority students' academic advancement.

Despite this progress since the 1960s, racial inequity remained a prevalent flaw in the United States' public school systems. This inequity is manifested in different ways: "continued racial isolation in American schools; the massive inequity in resources between majority-minority schools and majority White schools; and the unequal treatment of racial minority students within schools, regardless of degree of desegregation". These factors operate to weaken the economic social and political power and opportunities of racial minorities in the US, perpetuating the "second-class citizenship" that has defined their status

throughout the American history (“Discrimination in Education”). The US educational efforts seemed to support the education of minority groups, but those programs were difficult to be implemented, that is because of negative tendency towards minority racial groups.

About educational inequities, Darling-Hammond, President of the Learning Policy Institute states:

Americans often forget that since the late of 1960s most African-American, Latinos, and Native American students attended a totally segregating schools receiving federal funds very low than those serving whites and were eliminated from many higher institutions outright. The end of the legal discrimination pursued by attempts to equalize funds expenditure since 1970 has resulted in a positive change in students’ achievement . . . . Nevertheless, the education of minorities continued to be separate and unequal. Two-thirds of minority students still attend schools that are predominated by minority students”. (2)

In support to that, a new Civil Rights report published by the University of California, Los Angeles, reveals that 44 percent of the US schools are of colored race, and minorities are rapidly developing as the majority of public school students in the United States. The two largest minority groups, Latinos and Blacks today, attend schools which are more racial than during the Civil Rights movement, forty years ago. In the two minority groups, two of every five students attend “intensely” discriminatory schools. . . (Orfield 1). Data in hands prove the overrepresentation of race in the US public schools which continue to draw a line of color between minority groups and whites.

Low academic achievements of minority groups is not merely the result of the separation policy adopted by public schools in the US neither it is merely the result of unequal federal funding to these schools. But, it is also the consequence of the enactment of English-Only legislation in many states. Mei-Yu states that “the legislation of English-Only laws in many

states does not only threaten the academic advancement of many language-minority children, but it also denies these children from many social advantages due to the use of their mother tongue". Wong-Fillmore and Gibson have declared that the costs of losing a mother tongue for language-minority children are often extensive and severe (qtd. in Mei-Yu).

Between 1990 and 2013, Limited English Proficient (LEP) population increased 80 % from approximately 14 million to 25.1 million. This growth came mainly from the increase in the immigrant LEP population. The most intensive growth was during 1990s as the LEP population increased 52 %. The growth rate later decreased in the 2000s and since that time, the number of the LEP population has fixed. Over the past two decades, the LEP portion of the total US population has grown from nearly 6 % in 1990 to 8.5 % in 2013 (Zong and Batalova). This indicated that the US is not a monolingual nation as many scholars and politicians believe, but rather is multilingual nation and imposition of English-Only laws does not serve this ethno-linguistic diversity.

Research done by Cummins, of the Ontario Institute for studies in education at the University of Toronto, supports a basic principle of bilingual education: to ensure that children's academic and linguistic performance in second language is maximized, their first language skills must be developed. Cummins's Developmental Interdependence theory and Thresholds theory suggest that the growth in a second language is based on the development of the first language, and children must acquire a certain academic level of proficiency in both the native and second languages to accrue the benefits of bilingualism ("Bilingual Education-Need..."). Because of the tremendous increase in the LEP population, and the need to protect language-minority rights, US public schools can no longer ignore the need for adjusting instructional programs to better serve these groups.

Throughout the history of language-minorities in the United States, the sector of education undergoes many shifts in attempt to equalize education opportunities between whites and

minority groups. However, there were always flaws in the legislative policies taken by the federal and state governments in that concern. A notable deficiency is that these legislations did not give much attention to the students' native languages, and focused more on assimilating those students programs instructed mainly in English language. Furthermore, several researches have proved that separation between whites and colored groups still exist at large scale.

Throughout the US educational history of minority groups, African Americans have an exceptional education conditions; African American students receive an unequal education opportunity, attending special classes within the US public schools which reflects the high rate in their academic failure and dropouts. Jordan states:

throughout the Civil Rights Project of Harvard University<sup>5</sup>, research studies have been conducted to describe the degree to which African-American and other minority children are "disabled" and receive a special education programs in restrictive educational environments. Many of those research studies were gathered and presented in the book *Racial Inequity in Special Education*, providing a bad picture of the continuing overrepresentation and discrimination of African American children within special education classrooms in the US public schools. (1)

In support to that, Office of Special Education Programs (OSEP) prepares the Annual Report to Congress on the Implementation of Individual with Disabilities Education Act (IDEA). The Annual Report includes data from the US Department of Education, providing the number of students receiving special education and the extent of students' cultural background diversity. The Annual Report of 2000 has shown that overrepresentation of African Americans in special education was considered a challenge to provide equal education for all children in America. Data presented in 1998-1999 school year, indicates that African American students were, first, 2.9 times as likely as white students to be labeled "mentally retard". Second, they

were 1.9 times as likely to be labeled “emotionally disturbed”. Third, they were 1.3 times as likely to be labeled as having “learning disabilities” (“Addressing Over-Representation ...” 5). By virtue of these data, measures indicating the troubled educational status of African American students are clear, but the causes that stand behind this exclusive educational status of this minority still unexplained.

Many research studies have been conducted to investigate the causes lead to the underachievement among African American students. It has been noted that specific characteristics to African American students help shaping teachers’ expectations. For instance, one proof shows that kindergarten teachers have low expectation of the academic capacities of African American students who use their dialect or spoke “Black English”, and raise their expectation of African American students who use “Standard English”. Besides, teachers show consistent patterns of behaviors towards students for whom they have low expectations . . . . These negative expectations and behaviors have been proved to skeptically affect African American students academic achievement (Jones-Wilson et. all 3).

Indeed, students of color, especially African American students are less likely to be enrolled in programs for the gifted and talented students, and are disproportionately placed in special education programs. Thus, as it has been noticed, the cultural background, socioeconomic status, schools instructions, and teachers’ expectation, all together contribute in persisting unequal, highly-frequent low academic results of African American students comparing them to their white counterparts. Another crucial factor was their historical status as they were slaves since their arrival into America. The African Americans struggle for their rights especially the educational ones still continue till the present days.

## Endnotes

1. Americanization movement. In the early 20th century, activities that were designed to prepare foreign-born residents of the United States for full participation in citizenship. It aimed not only at the achievement of naturalization but also at an understanding of and commitment to principles of American life and work ([britannica.com](http://britannica.com)).
2. War on Poverty. The term "war on poverty" generally refers to a set of initiatives proposed by Johnson's administration, passed by Congress, and implemented by his Cabinet agencies. As Johnson put it in his 1964 State of the Union address announcing the effort, "Our aim is not only to relieve the symptoms of poverty, but to cure it and, above all, to prevent it." ([The Washington Post](http://The Washington Post)).
3. Great Society program. Lyndon B. Johnson enacted nearly 200 pieces of legislation known as the Great Society, an unprecedented and bold set of programs aimed at improving Americans' everyday lives ([The Washington Post](http://The Washington Post)).
4. Anglo-conformity. Anglo-conformity is one of the theories of assimilation involving the position and idea that immigrants should learn English, adapt to numerous norms, values and institutions as a way of conformity to integral Anglo-American society and the wider Anglo-Saxon majority ([ukessays.com](http://ukessays.com)).
5. The Civil Rights Project of Harvard University. A report issued in June 1999 by The Civil Rights Project at Harvard University and researchers at Harvard Graduate School of Education finds that students in U.S. public schools are becoming more segregated by race and class ([civilrights.org](http://civilrights.org)).

## **Chapter Two**

### **Disputes over the Historical and Linguistic Origins of Ebonics**

Over its history, the coasts of the United States witnessed the arrival of immigrants numbered by millions from all over the world. Beyond the coming of any immigrant there was a narrative, either full of hope and ambition or full of pain and subjugation. The latter type of narrative was common for millions of immigrants of African descents, particularly those who arrived before the American Civil War, who were brought to this land against their will. Their unique story influenced negatively the lives of African slaves and their descendants for centuries and at all levels; whether it was cultural, social including education, legal, economic, or political. Among the affected aspects was the African American culture, more precisely the language of communication in addition to the most paramount factor in a person's success in any society, education.

This chapter sheds light on the hardships that confronted the African American minority in the United States. Giving at first place an overview on the conditions that characterized African slaves journey from their native lands until landing the new world and establishing their own community with its special culture and language. Subsequently, the focus goes to the struggle of this minority group to gain some privileges towards a normal status that makes them enjoy their constitutional rights as American citizens who deserve an equal quality of educational circumstances without any racial based proceedings. Through the fight for their claimed rights aiming at improving the education of black children, African American elites contributed to the emergence of many debates and the most prominent one is that of Ebonics, which is to be tackled in this section in terms of its historical and linguistic origins.



## **2. I. The Story of African Americans along with their Home Speech ‘Ebonics’**

### **2. I. 1. The Exceptional Historical Status of African Immigrants in the United States**

Unlike the other minority groups especially those of European descent who came to newly discovered land as colonizers or voluntary immigrants looking for better life, the story behind the first coming of black people particularly those from Africa was full of coercion and servitude. This involuntary immigration of Africans into America during the colonial period and even after the Declaration of Independence in 1776 had its negative effects on their legal and social situations there, and which lasted centuries until nowadays. African immigrants and their descendants suffered and struggled a lot before they gained their status as human beings at first place than as US citizens who could enjoy their Constitutional rights like all other American citizens.

From 1600s until the mid-1800s, the life of black immigrants, especially Africans, was that of an enslaved and exploited people who were owned by whites as personal property. Before their arrival to the United States, they had been captured and kidnapped in their homelands by slave traders then put in masses onto boats by force to be sent to the unknown. Historically, the first black immigrants to arrive to North America were during the 16<sup>th</sup> century but not from Africa directly since they came with European explorers as indentured servants lived and worked with white people in Europe before (Berlin). However, the coming of the first black immigrants direct from Africa was in 1619 into Jamestown: “They had been captured in Western Africa, forced onto the Dutch ship, and brought against their will to the New World. They were the first African immigrants to arrive in North America” (Worth and Asher 16). Subsequently, these brutal conditions that surrounded the arrival of the first waves of African immigrants were not that promising concerning their lives later on.

But before describing the life of African immigrants in the new world, it is important to give some information and statistics about the slave trade at that time called the Atlantic Slave

Trade. In this concern, Raymer states that: “Between 1650 and 1860, as many of 15 million Africans were kidnapped and forced into slavery. While the vast majority were transported to South and Central America and the West Indies, about a half million came to North America”. Of course, because of the need for slaves whose number increased in North America, this kind of profitable trade flourished and led to the establishment of the English Royal African Company in 1672. This company as Worth and Asher says, was responsible for gathering African slaves in its trading posts called “factories” along the western African shores before transporting them to the colonies (19). In addition to the brutal kidnapping of those slaves then selling and purchasing them like any other commodity, they suffered a lot on the ships due to the hard conditions they were put in, mainly because of the large number grouped on the boat, and thus many of them died before reaching the other side of the Atlantic ocean.

African slaves who could survive, then landed their new homeland, found themselves as goods in slave markets. For white planters especially in the South where the economy was based on farming, African labor was so profitable since it was very cheap. While men slaves were obliged to work hard in tobacco, rice or wheat fields and even building without pay except giving them some food and poor shelter, women worked in whites’ houses and helped in cooking, laundering, gardening and child-rearing (“What was Life Like...”). If it happened and those slaves could marry and form families, their children and descendants would inherit this kind of difficult life as the enslavement of black Africans became something normal and legal.

Virginia was among the first states to pass laws legalizing slavery in 1661. Before this, such laws were not different from those for indentured servants, who may include white servants, but later on and exactly in the mid-17<sup>th</sup> century the legislations started to distinguish between races. Re Negro John Punch (1640) was a case that showed clearly the growth of racial discrimination while dealing with indentured servants; three indentured servants, two

whites and John Punch who was a Negro, escaped but were recaptured. The ruling was that both white servants were to be whipped thirty times and to complete another four years of the bondage, in contrast John Punch was punished to stay the rest of his life as a servant (qtd. in "Slavery and Indentured Servants"). African slaves suffered a lot from the slave codes, or laws, passed and implemented by many colonies under the pressure of plantation owners and justified by black people's inferiority ("Slavery in America..." 3). These codes considered slaves as a slave owners' property and deprived them of autonomy or any human rights enjoyed by other immigrants.

