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The Politics of Language: Experiences and Effects in the United States

1. Introduction: What's language got to do with policy?

In the history of the United States of America, multilingual communities have subsisted side by side. It is estimated that more than two hundred Native American languages already existed before the European arrivals. Then, they were to be followed by the multitude of languages that immigrants from all over the world brought into the country. Italian, German, Dutch, Polish, French, Spanish, Chinese, Japanese, and so on up to one hundred and thirty-two languages that together with English were brought into the United States. As James Crawford (2004) asserts,

> "Language diversity in North America has ebbed and
> flowed, reaching its lowest level in the mid-20th century.
> But it has existed in every era, since long before the United
> States constituted itself as a nation." (p. 59)

It may have been due to this complex linguistic web that the original fathers of the Constitution of the United States refused to adopt a single official language. Actually, the United States of America has never had an official language policy nor has it ever declared a national language. Nevertheless, despite of the lack of such an overt official language policy, of the three hundred languages or more once spoken in the US, only 175 remain, and only 20 of these are being passed to the next generation, which means that 90% of all native languages in the US are at risk of being silenced within the next 20 years (McCarty 2002).

Assimilation into English has been a constant in the history of the United States. The pattern of linguistic assimilation or 'language shift' has been documented not to last more than three generations, that is to say, grandchildren of newcomers hardly speak the language of their ancestors. (Schmidt 2000). The uniqueness of such a quick language shift took linguist Einar Haugen (1972) to define it as "Babel in Reverse."

However, over the past three decades, the intensity of the conflict over language policy has dramatically increased. More than half of the states and numerous local governments have enacted policies that either unequivocally declares English as their official language or that have direct implications on "official" language use. Such policies have been contested by different groups and organizations claiming that they violate the First and the Fourteenth Amendments of the U.S. Constitution (Schmidt 2000, Tollefson 2002).

The *linguistic* policy battle has been centered around three main areas: education policy for language minority children, access to public services, and the establishment of English as the nation's official language (Schmidt 2000).

The examination of language policy needs to go beyond the *a priori* assumptions on either side of the conflict. The character of language policy is rooted in a multi-faceted and complex web of assumptions. Therefore, the issue needs to be approached from an analytical perspective that observes causes, detects goals, and predicts possible impacts of declaring English the official language of the nation.

Research on language policy is significant on two different levels. The first one is the importance of language in the process of national development. In this area it is especially relevant to study the consequences of minority group formation and identity for the nation-state, and the role of language in contributing or deterring such group formation.

The second aspect, intrinsically linked to the first one, is the analysis of the function of language beyond an intuitive definition as tool for communication, for the individual and for the group. Language can be better understood as a nonfinite symbolic element through which identities, hierarchies, discourse, and social structures are produced, legitimized and reproduced or resisted (Bourdieu, 1991, Tollefson 2002, Macedo et al. 2003, Shohamy 2006).

Antonio Gramsci (1971) asserted that when the question of language comes to the fore, the underlying question is always about the reorganization of cultural hegemony (as cited in Bartolomé 2008). As proof of that, a large percentage of minority-speaking individuals report having experienced some form of recrimination or punishment for using their native language in primary or secondary school (Bartolomé 2008). This can be interpreted as an attempt to delegitimize the socio-cultural experiences of ethnolinguistic minorities.

Language is linked to identity and, as such, to fundamental social, political and economic processes. Dialects and accents are frequently associated with socioeconomic status revealing complex linguistic interactions among individuals within communities. In this regard, the role of language policy may be labeled as the management and imposition of specific language behaviors in accordance with a given sociopolitical agenda (Shohamy 2006, Schmidt 2000). As a result, language policy may contribute to the development and maintenance of social inequities. The imposition of certain language behaviors may also leave as a residue the internalized ambivalence about one's native language's value and a belief in one's own cultural inferiority with respect to the imposed cultural values (McCarty 2002, Donaldo 2006).

