

he says now the problem is if we're all responsible for all this, it's hard to get enough allies to work on what really counts, which is changing the life experiences of the people, in terms of their outcomes. Most leaders of any group would give anything just to end whatever the disparities are in education, in health care, and in employment, income, and ownership. And I'm sort of amplifying, but I think this is a fair representation of what he said.

So he made the suggestion—he said what we need to do is get everybody on the same side, start out, and then see if we can work back to—so the logical extension—this was not in there, but the logical extension of the argument was if you could get everybody working on the same side on what to do about job outcomes, maybe you would come back and have a broader consensus on an affirmative action program than you think, or at least the people who are against it would then recognize their moral responsibility to put something credible in its place.

I thought that was an interesting argument, when you deal with—if you just deal with the three things I mentioned. It doesn't get you out of the primary obligation to enforce the laws against discrimination adequately, but it was an interesting way to think about it. If you ask everybody—for example, if you ask everybody who is on both sides of this English-as-a-second-language issue in California to start with the disparate educational outcomes and work back, you might get to a different place.

One of the things that always bothers me about all these litmus test issues—and I'm not innocent in this, so I'm not casting a stone—is that depending on which side of the litmus test you're on, once you figure out your crowd's winning, then you go on and worry about something else. Then when you figure out—when you realize your side's losing, you can't worry about anything else; but you can't have an honest conversation, because you're trying too hard to keep from getting killed in the next referendum or whatever.

In terms of the affirmative action referendum, all I can tell you is that I made a couple of statements in California in 209, and maybe I could have done more, and I think if the thing had gone on 3 more weeks, it would have come out differently on 209. I'm glad I was asked to be a part of the effort against the repeal in Houston, and it succeeded; it's the only one that has. But the real issue is if you left it

alone and no one ever debated it again, we've had enough experience to know that it is insufficient to change the disparate outcomes. So what if we started on trying to figure out how we could close the gaps and work back; we might find that we had a lot more agreement than we thought.

Now, in the initial polling—I think this will change a lot, as the referendum is debated. And I confess, I have not read exactly what—the initial polling in California, on the English, the bilingual education initiative, is deeply troubling to defenders of bilingual education because the initial polling has 70 percent of Hispanic voters voting for the initiative.

Now, what does that mean? That doesn't necessarily mean that they understand the implications of this initiative and they want to vote for it. But what it does mean is that Hispanic parents are concerned about whether their children stay in the programs for too long, or whether the programs are sufficiently effective to let them learn everything else as well as they need to learn.

So instead of getting into the fight, could we at least start with dealing with what people's perception of the problem is, and then work back to the solution; then if you do that, you've got some alternative to put in place if you want to fight the initiative. In other words, you don't have to play their game; you don't have to let it be a wedge issue if you decide to articulate it in a way that forces everybody else to come talk to you about what the real issue is—which is, you want all these children whose first language is not English to be able to learn everything they need to learn, on time as much as possible, and to be English-proficient, if they're going to live in this country, as quickly as they can be.

But there are—depending on what age you come here and what your situation is and what your native language is and how difficult it is and what the subject is, it is more or less difficult to learn certain things in English within certain time periods. In other words, it's a complicated issue. But there is a broad perception that the bilingual services have become, if you will, institutionalized in a way that carry kids with them longer than they should be and may make them too dependent on it.

So why don't we analyze the facts and find out what they are, and then try to work back to that, instead of immediately joining the issue;