African slaves were required to work hard from sunrise to sunset to guarantee the growing of their masters' profits. And any deviations from this type of life like "running away, failing to complete assigned tasks...learning to read, arguing with whites, working too slowly, possessing anti-slavery materials, or trying to prevent the sale of their relatives" caused many of them to cruel penalties" ("Slavery in America..."). An example of how much it was harsh these penalties, Robert Asher states: "In 1707, Virginia planter Robert Carter received permission from the local court to cut off the toes of two of his slaves, who had disobeyed him" (24). So, the status of involuntary African immigrants was that of „animals“ instead of human beings.

Despite these difficulties, African Americans succeeded in establishing a separate community characterized by its unique culture and language. They lived in slave quarters which were not far from their masters' houses and fields, in these quarters African Americans formed families and had children. In such occasions, having a child, the parents tended to invite the other slaves to the naming ceremony in which the child was going to be given an African name regardless the fact that it would be changed by their masters. Therefore, African Americans were used to have two names. Concerning language, the black slaves mixed the different African languages they brought with them in addition to English in order to

communicate with each other as well as with their owners. The same was for religion since they blended Christianity with their African values and beliefs (Worth and Asher 25). So, African slaves attempted and worked to constitute, continue and improve their lives as a challenge to the cruel and oppressive environment that the majority found themselves in.

Throughout the history of slavery in America, there were always rebellious acts, both personal and collective, on the harsh conditions African Americans were obliged to live in. Henry Louis Gates in his “Did African American Slaves Rebel?” mentions the five greatest rebellions in the United States, among them was Stono Rebellion in 1739 that was led by about 20 slaves who were „seasoned soldiers“. Those African rebels drove a campaign that lasted for more than a week in which many slaveowners were killed. In similar way, other revolts took place: the New York City Conspiracy of 1741, Gabriel’s Conspiracy in 1800, German Coast Uprising in 1811, in addition to Nat Turner’s Rebellion of 1831. Violent rebels were not the only way employed by African slaves and instead there were music and singing through which they expressed their anger, outrage, sadness and peeve.

Winds of freedom for some slaves came with the Declaration of Independence in 1776. Worth and Asher point out that “perhaps the most important phrase in that declaration was that „all men are created equal”” (28). Many African slaves fought for the independence, what pushed whites to free them as a reward, and even a number of states normally northern ones passed legislations to abolish slavery. However, Southern States opposed severely the idea of ending slavery. As a result, this issue is considered as a major reason towards the Civil War (1861-1865). In this war, African Americans largely took the unionists’ side that aimed at ending slavery as Reis says “more than 200,000 blacks served in the Union army and navy” (15). The result of the Civil War would significantly change the lives of African Americans from slavery into freedom after passing the first of the three Reconstruction Amendments in 1865, the Thirteenth Amendment.

Getting freedom for African Americans after centuries of enslavement was a big step towards an equal status with whites, but it remained one step in a long road. It was not easy for both blacks and essentially whites to adapt the new situation. Thus, African Americans found themselves again victims of discrimination as well as subjugated to racial segregation laws implemented in all settings and sectors of life. Among the institutions that witnessed racial segregation were the educational ones “as part of the Jim Crow laws, which were affirmed by the US Supreme Court’s 1896 Plessy vs. Ferguson decision upholding the concept of „separate but equal”” (Jones-Wilson et al. 367). At the educational sphere, African Americans struggled, and still do, to achieve their claims that demanded just an equal status like all other American citizens

### **2. I. 2. The African American Educational Development**

Education, denied for them under slavery, was essential to the African American understanding of freedom. Young and old, the freed people flocked to the schools established after the Civil War. However, those schools practiced other segregating laws upon the African American students who fought for an equal education throughout their history in the public schools of the US. To better understand the status of blacks’ education, it is necessary to understand the historical events that helped shape that status. An understanding of the social political position of black Americans is needed.

Education in the South, before the Civil War and Reconstruction, was limited to the elite and noble people. Those who were able to learn went to private institutions or private teachers who taught them “the classics and the three R’s: reading, writing, and arithmetic”. With the uprising of the Civil War, changes regarding the education of blacks have been drawn. The Emancipation Proclamation<sup>2</sup> and the Thirteenth Amendment<sup>3</sup> brought freedom to the formally enslaved people. With this freedom, newly freed people with their supporters in the North recognized that education could be the key to better life . . . (Willis 1).

After the Civil War and during the Reconstruction era<sup>4</sup> (1865-1877), slavery was abolished, it is “on December 18, 1865, on which the US Congress ratified the Thirteenth Amendment in which slavery was abolished” (Reconstruction Era ...”). In the meantime, the Bureau of Refugees, Freedmen and Abandoned Lands, also known as the Freedmen’s Bureau, was created by Congress in March 1865. Its aim was to provide assistance to the boomed African American demand for education, but it did not hire teachers or operated schools itself. The bureau rented buildings for schoolrooms, offered books and transportation for teachers, oversaw schools, and guaranteed a military protection for students and teachers against the opponents of black literacy (Butchart).

The Freedmen’s Bureau was an attempt to enhance the lives of blacks in different sectors of life, among them was education. However, from its outset, the bureau faced challenges from different sides. Besides white Southerners, another strong opponent was Andrew Johnson, Abraham Lincoln’s Vice President, who assumed office in April 1865, after the President’s assassination. Johnson confronted the Congress decision about the bureau legalization and its tenure extending. Johnson vetoed the decision on the basis that it interfered with the states’ rights, and it would cost the federal government huge fund expenditure. But, Congress in the same year overrode the president’s veto and passed the bill . . . (“Freedmen’s Bureau”).

The Freedmen’s Bureau made many efforts to uplift the lives of blacks in the different areas of society, but due to the opposition it received from several sides, the bureau did not last for long. In July of 1868, Congress passed a law to close the Freedmen’s Bureau. By 1869, General Howard, the head of the Department of War that managed the Freedmen’s Bureau, had ended most of the bureau’s programs but those associated with educational services. However, the Freedmen’s Bureau was entirely closed in 1872 (“The Freedmen’s Bureau”). Though the task of the Freedmen’s Bureau ended, the social and political status of

African Americans continued to be a central issue in American politics. During the Reconstruction era, Southern States passed laws to ensure the inferiority of blacks in the American society.

The situation of African Americans after their emancipation did not seem much better than it was previously, however, laws were passed to stress and ensure their inferior position. These laws were called Jim Crow laws. They were referred to a stage character performed by a white man named Thomas Rice. The character was an old black man, called Jim Crow, who “grinned and shuffled across the stage” showing his respect to the race. Jim Crow laws were passed to affirm that African Americans would “know their place” and be like Rice’s character (Worth 64).

Jim Crow laws set forth a doctrine of a legal policy of US apartheid. Historian C. Vann Woodward has argued that Jim Crow came out as a result of the “reconciliation” of divided whites during the Reconstruction era (qtd. in Lomotey 365). At the expense of African American rights, whites resolved their economic and political conflicts, resulting in the “institutionalization” of African American inferiority at all the facets of Southern life. Therefore, Jim Crow provided the approval of law to racial exclusion that was extended to all sectors of life, education among them (Lomotey 365).

In 1890, under the harsh conditions of that time, “colored schools” in Winter Park, Florida, were opened for the first time to African American children (“The African American...”).

The impact of Jim Crow laws on the education of blacks was extremely racial and unfair. They ruled that the educational system and schools became legally segregated. Jim Crow laws were affirmed by the US Supreme Court’s 1896 Plessy v. Ferguson decision sustaining the concept of “separate but equal” ( Jones-Wilson et al. 67).

On May 18, 1896, the Plessy v. Ferguson case emerged. The US Supreme Court, by seven-to-one majority established the constitutionality of the “separate but equal” doctrine<sup>5</sup>. Plessy

v. Ferguson was the major interrogation into the meaning of the Fourteenth Amendment equal protection clause; it provides that no state shall deny to any person within its jurisdiction “the equal protection of laws” (Duignan).

The case began in 1892 in a civil complaint, Plessy, who was one-eighth black, got on a train in New Orleans and sat in the care reserved for whites only. Plessy refused to leave in order to prompt a case about the legal segregation. In 1896, after years of trials appeals, the US Supreme Court ruled that “separate but equal” was fair, and was not a violation of the Fourteenth Amendment that requires the equal protection to all. This ruling led to the extending of black segregation in the South (“Jim Crow and Plessy...”).

The “Separate but equal” doctrine was rapidly extended to cover many sections of public life and pushed many states to set large abusive laws to legally dismiss all African Americans to an inferior status. Offensive laws were passed to forcibly separate blacks from whites in every area in the US society including education, restrooms, hotels, public transportation, sports, hospitals, prisons, and even cemeteries. The Plessy v. Ferguson decision was a major setback in race relations; it legalized racial discrimination and subsequently authorized more than 50 years of legal segregation and unequal opportunities. Furthermore, it made communication between blacks and whites difficult and impeded African American social progress for decades onward (Johnson).

That was the status of African Americans after the Civil War and Reconstruction era, in which the abolition of slavery did not give blacks much freedom and rights. However, more segregated laws were passed blocking the blacks’ advancement in every aspect of the civic life. Despite all this offensive and unfair legal treatment, African Americans continued in their struggle towards a life of dignity. Until 1954, the “separate but equal” doctrine was defined as the national norm. But several collective and individual efforts came later to inveigh against the US segregated policy over Blacks.



The National Association for the Advancement of Colored People<sup>6</sup> (NAACP) launched its first voice to the people of the US on Lincoln's Birthday, February 12, 1909. It was neither an organization nor a committee; it was only a group of people who signed on a proclamation against the treatment of the Negro in the United States (Ovington 2). An official organization was established by 1910, under the presidency of white attorney Moorefield Storey and William Walling as a chairman of the executive committee, and W.E.B. Du Bois as a director of the publicity and research. The NAACP grew rapidly, and by 1913 had eleven branches and 1.100 members nationwide. This growth was a result of mainly the efforts presented by Du Bois the editor of the *Crisis*, the organization's official magazine of publication (Jones-Wilson et al. 314).

The organization's main goal was to raise the issues related to educational segregation to the courts, first at the graduate and professional level, without triggering a direct attack on the legality of "separate but equal" doctrine. Since 1930s, the National Association for the Advancement of Colored People has been fighting in the courts for the desegregation of schools (Horton 172). The NAACP had a great role in shaping the history of African American education, resulting in making positive changes in many states.

Throughout its journey to desegregate schools, the NAACP won a series of great victories in the courts. In 1953, the Maryland Circuit Court of Appeals ruled in *Murray v. Maryland* that because the state did not provide a law school for African Americans, the University of Maryland had to admit Donald Murray, the black student. In 1938, in *Missouri ex Rel Gains v. Canada*, the US Supreme Court ruled that the State of Missouri had to admit Lloyd Gains to the University School of Law or establish a law school for African Americans. These Supreme Court decisions had an impact on Southern States' policy, pushing them to reexamine the policy of giving blacks, who sought a graduate and professional education, "tuition out-of-state" (Jones-Wilson et al. 93).

In 1950, the NAACP started its campaign against the legal doctrine “separate but equal” established in the *Plessey v. Ferguson*. In a series of cases it proved that educational equipments and facilities provided to black students were not equal to those provided for whites. Then, after a huge scholarly testimony, showing the devastating effect of segregation at the social and psychological levels, the NAACP had attempted to prove that separation on the basis of race was “inherently unequal”. Five desegregation series were declared in different states from 1950 to 1952. The 1954 Supreme Court decision regarding the case of *Brown v. Board of Education of Topeka* declared segregation in public schools to be unconstitutional (“NAACP”). The NAACP organization had a determined role in eliminating many educational barriers for the black students. However segregation against the colored people lasted for long.