In light of this context, the present paper attempts to explore the existing literature in language policy and the theoretical bases that have founded their approach to estimate what are

the effects of existing language policies on population and access to resources, especially in relation to education and English as a Second Language (ESL) services.

The paper starts by trying to draw a working definition of language to then establish how different views of language relate to different ideological movements. A typology of language policies and different experiences with them will be outlined. And a final conclusion will highlight the key points and enumerate the areas where further research is needed.

2. Towards a definition of language

Although it may seem trivial to address the question of what language is, the answer may lead to critical different implications. For the purpose of clarity, different views of language have been grouped in threes different categories, although such categories overlap in numerous areas and share features among them. However the emphatic elements of language which they use have different ideological implications and it is for that reason that these categories are used.

1. Institutional View: The functional role of language is emphasized as an element or tool for effective communication. The institutional view is characterized because it establishes a direct link between language and the formation and development of the nation-state. Nation-states were to be organized around a centralized power whose main interest was to reach as far as possible in its dominancy. In order to accomplish such a task, linguistic unity complies with strengthening the core regions of the system, whereas the peripheral areas, which used other languages, had difficulties in their development (Peñalosa 1981). Actually, most nation-states gave the name of their nation to the languages they spoke (Shohamy 2006).

Such a vision is described with precision through the Marxist definition of nationalism, inspired by Lenin argues that

"A nation is a historically evolved, stable community of language, territory, economic life, and psychological make-up manifested in a community of culture." (Stalin 1954, p. 307)

Lenin explained the need of a common language within a common structure of united territories to establish an initial "home market" and use it as a platform for the further development of capitalism. Language, therefore, is considered some type of "national glue." Such a vision of language is compatible with the vision of organizations such as US English and Pro-English, which claim that language unity is necessary for national security or to maintain a cohesive state.

The Sapir-Whorf hypothesis of linguistic determinism that states that what one thinks is completely determined by one's language, also contributed to such a vision of language. The Sapir-Whorf hypothesis implies that the shared values in any given society can only be transmitted through the language of the majority (Kibbee 1998).

Early studies of philology and linguistics also contributed to the intellectual justification of the institutional vision. The transformation of language into a scientific object of study made it necessary to create a number of stagnant categories and fictitious compartmentalization of languages in families, standards, varieties, and so on and so forth. All this categorization contributed to a feign division of languages between good language (standard/grammatical) and bad language (dialect/ungrammatical) (Shohamy 2006). In the end, the institutional view portrays language as a rule-bounded, fixed, and limited entity.

2. Theoretical Linguistics (Generative Grammar): Building from Saussure's structural concepts of 'langue' and 'parole', Noam Chomsky (1965) introduced a distinction into linguistic theory between 'competence' and 'performance.' 'Competence' refers to a speaker's knowledge of his

language as manifest in his ability to produce and to understand a theoretically infinite number of sentences most of which he may have never seen or heard before. Whereas 'performance' refers to the specific utterances, including grammatical mistakes and non-linguistic features like hesitations, accompanying the use of language (Chomsky 1965).

Descriptive or theoretical linguistics, following such a distinction, have traditionally been concerned only with the aspect of linguistic competence or the human mind's internalised knowledge of language as a pure body of structures and signs. Grammar is mental and includes the set of linguistic 'rules' that are part of our linguistic competence. Performance was considered not reliable as a source of scientific evidence and therefore disregarded as an object of analysis.

Language as a scientific focus of study is envisioned as an organized, structured, rule-governed system of communication. It is important to emphasize here that there is no value judgment whatsoever in such a definition. All languages are deemed legitimate and no language can be argued to be better, or more difficult, than any other. The systematic and structural elements of language, which form the core definition of language, are highlighted. This consistency and the ability of the human mind to detect and build patterns in linguistic habits is what define language.