### **2. I. 3. The Emergence of Ebonics Debate**

The problems that faced ethnic minority students were not merely related to the federal and state funding assistance. However, the issue of language of instruction had a great significant role in the academic achievement of those groups. Section 1703(f) of the Equal Educational Opportunities Act of 1974, forces educational institution not to “deny equal educational opportunity . . . on account of race, color, sex, or national origin” because of their failing in holding appropriate procedures to overcome language barriers that hinder students’ participation in instructional programs (“Black English and...”).

In the 1960s, linguists turned their focus to the English of African Americans. In 1966, psychologists Carl Bereiter and Siegfried Engleman claimed that “African American four-year olds were coming to preschools unable to make statements of any kind and seemed to have no language at all. It is clearly demonstrated in William Labov’s essay “The Logic of the Nonstandard English” and in his book *Language in the Inner City* that African Americans spoke “an expressive, sophisticated, and grammatical dialect of English” that has “logical

rules” which is distinctive “in a certain regular respect” from those rules of the standard English (qtd. in Baron, “Language and Education...” 1).

Consequently, some educators sought to use this new knowledge to the education of African American children, either by setting up African American English reading texts, or developing programs to teach to translate from their “dialect” to Standard English. However, majority of schools continued to treat the language of black children as more than “bad English” in need to correction, or they approved Bereiter and Engelman’s “deficit theory” which suggested that language-minority children need to be taught English once they got into school (Baron, “Language and Education...” 1). The African American language during the 1960s started to receive the attention of many educators, scholars, and linguists. However, its status within US public schools was underestimated as it was considered as slang, or as bad English. This exhibited a negative impact on the academic achievement of black students.

### **2. I. 3.1. Martin Luther King Junior School Children V. Ann Arbor School District Board**

In *Martin Luther King Junior Elementary School Children v. Ann Arbor School District Board*, a group of black students claimed that a school board had infringed section 1703(f) by failing to carry out procedures to overcome a language obstacle emerging from children’s Black English dialect. The plaintiffs, the court noted, did not ask for the right to receive instruction in Black English, demand for substantive courses in Black English, or assert that the school provide dual instruction in both Standard English and Black English. However, they wanted the school to “identify children who speak Black English” and force teachers to account for their dialect when teaching those students how to read (William et al. 9).

Apparently, the case concerned two questions. First, is Black English (BE) a separate language or simply a dialect? Second, what is the relationship between Black English and school achievement? In fact, after the trial emerged lawyers for the plaintiffs and the defense

were negotiating the reason behind the underachievement of poor Black English students in comparison to their white middle class counterparts. Lawyers representing the Ann Arbor school Board, however, argued that African American students' rights had not been violated.

Moreover, the school system recognized Black English as a dialect rather than a separate language. Thereby, Black English was not considered as a reason behind African American student's failure to learn to read and write (Yellin 3).

Judge Charles Joiner responded to the plaintiff's claims, holding that their case created a section 1703(f) language barrier, and that the barrier hindered the children's ability to read Standard English, consequently interfering with their equal participation in their school instructional program. The court decision held that the school board had to set up a plan to provide its teachers with available information about Black English, and to help them using this knowledge in teaching African American students to read Standard English ("Black English and..." 3). The case of *Martin Luther King Junior Elementary School Children v. Ann Arbor School District Board* had brought into the debate sphere a new language-related issue, concerning the nature of Black English and its effects on the African American students' academic success.

### **2. I. 3. 2. Theories of the Origins of African American Vernacular English**

There are many expressions used to refer to the mother tongue of African American population. Nonstandard English and nonstandard Negro English were commonly used in the 1960s, Black English and Black English Vernacular in the 1970s and 1980s, and African American English and African American Vernacular English (AAVE) since the late 1980s. Black English is often considered to be an inferior form of speech compared to other American vernaculars, especially to Standard American English. This prejudice has lasted for long, and even at the present time.

In the 19<sup>th</sup> century, AAVE was regarded different from the other white vernaculars, and its distinctiveness was based on “the genetic inferiority or the deprived social environment of Afro-American people”. However, this regard was not supported by linguistic evidence. By the mid-20<sup>th</sup> century, linguists started to consider AAVE as a vernacular in its own right. That is, with the analysis of the linguistic structures and systems, attention to the early development of AAVE came to the forefront. This has resulted in many scholarly disputes, and the formulation of many hypotheses concerning the origin of AAVE (Nyrke). Over the past half century, the study of AAVE underwent several major shifts in hypotheses about its genesis and early development.

The theory of the early development of AAVE that dominated the first half of the twentieth century is referred to the Anglicist hypothesis, which takes its name from its regard to the AAVE origin. It identifies the roots of Black English with the origins of other American dialects, namely British English. According to this theory, from the 17<sup>th</sup> century on, slaves in the Southern United States were speaking a variety of West African Languages, including Hausa, Ibo, and Yoruba. And they learned English, but imperfectly, from the plantation controllers and slave masters (Finkelman 154). Briefly speaking, this view holds the idea that slaves brought with them to America a variety of African languages, and that their language contact to other communities, especially of British English speaking has resulted in the development of AAVE. Over years, slaves abandoned their heritage of African languages, and acquired other regional and social varieties of white speakers.

By the 1960s, the Creole hypothesis emerged to replace the Anglicist one. This hypothesis provides a respective regard to the African American culture, as embedded in the Civil Rights movement and argues the continued significance of native African Languages in developing “slave’s plantation English”. According to this hypothesis, slaves in the past were separated in order not to execute any kind of rebellion. The Language brought by slaves thus, became

Pidgin of English and their several African languages. The pidgin became a Creole: a language developed from the mixture of two languages, both of them are considered speaker's first language. The new slaves learned Creole from the old slaves of the plantation (Finkelman 155). To sum up, the Creole hypothesis view towards the development of AAVE is that the African American Vernacular English development is a result of a hybrid process between African-descendant languages and other languages spoken by whites.

The Neo-Anglicist hypothesis emerged in the 1990s acknowledging that since AAVE has diverged, so it is now quite different form contemporary white vernacular speeches. Poplack asserts that "AAVE originated as English, but as the African American community solidified, it innovated specific feature" and that "contemporary AAVE is the result of evolution, by its own unique, internal logic" (qtd. in Wolfram and Thomas 27). Labov set the most recent view about the historical development of AAVE as follows: "The conclusion of all the studies carried out about AAVE historical origins, is that many important features of the modern dialect are the creations of the 20<sup>th</sup> century and not an inheritance of the 19<sup>th</sup> century (qtd. in Wolfram and Thomas 27). This means that the language of African Americans in North America has changed greatly over the centuries, and its new features are the result of the increasing contact between African Americans and other immigrants.

Similar to the Anglicist hypothesis is the Neo-Anglicist hypothesis. It maintains a British English origin for the AAVE, but it indicates that AAVE possesses many features which make it different from other American vernaculars. All the previous hypotheses have widened the debate over the historical origin and the linguistic features of AAVE. The dispute would continue further resulting in the development of new linguistic studies to validate or refute the status of AAVE whether it is a separate language or a divergent dialect as other American vernaculars.

## 2. II. Ebonics in the Linguistic Community

### 2. II. 1. Language V.s Dialect

What makes the linguistic debate over the issue of Ebonics endless and more complex is the ambiguities of meaning present in the two linguistic terms “language” and “dialect” themselves. In most usage “language” is super ordinate to “dialect,” but the measures on which a given speech variety can be regarded as a language or a dialect is not fixed.

Deciding that a given speech variety is a language or a dialect does not merely rely on the linguistic grounds; however, there are other basics on which this decision can be made.

These grounds are social, geographical, and political.

Linguists make a distinction between two speech varieties based on the concept of “mutual intelligibility”. If a speaker of form A can understand a speaker of form B, they speak two dialects of the same language; however, if they cannot understand each other, they speak two different languages (“How Immigration Change...” Mcwhorter). There are other linguistic criteria on which speech varieties are distinguished. Rickford states that: “one most significant variations or differences within languages occur at the level of lexicon, phonology, grammar, and usage” (“How Linguists Approach...”). However, the concepts of “a language” and “a dialect” are not exclusively linguistic notions, but also involve social and political factors.

The distinction between what should be called a language or dialect cannot be made on linguistic criterion alone, particularly on the basis of the common sense criterion “mutual intelligibility”. “Because neither mutual intelligibility nor the existence of political boundaries is decisive, it is not surprising that a clear-cut distinction between language and dialect has evaded linguistic scholars” (Fromkin, Rodman and Hyams 446). Similarly, Peter Trudgill’s *Sociolinguistics: An Introduction to Language and Society* has this to say on the subject: “The criterion of „mutual intelligibility“, and other purely linguistic criteria are, therefore, of less

importance in the use of the terms language and dialect than are political and social and cultural factors ...” (4). Nevertheless, regardless of how evasive or of lesser importance linguistic criteria are, most of the linguistics literature leaves the distinct impression, either implicitly or explicitly, that linguistic criteria are crucial. In other words, ultimately the decision about what is a language and what is a dialect cannot be made without the expertise of linguists.

## **2. II. 2. Linguistic Disputes over Ebonics: Legitimate Language vs. Dialect**

In 1973, Ebonics was a new term introduced by the psychologist Robert L. Williams at a conference discussing the “cognitive and language development of the black child” in St. Louis, Missouri” (Baugh, “Ebonics and its Controversy” 307). The reason beyond introducing such a term by Williams and his colleagues was their resentment at the term Black English, as it did not determine precisely the language spoken by African Americans’ ancestors. Therefore, Williams and his colleagues tended to join „Ebony“( black) with „phonics“(speech sound) in order to “describe the linguistic consequences of the African slave trade in West Africa, the Caribbean, and the USA” (308). As an interpretation, coining the word Ebonics came with a view to present the African American language as a separate language from English.

Many researches and studies were done and published in attempts to define, justify, and argue about the linguistic standing of the African American language, Ebonics, whether it is a separate language or a dialect of Standard English. Rickford mentioned that “the first modern large-scale linguistic studies of African American speech-communities began [in 1960s]”, which were carried out by many scholars including William Stewart (1967, 1968, 1969), Walt Wolfram (1969, 1991; Wolfram and Christian 1989; Wolfram and Clarke 1971), William Labov (1972) in addition to John Baugh (1983), John Rickford, and Geneva Smitherman (1981, 1986, 1994) (Spears 4). In their path towards deciding about the status of the African



American language, scholars and linguists directed their efforts to find out the base that the features of Ebonics derived from.

As it is explained above, two major conflicting hypotheses controlled the modern discussion about the linguistic grounds that Ebonics was derived from; the Anglicist Hypothesis and the Creolist Hypothesis. Labov asserts that “the entrance of black linguists into the field was critical factor in the further development of the Creole hypothesis and the recognition of the distinctive features of the tense and aspect system” (165). Many black linguists, anthropologists, and psychologists like Robert L. William, Ernie Smith and Mervyn Alleyne advocated the view that Ebonics is distinct from Standard English. However, there were others who defended the English base of Ebonics as John McWhorter.

Linguists and scholars, who adopted the view that the AAL is another language than a dialect of Standard English, justified their stand by Ebonics’ distinguished syntactic, phonetic, morphological, phonological and semantic systems, in other words its distinct grammar. In his explanation of the criteria which should be followed when classifying or setting up relationship between languages, Palmer contends that:

For...words are often borrowed by one language from another as a result of cultural contact . . . what constitutes the most certain evidence of relationship is resemblance of grammatical structure, for languages retain their native structure even after their vocabularies have been swamped by foreign borrowing, such as has been the case for English. (qtd. in Smith 50)

Building on this, what results a certain linguistic system to be considered as a dialect of another is the criterion of continuity in the rules of grammar. For Ebonics, Mervyn Alleyne stresses the fact that studies done on the grammars of Ebonics alongside with English spoken by Europeans and Euro-Americans showed the difference between the two. The rules that govern the African American speech are those of the Niger-Congo African languages (125).

However, some would respond and question: why not using vocabulary or the etymology of lexicon as the major criterion to classify languages? Smith simply answered that if this criterion was taken into consideration, the English language would not be categorized under the Germanic languages family instead of Latin or Romance language family. Most of English lexicon is Latin and French thus through a logical reasoning Black English must be called “black Latin” or “black French” (52-53). This is briefly the major arguments given by proponents of African American speech to be an African Language System.

On the other side of the debate, there were dialectologists who embraced Ebonics as a dialect of English view. This group of scholars did not ignore the fact that the AAL is systematic, rule-governed, and exhibit certain features came from Western African languages, but this did not convince them to give it a separate language status. Baron while explaining his dialectologist position said that “we can say two people use the same language-or dialects of that language- if they can understand each other’s speech. If they can’t communicate, they are speaking separate languages” (“hooked on Ebonics” 2). Logically, since African Americans speaking Ebonics are able to communicate with others using other dialects of English, considering Ebonics as a dialect of English should not be questioned or raise any linguistic debate according to this view.

Generally, dialectologists tried to focus attention on the idea that starting such a debate especially from those who want to give Ebonics a separate language status is politically and culturally driven. This was clearly stated by Baron in his saying: “Afrocentrists may see a political and cultural advantage in calling AAVE Ebonics and treating it as an independent language” (“hooked on Ebonics” 2). The geopolitical role to determine the standing of many linguistic systems, without giving any significance to linguistic criterion, is clearly seen in many cases around the world including “Swedish, Norwegian and Danish [which] are really dialects of a single language “Scandinavian”, but are considered separate language because

they are spoken in separate countries” (McWhorter, “Wasting Energy on...” 9). Likewise, “Mandarin and Cantonese are not mutually intelligible, yet both are [dialects of] Chinese” (Baron, “hooked on Ebonics” 2). The fact that the majority of linguists treat the AAVE or Ebonics as a dialect of English rather than a separate language give a solid and powerful support to the second argument.

To conclude, and despite the strong disagreement, both competing linguist groups agreed upon an important thing which is the fact that Ebonics, whether it is an independent language or a dialect of Standard English, is considered as legitimate, systematic and rule governed speech rather than lazy, slang, or broken English as it was stereotyped for a long time. Historically, the issue of AAL was limited only to specialists like linguists, anthropologists, psychologists. However, after the declaration of the Oakland School Board’s Resolution in 1996, the issue of Ebonics became a prime concern for many actors at the political, social, educational, and legislative spheres, in addition to the ordinary people who used to hear the term Ebonics for the first time.

### **2. II. 3. Major Linguistic Features of Ebonics**

Linguists who were interested in studying and discovering the African American speech had tried in many of their works, mainly starting from 1970s, to provide descriptions of AAVE/Ebonics features. Such descriptions tended to be a very strong and a scientific prove used by defenders of Ebonics in front of their opponents confirming and stressing the systemic, and the distinctive nature of many African American speech patterns from Standard English (SD). In certain ways, this research paper will be incomplete without giving the reader some descriptions and examples from the African Americans’ every day speech called Ebonics. That is, under the title above and throughout the coming lines the reader is going to learn some merits of Ebonics and its unique features along with linguists’ explications.

Toward a well-established reading and rational comprehension of the home speech of African Americans named Ebonics, a set of scholars generally linguists took the initiative to search, study, and write on the linguistic features of Ebonics. Making their works a major and to some extent the only reference for every one interested. In this respect, Rickford gave a brief overview listing major works on Ebonics features. According to him and in terms of lexicon, there is no trouble due to two good works done by Major (1994) and Smitherman (1994) in addition to many “shorter, popular AAVE phrase books around, like Anderson (1994) and Stavsky et al. (1995)” (“Phonological and Grammatical...” 3). On the other hand, the matter for works on phonology and grammar is not that satisfactory at certain levels (3).

Continuing with phonology and grammar, Rickford again states that Fasold and Wolfram’s article (1970) is one of “the most complete and accessible descriptions of AAVE phonology and grammar”. However, the main deficiency is its “outdated terminology” such as the use of the term “Negro dialect” along with its coverage that misses some features was not discovered at that time (Phonological and Grammatical...” 3). There are also other works published after, have approximately the same shortcomings like Dillard (1972), Burling (1973), and Baugh (1983). Smitherman’s book (1986) entitled *Talkin and Testifyin: The Language of Black America* makes an exception since it approaches the issue in a helpful way for non-linguist readers to comprehend, although the work contains certain flaws as the previous mentioned ones (3-4).

Briefly, it is natural that any work may miss some features or stress certain aspects than others depending on scholar’s vision and designed purpose, and it is the role of the rest to revise, refute, or complete the studies through other articles, books, or monographs. The most important thing is the existence of such initiatives to study the African American speech then explain it scientifically far away from giving any judgments based on personal emotions and

stereotypes said in the streets or through the media on the language of Americans of African roots.

The American main stream definitively considers Ebonics as an incorrect or broken speech of Standard English. In other words, for them “AAVE is just English with 2 added factors: some special slang terms and a lot of grammatical mistakes” (Pullum 41). On the contrary, persons specialized in the field of human speech and through their writings like the previously stated ones in addition to many others refused this negative conception and thinking about AAVE. The distinction of Ebonics from Standard English and other American English vernaculars is based on many unique phonological as well as grammatical features such as: the reduction of word-final consonant, deletion of word-final single consonant, final consonant devoicing, absence of copula, use of invariant be, multiple negation, use of double models...Etc.

Focusing on some phonological features, the African American speech is characterized by the reduction of word-final consonant, deletion of word-final single consonant, and final consonant devoicing. For the first trait, the final consonants are left out in words ending with clusters. For example, mist, blind, hand, desk in Standard English (SE) are mis“, blin“, han“, des“ in Ebonics. The omission happens when both consonants have the same voicing (Green 107). The other declared feature is the absence of word-final single consonant as in ma“ [mæ] for “man” in SE and ca“ [kæ] for “cat” in SE (Rickford, “Phonological and Grammatical...” 4). Consonantal variation in AAVE includes also devoicing final plosives. That is, speech sounds /b, d, g/ become /p, t, k/ respectively. For instance, bad in SE is pronounced as [bæt] in Ebonics, pig in SE is [pɪk] in Ebonics. Adding to the mentioned distinctive features, Table 1 presents additional consonantal traits while table 2 introduces a number of vowel variations, both of them includes examples for more understanding.

**Table 1:** Consonantal variation in AAVE

<b>Consonant variation</b>	
<b>Name</b>	<b>Examples</b>
ask/aks alternation	I aks him a question
ing/in alternation	He's runnin' fast
/r/ vocalization or deletion	occurs in words such as in <i>four, father, car</i>
/l/ vocalization or deletion	occurs in words such as <i>school, cool, people</i>
final consonant reduction in clusters	<i>find</i> as <i>fine</i> ; <i>hand</i> , as <i>han</i>
single final consonant absence	<i>five</i> and <i>fine</i> as <i>fie</i>
final consonants can be devoiced	<i>bad</i> as <i>bat</i>
initial /th/ as [d]; final /th/ as [d,t,s,z,f,v]	<i>they</i> as <i>day</i> ; <i>with</i> as <i>whiff</i> , and <i>with</i> as <i>wit</i>
/s/ as [d] before /n/	<i>Isn't</i> as <i>idn't</i> ; <i>wasn't</i> as <i>wadn't</i>
glide [j] as consonant	<i>computer</i> as <i>compooter</i> ; <i>Houston</i> as <i>Hooston</i>
/t/ as/k/ in a <i>str-</i> cluster	<i>stream</i> as <i>scream</i>

Charity, Anne Harper. "African American English: An Overview." Williamsburg, VA:

The College of William and Mary. Web. 04 Aug. 2016.

**Table 2:** Vowel Variation in African American Vernacular English/ Ebonics

<b>Vowel variation</b>	
<b>Name</b>	<b>Examples</b>
pen-pin merger before nasal consonants	<i>pen</i> as <i>pin</i> , <i>ten</i> as <i>tin</i>
/iy/i/, /ey/ /e/ merge before /l/	<i>feel</i> and <i>fill</i> ; <i>fail</i> and <i>fell</i> rhyme
diphthongs as monophthongs	<i>oil</i> and <i>all</i> ; <i>time</i> and <i>Tom</i> may rime
/er/ as /ur/ word finally	occurs in words such as <i>hair, care, and there</i>

Charity, Anne Harper. "African American English: An Overview." Williamsburg, VA: The

College of William and Mary. Web. 04 Aug. 2016.

At the grammatical level, the most noticed feature described by Pullum as “the most popular myth about AAVE” is the omission of copula (45). The auxiliary “is” and “are” is absent in the African American speech “for present tense states and actions, as in “he tall” for SE “he is tall” or “they running” for SE “ they are running” (Rickford, “Phonological and Grammatical...” 6).

Pullum stressed the systemic nature of this absence as a response to those who say that the deletion of the copula is out of ignorance. That is, there are rules about how and where the copula should be omitted or should not. For instance, the copula cannot be absent, if it is negated like in “I ain’t no fool” for “I am not a fool” (45-46). The same happens when the copula is in the past tense (was/were), or when it is a first-person singular such as “I’ m all right” (46).

The use of *be* to express habitual and recurring situations is another distinctive feature of Ebonics. So, instead of “He is usually busy” or “she is always/repeatedly walking/walks” in SE, an African American speaking Ebonics would say “He be busy” and “She be walkin” (Ronkin and Karn 366; Hana 4). Besides the absence of copula and the use of habitual *be*, there are plenty of other grammatical features differ from that in Standard English stated in table 3.

**Table 3:** Grammatical features in African American Vernacular English

<b>Grammatical variation</b>	
<b>Name</b>	<b>Examples</b>
negative concord/multiple negation	<i>He doesn't see anything as He don't see nothing</i>
irregular verbs may be regularized	<i>I saw her as I seened/seent her</i>
<i>done</i> may be used to mark distant past tense	<i>He failed out ages ago as He done failed out</i>

<i>ain't</i> may be used as an auxiliary verb or copula	<i>He isn't shy as He ain't shy</i>
double modals may be used	<i>I could have done that as I might could have done that</i>
subject-verb agreement is not required	<i>They weren't there as They wasn't there</i>
the copula may be deleted where it can be contracted in SAE	<i>She is funny and She's funny as She funny</i>
stressed BIN may be used to mark the completion of an action.	<i>I finished long ago as I BIN finished my homework</i>
the use of <i>steady</i> and <i>come</i> to mark habitual action	<i>He is always talking as He steady talking</i>
the auxiliary <i>had</i> may be used with the simple past tense	<i>What happened was as What had happened was</i>
existential <i>it</i> and <i>dey</i> are used to mark something that exists	<i>There is a dog in here as It's a dog in here</i>
A plural may be unmarked	<i>fifty cents as fifty cent</i>
A possessive may be unmarked	<i>my mama's house as my mama house</i>
third person singular verbs may be unmarked	<i>He talks too much as He talk too much</i>
hypercorrected forms may occur where AAE has a variable form	<i>I had to go to the store as I haddeded to go to the Store</i>
inversion of subject and auxiliary is not obligatory in questions	<i>Is he behind me? as He is behind me?</i>
Relative clauses are not obligatory	<i>You are the one that she knows as You the one she knows</i>
the copula BE may be used to mark habitual action	<i>He talks nonstop as He be talking all the time</i>

Charity, Anne Harper. "African American English: An Overview." Williamsburg, VA: The College of William and Mary. Web. 04 Aug. 2016.

In fact, several linguistic features said to be a marker of Ebonics and as a result different from that in Standard English are also common in other American white vernaculars,



moreover exist in distinct standard languages around the world. To illustrate, the deletion of /r/ as well as the use of double models presented in Table 1 and Table 3 respectively are frequent in Southern White Vernaculars, multiple negation presented in Table 3 was regular in Old English and it happens in formal French (Hana 1-3). Furthermore, the absence of copular in the present tense is additionally occurs in Swahili, Hebrew, and Russian (4). After knowing such facts, every one may question the reason behind mocking, degrading, and devaluing African Americans' speech and not doing so with French or Russian languages.

Is it out of ignorance even for people supposed to be the nation's elite? Or is it due to the historical social status of African Americans? The answer can be composed of the two in addition to many other factors. It is real that the African American speech, marked by the previously explained features, was considered in the American mainstream as lazy, broken, incorrect, and non-systemic dialect of English without any objection or questions, until the Oakland School Board in California decided the opposite. This landmark decision represented the starting point towards a new season in the story of Ebonics, the mother tongue of a large number of African Americans.