3. <u>Sociolinguistics/Cultural and Literacy Theory</u>: Departing from the notion that trying to isolate language from its social function is depriving it from its raison d'être, the field of sociolinguistic will emerge in the 1960s. Sociolinguists will be interested principally with the concept of performance or 'pragmatics.' Pragmatics is concerned with language in context or how speakers use language in social situations. Pragmatics is the social realm of language and deals with the structures that rules create as used in real social settings (Fasold 1990).

Within this framework, language is a symbolic element, an element of representation. The attempt to reduce the role of language to a mere instrument for communication veils the most important feature of language: that is, language itself is created and contested and recreated in the same process of communication. In this sense, we understand not only because language is a shared instrument of communication, we understand precisely because language is a representation of our 'shared' identity.

Following Vygotsky's (1978) sociocultural theory, language is better understood not as a "tool for communication" but as a tool of mediation that cannot be regarded in isolation from its specific context. Language mediates between thoughts and actions. Language is the medium for environmental stimuli and individual response in school settings, for instance. To such a vision of language, the Russian philosopher Mikhail Bakhtin (1981) adds:

> "Language is not a neutral medium that passes freely and
> easily into the property of the speaker's intentions; it is
> populated –overpopulated- with the intentions of others.
> Expropriating it, forcing it to submit to one's own
> intentions and accents, is a difficult and complicated
> process."

The two most important facts in this vision of language are addressed by Donaldo Macedo (2003): The first is that meaning carried by language can never be analysed in an isolated fashion because that meaning and the historical and social context are mutually constitutive of each other. A word takes its particular meaning from a determined context and should the context change, the meaning may equally change.

The second is that language cannot exist apart from its speakers. It is impossible to isolate language as an entity of itself. Language can only be comprehended in relation to its users: the speakers. Following this argument, language, conceptually an organized, systematic, recurrent

body of grammatical structures, cannot be reduced to a neutral mechanism of communication, because language embodies culture. Or in Macedo's own words:

> "Language cannot be seen as a neutral tool for communication. It should be viewed as the only means through which learners make sense of their world and transform it in the process of meaning-making." (Macedo et al 2003).

From this definition of language, it is derived that meaning, embedded in language, is being continuously redefined in the process of communication. In this sense, learning to speak (or read) does not only entail learning words, but more importantly, learning a particular vision of the world (Freire & Macedo 1987).

Language cannot be stagnant, on the contrary, language is in a constant process of transformation, be it due to contact between different groups or because of other types of historical, social, political or economic influences. Languages are a continuous hybrid, mix, and fusion between languages. Under such a light, language change is seen as a natural process, which does not necessarily involve language decline or decay. The concept of language as a fixed entity organized around discreet and defined boundaries, disseminated by the institutional view, cannot be regarded but as an artificial invention. The true elements of language are dynamism, evolution, and an expression of freedom as a constituent of an individual's identity (Shohamy 2006).

Is then language a tool that only enables communication between different individuals or groups of individuals? And what other elements intervene to enable such communication? And, therefore, are "language purity" and "language correctness" and "language policy" relevant? And

if so, what for? In order to respond to these questions it is necessary to include the ideological ingredients.

3. Language Ideologies

      To reply to the questions at the end of the previous section, there is much more to them than merely linguistic issues. Matters of culture, identity, power and hegemony are deeply intertwined with those definitions. Ideology is an important piece of the puzzle to understand the scope of language policy. The previous definitions lead to different ideological visions of language and language policy. We could divide language ideologies into three main perspectives:

A. Critical Theory

      Departing from the conception of language as a symbolic element of representation, critical linguistics emphasizes the connection between language, power, and inequality in language policy. The connections between language and policy are founded on the following premises:

1. The myth of national unity and language. Critical theorists argue that multilingualism is something common in nearly all states, and that it is actually extremely hard to find exclusively monolingual states. It is not difficult to infer why this is so, considering that linguists estimate that there are between four thousand and eight thousand languages spoken in the world nowadays, but only one hundred and eighty autonomous states. The world can be considered a multilingual global community in which languages borrow from one another and lend to one another. Most countries around the globe live within borders that house more than one language or what are considered more than one variety of the same language. (Schmidt 2000, Tollefson 2002a).