## **2. II. 4. The Oakland Unified School District's Resolution**

The debate surrounding the legitimacy of the language systems utilized by Americans of African descent is not new. From the era slavery till the late 19<sup>th</sup> and early 20<sup>th</sup> centuries, the dominant popular culture marginalized African American language systems, representing them as divergent from normal and even legitimate human communication. Throughout the 20<sup>th</sup> century, debates regarding the legitimacy of African Vernacular language systems have reached its climax point. One of the most controversial issues which still continue till the present days is the Oakland Unified School District's (OUSD) resolution, declaring Ebonics to be the primary language of African American students in Oakland's schools.

In a decision that touched on educational, language, and racial issues in the United States, “. . . Oakland, California School Board, on December 18, 1996, passed a resolution affirming Ebonics to be the primary language of its 28,000 African American students” (Baugh, “Ebonics and its Controversy” 305). The Oakland’s resolution had mainly two aims; first, to recognize and proclaim the “legitimacy and richness of the dialect; second, integrating Ebonics in classroom instruction, in order to enhance “the standardized tests and grade scores of African American students in reading and language art skills” (Matthew 2). These were the stated main goals of the Oakland’s resolution which were further clarified by the School Board.

The policy of the OUSD is that “all pupils are equal and are to be treated equally”. Therefore, all pupils who have low English proficiency, and whose difficulties may be an obstacle in their learning process in classrooms where English is the language of instruction, are to be treated equally regardless of their race or national origin. . . . Asian Americans, Latino Americans, Native Americans, and all the other language-minority students are benefiting from the general funds for bilingual education, and state and federal (Title VII) Bilingual Education programs designed for students with both limited English Proficiency (LEP) and No English Proficiency (NEP). Thus, the School Board entitled African American pupils to be equal to other language-minority pupils and to be tested, and if it is appropriate, they shall be provided with general funds and state and federal (Title VII) Bilingual Education and English as Second Language programs to address their LEP and NEP needs (Baugh 39-40). According to OUSD, African American students were viewed as bilingual learners who accounted for language barriers, and thus need to be treated as other bilingual groups.

The Oakland board carried out studies to evaluate the status quo of its African American students, reaching the followings findings: African American constituted 53% of the total Oakland Unified School District’s enrollment of its 51,706 students. They accounted for the

largest portion of students who were facing learning barriers in the district. 80% of suspended students and 67 percent of students classified as truant were blacks. 71% of the students enrolled in Special Education were African American, but only 37 percent of those enrolled in Gifted and Talented Education classes were blacks. 19% of the 12th grade African American students did not graduate, and the 1.80 grade point average of African American students represents the lowest GPA in the district (J. Rickford and R. Rickford 164). The OUSD did not take its decision concerning the education of black student haphazardly. However, its decision was based on touchable findings.

Press stories misrepresented the actions of OUSD by broadcasting several misconceptions about the resolution. Among those misconceptions were; Ebonics was declared to be taught instead of English, and the district was trying to classify Black English speaking students as bilinguals, accepting the use of slang. In addition, the implementation of Ebonics in classrooms instructions would impose an act of segregation in an already racially divided school district. Moreover, the OUSD was trying to filch the federal and state funds.

However, the School Board had provided its legislative intent, in which it issued a revised version of the resolution on January 15, 1997, providing a number of clarifications. One clarification was that the phrase “genetically based” did not mean based on genes, but rather was “used according to standard dictionary definition of “has origins in” (qtd. in Lakoff 234). In other words, Ebonics has its origins in Africa. Furthermore, the OUSD was not replacing the teaching of Standard American English with Ebonics, but the OUSD provided its teachers and the parents to address the diverse languages brought by students into classrooms. Its central objective was to build the language skills of African American students without devaluing their distinctiveness (Ramirez et al. 121-122).

The media presentation of the resolution was instructive because it reflected how underlying ideology may shape the interpretation and representation of language issues. After

the declaration of Oakland Unified School District's resolution, an explosion in the U.S. legislative, linguistic, institutional, and even ordinary people reaction have reached an unprecedented duplicate. Consequently, many legislative acts have been declared against the OUSD's resolution and the bilingual education as a whole. The OUSD's resolution has turned the history of language-minority in the U.S.

The historical status of African Americans in the U.S. has witnessed many changes. From their arrival until the 1860s, blacks lived a brutal life under slavery. They were deprived of all the social, economic, and political rights as they were a property in hands of their masters. Teaching slaves to read was discouraged and prohibited, in order to keep them under white's control. The era between 1865 and 1954 was characterized by many clashes between African Americans and whites at the judicial level. As the Thirteenth Amendment abolished slavery, the African American desire for freedom and to get their rights increased.

The educational section underwent several changes due to blacks' struggle for an equal educational opportunity. Despite the segregated laws passed by the Federal Supreme Court, states government, and school local districts, the 1954 Brown decision grant all minority groups the right for an equal educational opportunity. From the 1960s, with the legislation of the Bilingual Education Act of 1968, language-minority students benefited from the U.S. federal funding and state bilingual programs developed to assist the education of students with Limited English Proficiency and with No English Proficiency.

Most of all language-minority students were eligible for those programs. However, African Americans were denied bilingual education because of their African American language, which was regarded as inferior to all other American vernaculars and languages, mainly American Standard English. As African Americans demand for their language right raised, opponents of bilingual education started launching their campaigns calling for the officialization of English as the national language of the United States.

The acceptance or rejection of Black English, the language of African Americans, has been a societal dilemma for many decades; numerous studies have convincingly shown that the Black English speakers were rated as less credible than speakers of Standard American English. However, one major school decision about the legitimacy of Black English, Ebonics, was that of the Oakland Unified School District's resolution, which considered Ebonics to be a separate language, and regarded African American students as bilingual learners eligible for the bilingual education programs. The OUSD's resolution triggered the legislation of many acts concerning the issue of Ebonics especially, and the bilingual education in the US as a whole.

## Endnotes

1. The Reconstruction Amendments. Or the Civil War Amendments, are the Thirteenth, Fourteenth and Fifteenth Amendments that are found in the US constitution. The Thirteenth Amendment was the one that legally abolished slavery in the United States, while the Fourteenth Amendment helped to redefine what was considered citizenship in the United States. For the Fifteenth Amendment, it gave males the right to vote regardless of race, color, or previous status (Laws. com).
2. The Emancipation Proclamation. President Lincoln read the first draft of this document to his Cabinet members on July 22, 1862. After some changes, he issued the preliminary version on September 22, which specified that the final document would take effect January 1, 1863. Slaves in Confederate states which were not back in the Union by then would be free, but slaves in the Border States were not affected (abrahamlincolnonline.org).
3. The Thirteenth Amendment. The 13<sup>th</sup> Amendment to the Constitution declared that "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction." Formally abolishing slavery in the United States, the 13th Amendment was passed by the Congress on January 31, 1865, and ratified by the states on December 6, 1865 (loc.gov).
4. The Reconstruction Era. The term Reconstruction refers to the efforts made in the United States between 1865 and 1877 to restructure the political, legal, and economic systems in the states that had seceded from the Union. The U.S. Civil War (1861–65) ended Slavery, but it left unanswered how the 11 Southern states would conduct their internal affairs after readmission to the Union. Though some legal protections for newly freed slaves were incorporated into the Constitution by the Thirteenth, Fourteenth, and Fifteenth Amendments, by 1877, conservative Southern whites had reclaimed power and had begun to disenfranchise blacks (thefreedictionary.com).
5. Separate but equal doctrine. The phrase separate but equal describes the legal philosophy that underpinned institutional racial segregation in the late 19th and early 20th centuries, and is most associated with two U.S. Supreme Court rulings. The first case, Plessy v. Ferguson, in 1896 upheld the legality of the segregation of public facilities, so long as equivalent facilities were provided for each (dictionary.com).

## **Chapter Three**

### **The US Responsive Policy towards Ebonics Recognition within its Bilingual Education Programs**

The closing decade of the 20<sup>th</sup> century was an especially vigorous period for public debates about language in the United States. The most controversial issue of language during the 1990s was related to the African American Black English, or Ebonics. This issue came to the global attention on December 18, 1996 when the Oakland Unified School Board District (OUSB), California, passed a resolution declaring Ebonics to be the predominantly primary language of its 28,000 African American Students. The OUSD resolution provoked a media blitz and public furor caused by the media misinterpretation to the school board resolution. The Ebonics language issued through this school board proclamation triggered the reaction of public opinion including, educators, linguists, scholars, and politicians.

This chapter will explore the US responsive policies towards the Oakland School Board (OSB) resolution regarding the Ebonics language. Media coverage to the issue will take place at first, explaining how Ebonics was mediated and presented through Press, TV and radio talk shows, and magazines. Then, the chapter will go further to discover the educators, linguists, and scholars views and responses into the same concern. Next, the Ebonics controversy will jump up to the US legislative and congressional decisions to clarify the role of the political dimension in making an underlying ideology about languages. In this concern, light will be shed on the different statutory laws about Ebonics in precise and the bilingual education in general. Finally, the chapter will end with a future prediction about the bilingual education and language-minorities in the US.

### **3.1 Media Misrepresentation to the OSB Resolution**

Few people had ever heard of Ebonics before it was alleged to be the language of Oakland's African American students. Shortly after the Oakland School Board resolution on December 18, 1996, Ebonics became one of the most mass-mediated phenomena during the Christmas days and the first months of 1997. The term proved to be highly controversial and evoked strong reactions among people from all races. Accordingly, the OSB resolution sparked the tyrannical reaction of journalists, pundits, columnists, and commentators over the policy adopted by the school board in regard to its African American students.

During days of the school board announcement, the members of the school board district could not go outside their homes without being under journalists' siege. They were condemned, taunted, and attacked in newspapers and magazines around the entire world (Pullum 39). The problem lies in the fact that the language being recognized by the Oakland school board district was not Spanish, German, or French or any such relatively recognized languages. It was the language of African American population, the language of people who were slaves for centuries in the US.

By the first week of 1997, more than 2500 articles, editorials, columns, and letters in daily US newspapers, from Seattle to New Orleans to Boston, were reporting the "landmark policy" of the Oakland school board resolution, in addition to the huge coverage on Television, and in journals, magazines and newsletters. The "fever" would last throughout much of the winter, with Ebonics stories appeared on page one and delivered at the head of evening news (J. Rickford and R. Rickford 182). The issue of Ebonics emerged since 1973 kept being the talk of linguists for decades; however, the OSB edict made Ebonics a heated debate at the level of the US mass-media for many decades onwards.

The weeks following the OSB resolution witnessed a great media upheaval against the issue of Ebonics. America Online and other Internet Chat lines, a large Television broadcast



and radio talk shows, news programs and cable networks across the nation embarked in a heavy attack against Ebonics. Besides to the numberless calls to print media editors, newspapers such as *The New York Times*, the *Philadelphia Inquirer*, *San Francisco Examiner*, *Pittsburgh Post-Gazette*, *Wall Street Journal* and *USA Today*; magazines such as *News week*, the *New Republic*, the *New Yorker*, and *Jet*; and educational literature such as *Black Issue in Higher Education* and the *Chronicle of Higher Education* all assigned discussion on Ebonics (Coleman and Daniels 3).

The first wave of reports considered the act of the school board as an attempt to replace the teaching of English with the teaching of Ebonics, in spite of that the aim of the resolution was clear on this point; the school board policy was intended to “improve the English language acquisition and application skills of African American students” (Longres and Harding 222). This shows how the statements of OSB resolution were misinterpreted, leading to a huge public uproar over the school board decision.

The US media went intensively in reporting the decision of the school board, without a careful scrutinizing into the statements of the resolution. As it is described in the words of J. Rickford and R. Rickford: “The media went berserk; radio talk shows chattered, news wires buzzed, Television sets hummed, and magazines and newspapers from coast to coast churned in article after article chronicling, analyzing , and in many cases misinterpreting or maligning the Oakland initiative” (181) . This shows how the US media was surprised by the OSB resolution, and went competitively in reporting its edict without any linguists, scholars, or expert consultation to the words of the resolution.

The press stories delivered about Ebonics were highly incorrect, untrue, and misleading. The national press hit on the original resolution, condemning the members of the school board for their “explicit” linguistic affirmation as lamentably misleading (Baugh, “Ebonics and its Controversy” 314). What was generally perceived and reported through press stories is that

the members of the school board were implementing a false policy that would mislead, and lower the educational level of the African American Students.

One common charge; mockery, ridiculed, and outraged was that the Oakland board resolution was an attempt to promote “street slang” to the level of Shakespeare (O’neil 1). However, the term “slang” was not mentioned within the words of the resolution, which confirms that the media had a primordial role in shaping the public opinions about any national event or issue. An editorial in New York Times a few days after the first news reports reported that the Oakland school board “had declared that black slang is a distinct language.” In this concern Pullum stated that “the New York Times” statement about slang was completely untrue, and the writers should be ashamed of themselves, so should all the newspapers and magazines that followed them. He argued that the school board never mentioned „slang“ and never intended to imply anything approving about it (40).

While *the New York Times* called it a “blunder” to give “black slang” significance in classrooms. The *Times* rejected the OSB policy by labeling African Americans as “linguistic foreigners in their own country”, the OSB adopted policy will surely “stigmatize African American children” while legitimizing habits of speech that bar them from the cultural mainstream and decent jobs. The *San Francisco Chronicle* editorialized that Oakland “was doing its students a disservice” in that, the Oakland was going through uncertain academic path in order to elevate the educational level of its black students. . . . A Nigerian journalist writing in the *Detroit News* said that African Americans “should not be encouraged to cling to a dialect that is bound to increase their alienation from their brothers and sisters in Africa, their fellow Americans and of the English-speaking world” (qtd. in Baron 3). The African American language in the media’s perception was totally distortive and invalid for the blacks’ education. In this view, Oakland was harming the future of the African American students.

The issue of Ebonics was not merely criticized, but also mocked; it lent itself to many stupid puns and jokes. The *Economist* printed a short story entitled “The Ebonics virus”, invalid reference to the then-recent spreading horrible Ebola fever in Zaire. People quickly invented “other-onics”, from Ebonics; words to mock the idea of African American separate language (Pullum 40). Other satires and cartoons, like mimics of “Hebonics, Bubbuhonics, Yankeeonics, Bronxonics, and Dilberonics” featured the discussion, stripping the issue of Ebonics from its educational and multicultural framework, politicizing it (Baugh 146).

What becomes evident is that the US media adoption for the issue of Ebonics was far from the essence of the Oakland resolution aim. They did not focus on whether the bilingual education program the Oakland declared for its African American students would be successful or not. However, they emphasized the issue of language itself which was proved linguistically to be systematic. White critics were not alone in inveighing against the OSB resolution, many black journalists, pundits, columnists, and commentators also rejected the Oakland edict. A black columnist, Walter Williams, stated: “I be talk has no tie to African heritage.” He and many other critics wrote a part or all of their columns in dialect, mainly to justify African Americans’ speech “backwardness”. In Williams words: “Y’awl might axin me why Ah be writin dis way.” He suggested that his readers would mistake the passage as Black English. In fact, he maintained that the passage was a mixture of “regional dialects spoken throughout the South and West of England during the 17<sup>th</sup> century and “transplanted” in America in later years. William asserted that people in the South of America retained such “ill-bred” speech patterns, and the Black English has little or nothing to do with Africa, it is a variety of English (qtd. in J. Rickford and R. Rickford 194).

The African American opinion towards the Oakland school board edict did not diverged from that of white critics; they held the same view about their home speeches. Many African American commentators, pundits, columnists did not believe in what the Oakland declared,

and they did not question whether this resolution would help in the improvement of the African American academic achievements. However, they considered it as a threat to the educational future of the African Americans.

Many linguists have criticized media misinterpretation to the OSB resolution. In her essay “I” on know why they be Trippin”: Reflection on the Ebonics Debate, Perry blamed the havoc on the media for “their gross misrepresentation of the resolution” (5) and their inability to effectively communicate its crucial elements. She claimed they only published fragments taken out of context and other “outright distortions.” She also blamed the African Americans for their “internalized racism, for colonized consciousness.” Perry provided an explanation to what was happening; she argued that “Black language is the last uncontested arena of the Black shame.” But, she could not reach a complete understanding for why so many African Americans were “tentative, ambivalent, or even downright opposed to the Oakland resolution” (6). Vitriol toward Ebonics was extensive so Black critics were among the first to decry its existence.

The landmark policy of the Oakland school board district has revealed that media possesses the power to influence, misguide, persuade, and distort the reality of things, instigating a public uproar about a certain issue. The way Ebonics was presented through media makes the African Americans regarded more exceptional, primitives, and inferior. It was under the glare of the global media spotlight that Ebonics reinvigorate serious linguistic dialogues about the consequences of slavery upon the social, educational, political and economic position of blacks in US.

### **3.2. Educators, Scholars, and Linguists’ Reactions to the OSB Resolution**

Whereas there has been a great deal of discussion in the media and among the American public about the 18 December 1996 decision of the Oakland School Board to recognize the language variety spoken by many African American students and to take it into account in

teaching Standard English, linguists, scholars, and many educators engaged in discussions and evaluations to the school board decision. The issue of Ebonics witnessed a rebirth under the light of the new linguistic and scholarly disputes.

In its modified version of the resolution, Oakland school board tended to justify its initial intentions by deemphasizing its claim that Ebonics is a separate language. Here is an excerpt from the original resolution text, including the January 1997 modifications between square brackets:

WHEREAS, these studies have also demonstrated that African Language Systems are genetically based [have origins in West and Niger-Congo languages] and not a dialect of English [are not merely dialects of English]; and . . . WHEREAS, the standardized tests and grade scores of African-American students in reading and language arts skills measuring their application of English skills are substantially below state and national norms and that such deficiencies will be remedied by application of a program featuring African Language Systems principles in instructing African-American children both in their primary language and in English [to move students from the language patterns they bring to school to English proficiency] . . . (J. Rickford, "Linguistic Education and ..." 30-31)

The new wording of the original resolution came as a reaction to media misinterpretation to its initial wording statements which were ambiguous and misleading. Here the members of the Oakland clarified that Ebonics is genetically based, which means that it has its origins in African languages, but they did not deny that the African American language, Ebonics, is an English dialect. Furthermore, they provided an explanation to their policy in which they asserted that the school board utmost aim is to help African American students mastering the Standard American English through recognizing the features of the Ebonics and taking them into account when teaching.

There is no doubt that media blitz against the Oakland board resolution has caused a misunderstanding to its wordings and its legislative intention. However, many linguists have accused the members of the school board who have drafted the resolution for their inaccuracies. The resolution was, in the words of the linguist Lakoff, “a blooming, buzzing confusion.” She noted that in much of it, “practically every word . . . is misleading or incorrect” (229). The reason behind the deficiencies in the original goes back to the fact that the members of the Oakland did not consult linguist experts while drafting the resolution. There should be a linguistic consent to their conceptual choice.

Though the Oakland members amended the original resolution claiming that they were misunderstood by media, Lakoff, a professor of linguistics at the University of California, criticized them for the language style in which they wrote the resolution in. In her words, the resolution was criticized in precisely the right terms:

When you make a statement that you suspect may have controversial aspects; when you make this statement publicly. . . when you represent education, it is incumbent on you to be clear and precise. You cannot claim to be „misunderstood“ when your explicit written statement is laden with obfuscations, baroque pomposities, and idiosyncratic usages. (232)

In this regard, Lakoff maintained that the resolution would have to be put in its right linguistic choice, in order not to expose itself to misinterpretations. In support to Lakoff’s view, Fay Vaughn Cook, chair of Language and Communication Disorders at the University of the District Columbia, suggested that the members of the Oakland resolution could avoid the controversy by consulting with Black English experts, so that “inaccurate linguistic statements could” would not take place (qtd. in Coleman and Daniel 82). It is clear that not only media which lead to the misunderstanding of the resolution, but the linguistic choice in which the resolution put in has contributed so.

In an attempt to clarify some of these misunderstandings, the Linguistic Society of America (LSA) issued a resolution, drafted by Rickford in January 1997, declaring that Oakland's decision was "linguistically and pedagogically sound." In this resolution, linguists emphasized that Ebonics, or African American English (AAE), the label preferred by most linguists today is "systematic and rule-governed like all natural speech varieties" (LSA Resolution on...). The modified version of the resolution goes in parallel with the resolution of LSA. In that, Rickford added an emphasis to the Oakland school board resolution stating that "the school board is innovating in the light of linguistic educational evidence" ("Ebonics succeeds where..."). Despite the controversy that Oakland's decision sparked across the country, linguists were unified in this position.

While some linguists criticized the language in which the resolution was written in, others decried the policy of the Oakland resolution sought to integrate the African American students within Standard English Proficiency (SEP) program. McWhorter argues that teaching African American children Standard English as a foreign language was unreasonable policy for many reasons. Two main reasons are; first, Black English was proved to be systematic and it is not different enough from Standard English "to be the cause of the alarming reading scores among black students". Second, Black English is not an African language . . . It is simply one of American English varieties ("Wasting Energy On..." 2). Accordingly, African American students were not eligible for bilingual education programs, because Black English was not proved to be a separate language.

Other linguists reserved their views about the Oakland Board policy program. Baugh argued that because of his personal relationship to the Oakland teachers, including many who have been devoted to the principles of the Oakland educational policy, he was unwilling to condemn their efforts. Based on the previous meeting and conversations with several Oakland educators, he declared that teachers would not do anything that may harm the educational

welfare of the students (41). Based on this knowledge, Baugh expressed his linguistic reservation about the OSB adopted policy.

Going beyond the rationale for the language focus, Superintendent Carolyn Gettridge said a little about how the OUSD would attempt to achieve increased competency in Standard American English by building a bridge to it from the African American students' vernacular:

Language development for African American students . . . will be enhanced with the recognition and understanding of the language structures unique to many African American students. . . . Our interest is in guaranteeing that conditions exist for high achievement and research indicates that an awareness of these language patterns by educators helps students build a bridge to Standard American English. A variety of strategies will be employed to support language development and achieve our goal of high academic performance for all students. (qtd. in Rickford, "Linguistic Education and..." 29)

Gettridge's testimony proves that the school board policy to enhance the education of black students lies in the recognition of the linguistic features of Ebonics, and in making teachers become aware about the uniqueness of the Black English. In doing so, the academic performance of the African will be improved.

Defenders of African American Vernacular English (AAVE) continued to emphasize its systematicness and legitimacy. To this end, Smitherman has provided his view about the linguistic nature of AAVE, arguing that Ebonics is not "broken English", nor is it "sloppy speech"; terms which are not applied by any linguist to describe any language, or language variety. He maintained that "all languages are systematic, rule governed and predictable" (29). In support to the Oakland board resolution, Longres and Harding assume the use of Ebonics as an "intervention", a tool to facilitate the "target behavior", English language proficiency (223). The controversy over Ebonics and its relation with the educational improvement of



African American students had never been ended, and the dispute was not only restricted to linguists. However, many educators, and writers provided their sights into the resolution.

Many educators who were devoted to the education of advancement of African American students had enthusiastically supported the Oakland board resolution. Hoover, the former dean of the education at Howard University who also served as an educational adviser to the Oakland's SEP program, goes on to note the visions held about Ebonics as "bad grammar, lazy pronunciation, or slang" (71). Then she clarifies the Oakland's SEP program asserting that it "stresses Ebonics as a bridge to teaching literacy to African American students. Its emphasis on teaching students Standard English speaking skills, on teaching the teachers about Ebonics speakers' language and culture, and on teaching reading through „Superliteracy“ which endorses phonics in addition to eight other components" (73). Ebonics in this concern, and as it is justified by many linguists is a means of intervention to help black students master the Standard English, and not teach in it itself.

Teachers have also shown their stands towards the implementation of Ebonics in classroom instruction materials. In the words of an Oakland teacher, Carrie Secret states: "The view is, „we are teaching you a second language, English, not fixing the home language you bring to school, Ebonics“ . . . . Our mission is to embrace and respect Ebonics, the home language of many of our students, and the strategies that will move them to a competency level" (qtd. in Matthews 4). This view stresses on the idea that Ebonics is a bridge to teach the Standard English for black students, not fixing it as a primary language to the school board.

The Oakland school board resolution received much attention from all sides; media, linguists, scholars, writers, and educators. However, the dispute did not end there; the controversy jumped up into the state and federal legislative orders. At this level, the issue of Ebonics sparked the legislation of many other acts regarding the education of blacks in specific and the bilingual education programs in general.

### **3.3. The Undertaken Legislative Policy towards Ebonics and the Bilingual Education in the US**

Media misrepresentation of the real intention behind the Oakland School Board Resolution on Ebonics led many actors at the educational and legislative levels to give announcements and to take steps and measures mainly negative ones against the Oakland Board assumptions in particular and anti-bilingual education in general. These reactions, came from different sides in the American official community, were generally driven by misconceptions that the public opinion had about the AAVE as a slang, bad English, or street language. As a consequence, it seemed weird for them to hear that such a slang to be entered into schools and become part of the language of instruction.

#### **3.3.1 The Different Statutory Responses**

After the Oakland Resolution had decided that the African American speech is “genetically-based and not a dialect of English” (Ramirez et al. 115), it demanded federal bilingual funding for Ebonics programs. The response to this request was negative as “the Clinton administration declared...that “black English” is a form of slang...and ruled that school districts that recognize the idiom in their teaching cannot do so with federal funds targeted for bilingual education” (Harris). To confirm that, Education Secretary Richard W. Riley declared that: “the administration policy is that „Ebonics“ is a nonstandard form of English and not a foreign language” (Harris). Therefore, asking for bilingual education funding for Ebonics programs was not reasonable according to the government officials.

Actually, the reaction from Education Secretary Riley had come on December 24, 1996 even before the Oakland Unified School Board had sent any formal call. As it is noticed, the focus of Riley’s statement was on the idea that Ebonics is not a legitimate or foreign language but slang and a nonstandard form of English. Baugh when analyzing this quick and decisive attitude, he said that: “from the standpoint of educational policy, then, the difference between

a dialect and a language is substantial; it's the difference between access to Title VII funding or not" (51). So, merely for "budgetary considerations" (51), and to stop any troublesome and potential official requests for bilingual education funding to Ebonics programs on Riley's office, it was of high importance to stress the dialect status of Ebonics.

Legislators on the other hand had their opinions in this heated debate. Among the first ones to take a step against the Ebonics programs was suggested in the OUSB resolution was Representative Peter T. King. On January 14, 1997, Peter King introduced a resolution in the House of Representatives emphasizing a similar belief to that of Education Secretary Riley which was expressed previously. Mr. King of New York started his draft with: "Whereas „Ebonics“ is not a legitimate language: now, therefore, be it resolved" (Ramirez et al. 135).

This judgment presupposed the non-eligibility to demand federal funding which was clearly stated by King in his saying "no Federal funds should be used to pay for or support any program that is based upon the premise that „Ebonics“ is a legitimate language" (135). Afterward, many views were expressed and measures were taken in this concern.

At the state sphere, Texas on January 16, 1997 was among the rare states to respond positively on the Oakland resolution since it followed a rational way. Baugh described it as "an enlightened approach, calling for additional research and information to resolve educational problems confronting African American students" (*Beyond Ebonics: Linguistic...62*). This kind of treatment was absent in Virginia because of a bill presented by Patron Bryant in January 20, 1997. This bill outlawed "any nonstandard or poorly spoken English from being taught in public schools as the equivalent of Standard English" (qtd. in Baron, "Ebonics and the politics..." 3).

At the federal level, on January 23, 1997, Ebonics hearings were summoned by Senator Arlen Specter the chairperson of the Senate Subcommittee on Labor, Health, Human services, and Education. At the outset of the sessions, Specter tried to refer to the linguistic divergence

as something historically natural in the American society through narrating his experience as a descendent of Yiddish speaking Jewish immigrants (Baugh, *Beyond Ebonics: Linguistic...* 53). Because of his ancestors' experience, Specter had understood the difficulties facing African Americans therefore he showed indirectly his comprehension of the actual objective of the Oakland resolution drafters. The senate Ebonics hearings witnessed the involvement of delegates of the school district accompanied by a student, senators, and linguists.

Certainly, there was a contrast and difference in the expressed point of views amongst the federal legislators. For instance, Senator Lauch Faircloth, republican from North Carolina, said in this matter: "I think Ebonics is absurd. This is political correctness that has gone out of control" (Lacey). Senator Faircloth objected the idea of inserting Ebonics into public schools to be a language of instruction as any other foreign language. The reply came quickly from Representative Maxine Waters (democrat from California), Chair of the Congressional Black Caucus at that time. This African American woman focused in her intervention on correcting the misconceptions about the Ebonics concern; thus, she asserted that the aim of Oakland School Board members behind drafting such a resolution was in order to enhance the teaching and the learning of Standard English for African American students who are mostly speak "different language patterns" (Baugh, *Beyond Ebonics: Linguistic...* 54; YouTube).

Thereafter, several officeholders, scholars including sociolinguist William Labov and psychologist Robert L. Williams the scholar who coined the term Ebonics, in addition to other Senators spoke in this hearing which was not convened again, due to the decrease of media attention, despite the indicated desire from Senator Specter to do so (Baugh 54-61). Consequently, the result from this senate hearing was nothing as no Federal legislation was passed to determine certain language education policies for African American students speaking Ebonics (Smitherman, "Language and African Americans..." 187).

Coming back to states, particularly to California where substantial statutory reactions took place. Senator Raymond Hynes (R. Riverside) had submitted a Senate Bill 205 entitled “Education: Equality in English Instruction Act” (Ramirez et al. 142). S.B 205 embraced many suggested actions which were extremely against any initiative that may help giving some consideration for Ebonics in educational settings. For more clarification; the bill asked for a prompt termination of SEP for speakers of Ebonics besides other nonstandard languages in public schools (qtd. in Deák 123). The story of the bill came to an end on April 7, 1997 after the senate state committee had refused to adopt it.

The attempts in California to break up any possibility towards Ebonics programs alongside bilingual education programs never stopped. In June, 1998, proposition 227 sponsored by Ron Unz, a Silicon Valley billionaire, was enacted after 61% of Californian voters had supported it (Rickford, “Linguistics, education, and...” 25; Revilla and Asato 108). The voters had upheld proposition 227, named „English for the Children“, for the reason that they “war[ie]d that recognizing any language but standard English in classrooms represented a call to linguistic insurgency” (Baron, “Ebonics and the politics...” 7). As a result, this step “put an end not just to Ebonics but to bilingual education [as a whole]” (7). This state legislation played an essential role in the drop of bilingual education not only in California but also in other states that would pursue the same approach.

Following California, Arizona on November, 2000 became another state to foster English-only programs through passing proposition 203. Identical to proposition 227, proposition 203 “prohibits instruction in any language other than English, even in programs designed to teach them a foreign or native language. Such students are to be placed in a “structured English immersion” program not normally to exceed one year” (Crawford, “Bilingual Education: Strike...”). The anti-bilingual education phenomenon had not stopped at the two previous mentioned states but it moved on into other states as Massachusetts and Colorado. While the

initiative called Question 2 was approved by Massachusetts voters in 2002 to end bilingual programs there, an equivalent measure, in the same year, was narrowly rejected by Colorado voters (Bale). Although these legislative enactments was only in certain states, but it gave allusions about the near future concerning the educational policies would be adopted at the federal level.

### **3.3.2 No Child Left Behind (NCLB) Act**

The enactment of the No Child Left Behind Act in 2002 by the Bush administration represented a critical moment of a fundamental shift in the US educational policy in general, as it gave more outlets through which federal policymakers would have an access and impact on local and state educational policies. NCLB Act had embraced a totally different visualization about bilingual education if it compared to the 1994 reauthorization of Bilingual Education Act in which bilingualism was encouraged and protected. Many scholars had declared the termination of bilingual education with the passing of the No Child Left Behind Act.

When the Bush administration designed to put its touch on the educational policy of the United States, its goal surely was not for partial or small reformation. President George W. Bush while delivering his administration plan on January 20<sup>th</sup>, 2001, he promised to “build a single nation of justice and opportunity”. This expressed commitment had come after he pointed out the fact that “while many of our citizens prosper, others doubt the promise, even the justice of our own country. The ambitions of some Americans are limited by failing schools and hidden prejudice and the circumstances of their birth” (McCloskey). To confirm practically its pledge, the Bush administration drafted a law proposition composed of nearly 700 pages named the No Child Left Behind (NCLB) Act aiming at overcoming the negative aspects of the previous educational policy.

After it was discussed then received a bipartisan support in both of the House of Representatives and the Senate, the No Child Left Behind (NCLB) legislation was signed into law by President George W. Bush on January 8, 2002 (Harrison-Jones 346). The objective was “to improve the academic performance of children in America’s elementary and secondary schools and to ensure that no child is trapped in a failing school” (346). The Bush administration’s new version of the Elementary and Secondary Educational Act (ESEA) had brought unprecedented educational policies to be adopted in local and state schools around the United States to accomplish the planned goals.

As the focus of the No Child Left Behind (NCLB) Act was to ensure quality education for all children and to narrow the gap between the advantage and disadvantage students, it accompanied such stated aims with an accountability system for results. With the implementation of the new educational policy, schools are required “to include standards in reading and mathematics, annual testing for all students in grades 3-8, and annual statewide progress objectives ensuring that all groups of students reach proficiency in 12 years (qtd. in Mehaffey). Under this law, states, school districts and schools are required to evolve adequate yearly progress (AYP) starting from 2002 towards proficiency with high level achievements for all students in 2014(Olivert 1). If any school failed to fulfill these requirements, it would be exposed to sanctions and parents would give the choice to transform their children to another school (Rowly and Wright 93).

Among the other fundamental changes brought with the No Child Left Behind (NCLB) Act was the elimination of the Bilingual Education Act that had existed in the previous version of the ESEA. Title VII was replaced by Title III officially named as the English language Acquisition, Language Enhancement, and Academic Achievement Act (“No Child Left ...”). Noticeably, the term „bilingual“ was also deleted from the official names of federal offices; for instance, what was called as the Office of Bilingual Education and Language

Minority Affairs (OBEMLA) turned into the Office of English Language Acquisition, Language Enhancement and Academic Achievement (OELALEAA) for Limited English Proficient (LEP) students (Wiley and Lee 11). These reforms exhibited a significant shift in the American educational policy towards a total backup for the English-only programs.

The main focus of Title III under the No Child Left Behind Act was making sure that Limited English Proficient children, including immigrant children were better developing their English proficiency. Unlike Title VII which had encompassed the purpose of enhancing English proficiency besides the encouragement of developing the native language skills (Crawford, *Advocating for English...* 124). Title III had no reference to the mother tongue of the non-English speakers. Moreover, while Title VII assigned federal funding based on competitive grants “designed to reward excellence and ensure quality control” (125), title III changed it into formula grants given directly to school districts and based on the number of English Language Learners and immigrant students (125). It is worth to mention that the federal finance specified for Limited English Proficient students was doubled, but because additional states, programs, and students were to benefit from these additional dollars the direct impact of it on the students was lessened (Wiley and Lee 11; 126).

Of course, the new reauthorization of the Elementary and Secondary Educational Act had received both positive and negative point of views, commenting and analyzing the newly adopted educational policy alongside its effects on non-English speaking students. Persons who, many of them were really concerned with minority students’ educational circumstances, looked positively to these fundamental modifications justified their stance with a rational argument stating that “by including ELLs in the law’s new accountability system, based on high-stakes testing and annual achievement targets in language arts and math, would force schools to pay attention to these students” (“No Child Left...”). This thinking was logical since NCLB Act’s main designed target was to reach high proficiency in Standard English for



all American children regardless of their socioeconomic or race background. This policy seemed to be well intentioned but whether it would be effective in reality or not, many scholars questioned.

Advocates of bilingual education had seen that the implementation of the stated regulations in NCLB Act on the ground came out with unsatisfying outcomes. For further explanation and opposing to the previous stance, Wright pointed out that “[the] problem with NCLB is its heavy emphasis on high-stakes testing and rapid „sink or swim“ English immersion, which leaves schools with few incentives to offer quality bilingual programs in students“ heritage/ community languages” (qtd. in Wiley and Lee 11). Crawford as well while talking about the shortcomings of the legislation in his “No Child Left Behind: Misguided Approach to School Accountability for English Language Learners”, he mentions that the “emphasis on short-term test results and punitive sanctions for schools is...undercutting best practices based on scientific research...and pressuring schools to abandon programs that have proven successful for ELLs over the long term” (*Advocating for English...* 129). Putting this legislation into practice had shown a lot of the flaws that made it under harsh criticism.

Although the No Child Left Behind Act was enacted by a bipartisan support, this backing went dramatically down after it was put into effect. The unprecedented access given by this law to the federal government into state and local control of education led to a considerable discontent and resentment feelings among states against the NCLB Act (McDonnell 20). Thus, many states reacted including Virginia which passed a resolution stated that NCLB “represents the most sweeping intrusions into state and local control of education in the history of the United States” (qtd. in McDonnell 20). The increasing campaigns against the Bush administration“s landmark reform on the educational policy suggested the near termination of it.

After 14 years, the No Child Left Behind Act was brought to an end on December 10, 2015 when President Barak Obama signed it into law. The so called the Every Student Succeeds Act was the new version of the Elementary and Secondary Educational Act that received a bipartisan corroboration of both House of Representatives and the Senate. In the signing ceremony, president Obama praised the planned goals of the No Child Left Behind which included high standards, accountability, narrowing the achievement gap, making sure every child was learning. However, when it was put into practice “it often fell short. . . . It led to too much testing during classroom time, forced schools and school districts into cookie cutter reforms that didn’t produce the kind of results that we wanted to see”, he mentioned (Layton). For Obama what is more important than drafting and passing the law was its implementation on the ground, so he was hoping success to his administration’s new version of the ESEA.

The Obama administration’s initiative, Every Student Succeeds Act, includes several reformations done to the previous version. The major change is lessening the capability and the part taken by the federal government “in grading, reforming, and punishing schools or teachers” (Rizga). In other words, the control over the educational policy is returned to the states. The new adopted Act does not involve specific or valuable measures to address shortage in second language and bilingual specialists, or to enhance the quality of dual language programs (Triplet). However, the fact that school districts and schools are no longer tied to the federal requirement for short-term results which led many schools to stop bilingual programs is to some extent encouraging. Certainly, the battle for bilingual education to take into consideration the native language of non-Standard English speaking children, including the language of African Americans, will never stop since the research results depict the value of the native language in acquiring a second language.

### 3.4. A Future Vision about the Bilingual Education and Language-Minorities in US

The United States has always been a country noted for its linguistic diversity. Information on languages spoken has been gathered from decennial censuses of 1980, 2000, and 2010 on the American Community survey (ACS). These information shows that there have been striking changes in the linguistic landscape. Rumbaut and Massey report that: “the percentage speaking only English at home has steadily fallen in recent decades, declining from 89.1 percent in 1980 to 79.7 percent in 2010, while the share speaking a language other than English correspondingly rose from 11 percent to 20.3 percent. In absolute numbers, the number of persons five years and older speaking a language other than English at home rose from 23.1 million to 59.5 million in 2010” (143). This change resulted from the dramatic increase of immigration and the foreign-borne community.

As the percentage speaking language other than English increased, the Limited English Proficient (LEP) population has also raised, consequently the problem of an effective education to this population has never been ended. Zong and Batalova state that:

between 1990 and 2013, the LEP population grew 80 percent from 14 million to 25.1 million . . . . In general, LEP adults were much less educated than their English-proficient peers. As of 2013, 46 percent of all LEP individuals ages 25 and over had no high school diploma compared to 10 percent of their English-proficient counterparts. About 14 percent of LEP adults had a bachelor’s degree or higher, compared to 31 percent of English-proficient adults. (“The Limited English...”)

These data indicate that the US educational adopted policy has failed in encountering to the education of the LEP population. From 2002 until 2015, NO Child Left Behind Act was the national educational policy in the US public schools. This act proved to be failed in realizing successful results in the education of the LEP population, and it was replaced by the Every

Student Succeeds Act in 2015, by Obama administration. The later act includes some modifications; the major one is that the federal government lessened its interference in the state and district schools. What is more important is that schools are no longer bound to the short-term results required by the federal government, which urged the schools to stop the bilingual education programs.

Bilingual education has been a source of debate since the beginning of formal education. Immigration, poverty, and language barriers are not new challenges for educators. The 1998 law that drastically reduced the use of bilingual education programs was also the result of a ballot measure, Proposition 227. While not an outright ban on bilingual education, the voted measure almost eliminated it from public schools. Most school districts either got rid of bilingual education entirely or restricted it to serve only students whose parents sought special waivers to keep their children in bilingual programs. Recently, it has been proved that this law should no longer be existed.

Now almost 17 years later, while the political tensions remain, bilingual education is going to return back into the US public schools. Maxwell, an assistant managing editor for Education Week, states that: “Bilingual education will be back on California voters' ballots on November 2016, due to a piece of legislation that Gov. Jerry Brown signed into law Sunday.” The new law will give voters a chance to overturn a 16-year-old state law that has severely restricted the use of bilingual education in California's public schools. In relation to that, O’Connor, general assignment reporter, reports that Senator Ricardo Lara announced SB 1174, the Multilingual Education for a 21st Century Economy Act, for consideration on the 2016 ballot.

The bill maintains English instruction programs, but also empowers parents “to choose a language acquisition program that best suits their child” and requires districts with sufficient numbers of English language learners (ELLs) to launch the multilingual programs with

parents" support (LA School Report). One positive measure in is this law is that it takes into consideration mother tongues of the students. The important role of bilingual education is finally recognized. Many educators noted the long-term benefits of bilingual or dual-immersion programs. They argued that "there are higher levels of English proficiency and academic achievement among students in these programs than there are for students in English immersion programs. They argue that SB 1174 provides the flexibility for schools to more easily embrace multilingual educational programs" (Frost). The fact that educators recognize the importance of the bilingual education will contribute very much in passing the SB 1174 act.

This initiative would affect a large number of students if it would be passed. Language-minority groups would receive a better education, thus their academic achievement would be enhanced. One ethnic group that was exposed to school segregation for centuries is the black community. African American students throughout their history were underscored in the US public schools, attending special classrooms which contributed more in their stigmatization. Under these changes and the shift in the ideological and educational policies, and if the SB 1174 would pass, African American students would be accepted in this multilingual program, which in its essence praises and assumes the role of mother tongues in enhancing the education of minority groups.

## Conclusion

The fact of being an ethno-linguistic diverse society makes the United States a country of long lasting clashes between national, state governments and ethnic minorities. The problem of language minorities was and still unsolved, the main cause is the deficiency in the American Constitution. To adapt an official national language for the all Americans was not clear, what makes language-minority problems a thorn in the backbone of the United States. The Fourteenth Amendment with its Due Process and Equal Protection Clauses guarantee a similar processing and treatments to all US citizens, the fact that opened the space to minorities to defend their language rights.

Despite the numerable language-minority litigations raised to the Supreme Court in order to eliminate the effects of mother tongues, the court decision taken were most of time by side of those minorities. It was impossible to ignore or violate the Due Process and Equal protection clauses. Those language-based conflicts caused the US national government to intervene and put legislative decisions in order to culminate the American society and to save its unification. The bilingual education in America was prevalent during the 18<sup>th</sup> and 19<sup>th</sup> centuries but with less focus, and it was controlled by state and local schools. However, the First World War and the anti-sentiments followed it towards immigrants in America triggered minorities to claim their language rights at the national sphere.

The interference of the federal government to fix the problem of language-minorities was not fairly executed; the federal government took a compelling decision towards certain minorities. It was unfair to deny the Native Americans from learning in their mother tongue, and mostly unacceptable to separate Native American children from their parents so that they abandon their heritage language. The American attitude towards language-minorities was not based on a linguistic platform, but on a political one. The superordinate nations came from European ancestors like German, French, Polish, Italian, Spanish, Swedish . . . had the right to

speak and learn in their native languages. However, being a Native American or an African slave was unreasonable to acquire the same rights that whites possess.

The Americanization movement which attempted to make the English language a national one led to the revolt of language-minority groups against its proponents. Consequently, there were many legislative laws that illegalized the restrictive policies towards language-minorities. The most important period in the history of language-minorities was the Civil Rights Movement; among the fruits of this movement was the revision of the educational sector. The year of 1968 witnessed a landmark decision in the education of minority groups; the enactment of the Bilingual Education Act was regarded as the first step of the US federal government to pay attention to the linguistic needs of language-minority students.

Although the federal government intervened to handle the problem of language-minorities within schools, policies against the use of languages other than English were never stopped. The effect of those policies was touched much more on the minority groups who were persecuted along the American history like Latinos, Native Americans, and African Americans. As the concern in this topic is about the history of the African American people in America, their enslavement which resulted in the infringement of their linguistic rights, African American people were and still suffering from the coercive and unfair political treatments from the American government.

The history of the African American slavery had negative consequences on the linguistic heritage. The long time in which those Africans were enslaved and separated from each other caused destruction to their home languages. The policy taken by slave owners was so powerful to shrink the linguistic heritage of African American people. That is, African Americans in the plantation fields were unable to contact each other; this obliged them to communicate with other immigrants in order to survive. This contact had resulted in the

creation of new African American speech variety which is a blend of different English varieties besides to the African languages.

Throughout history, African Americans started to claim their rights as American citizens. The Civil War, Emancipation Proclamation, and the School Board decision of 1954 had a great impact on the booming linguistic demand of African Americans. The case of *Martin Luther King Junior School vs. Ann Arbor School District Board* was the initiative issue in the educational course of African Americans. This case was the political ground on which the issue of African American claim for their language right. However, the linguistic platform was presented by the linguist Robert L. William in 1973; in which he grants the speech variety spoken by the African Americans a linguistic identity labeled “Ebonics”.

Giving a precedent enslaved community their political, social, and economic rights as American citizens was hard to be accepted by the dominant populations in America. More than that, giving their speech variety a legitimate status within the linguistic framework was not welcomed by many linguists, scholars, experts, educators, and even politicians. The Oakland Resolution regarding Ebonics was a turning point in the American policies towards language-minority groups in general and the African American minority in specific. The linguistic campaign against the legitimacy of Ebonics or as a separated language from English, and the media blitz after the Oakland School Board decision caused a negative public perspective towards the speech variety of African Americans even within the Blacks themselves.

It was No Child Left Behind Act of 2001 passed by the Bush administration which mislead the educational course of language-minority groups. As it was explained, No Child Left Behind Act was regarded as the last reauthorization of the Bilingual Education Act of 1968. In its theoretical side it entailed and sought to take into consideration the linguistic and cultural needs of all language-minority students. However, in practice it encouraged the use of



English only language in schools and avoiding the use of mother tongues. The consequences of this act were unfavorable in which several minority-language students failed, dropped out from schools, or overrepresented in special classes. Latinos, Native Americans, and African Americans were always the victims of such laws.

Untill the present time, language-based problems still exist. However, the recent changes in the linguistic composition of the American society; the fall in the percentage of English speakers, and the continuing rise in the percentage of other languages with the new political procedures taken by the Obama administration, a new optimistic vision is born. The Every Student Succeeds Act of 2015 liberated the state and local schools from the boundaries of No Child Left Behind Act. This new Act gives the school administrators and teachers a sort of freedom to deal with the ethno-linguistic diversity within the classes.

The current proposal of SB 1174, the Multilingual Education for a 21<sup>st</sup> Century Economy Act, which is encountering for the ballots of November, 2016 would set a positive changes in the education of minority groups. The fact that it encourages the acknowledgement of mother tongues in addition to the awareness of educators about the positive results of bilingual education would cause positive results in the coming ballots of November, 2016. With this new changes in the policies of America towards language-minority groups, and if the SB 1174 would be implemented, the fight of African Americans would be ended.

Since linguists whether whom they defend or reject Ebonics agreed upon one fact that Ebonics is systematic. And since the criteria on which a given speech variety can be regarded as a language or a dialect are not merely submitted to the linguistic basics, but to other social and political factors, Ebonics whether it is a separate language or dialect of English would gain its legitimacy. If this would happen, and in addition to the optimistic coming changes, African American education would be enhanced as they would be accepted in the programs defined to learners with Limited English Proficiency.

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