2. Language policies, especially in education, are an important mechanism to manage social and political conflict. Language policy in all state institutions, and especially in schools, serve the purpose of reproducing the dominant ideology and indoctrinating oppressed groups. Imposing English monolingualism equates to negating the cultural experiences of, not only linguistic minorities, but also the poor and disenfranchised (Macedo 2006).

3. Conflicts about language policy usually have their source in group conflicts in which language symbolizes some aspect of a struggle over political power and economic resources (Tollefson 2002a). In the United States, linguistic minorities are not only comprised of recently arrived immigrants and their children, but also enslaved and indigenous peoples (including territories annexed to the U.S.). Most language behavior and rights in the U.S. have been shaped by implicit and covert policies and by informal practices, which denotes that language planning has been used as an instrument of discourse, state, and ideological power (Wiley 2002).

4. The close and complex relationship between language policy and ideology. Languages are severely marked by accents, and intonations, and syntaxes, and literacies that often represent an individual's place in the socioeconomic ladder. Therefore language represents a doorway to label or stigmatize a particular population without overtly identifying it (Tollefson 2002a, Shohamy 2006). In this sense, language policy is cultural policy, and as such its intention is the formation of knowledge and the promotion of a culture that favors the dominant group's interests. As Pennycook (2002) argues,

> "In language policy, therefore, the issue is not so much one of mapping out the formal policies that promote or restrict the use of certain languages, but instead how debates around language, culture, and education produce particular discursive regimes." (p. 92)

Critical theory corresponds with a 'core-periphery perspective' that argues that an elite core has as its mission to further diempower and disenfranchise persons who are already peripheralized through their membership in minority language cultures (Donahue 2002). In the United States, the discourse of monolingualism attempts to portray minorities as a threat to the American way of life and as an excuse to attack multiculturalism, bilingual education, affirmative action, welfare reform, or any other sign of diversity and 'the other.' (Giroux 2001)

Critical theorists define language policy as a "modern-day prohibition." As Lilia Bartolomé (2008) argues "the practice of forbidding the use of non-English languages has constituted the more prevalent contemporary language practice in the US." (p. 378)

B. <u>The Centrist or cultural pluralist perspective</u>

According to the cultural pluralist perspective, the language policy conflict is conditioned by two powerful discourses: equality and national unity. In the United States, it is also linked to related discourses of immigration and assimilation that involve complex ideological narratives of "melting-pot" in American history. In order to understand language policy, it is necessary to examine the interaction between language and its environment (Tollefson 2002b, Spolsky 2004).

Apart from language policy, the term 'language management' is often used to define the intention to avoid or promote by law certain kinds of target language. Language policy includes beliefs about choices, values about languages and varieties, and efforts to change choices and beliefs. It is for that reason that language policy is divided into: language practices, languages beliefs and ideology (Spolsky 2004).

In the United States, bilingualism has traditionally been associated with inferior intelligence (as a result of English non-proficiency) and lack of patriotism. Therefore, the criteria that determine such language policy come to be concerned not just with a felt need for a common

language with consequent communicative efficiency, but also with the same issues of group

identity (Spolsky 2004).

The cultural pluralist perspective further acknowledges that in a state with a well-

developed and strong legal culture, diverse identities and separate ethnic affiliations constitute an

immensely strong social resource (Donahue 2002). It is further argued that the attempt to remove

the linguistic background form any citizen violates the principles of democracy on which U.S.

system's based. On the other hand, they also claim that any pluralist policy that impedes the fully

acquisition of English in an English-hegemonic country as the U.S. puts those individuals at a

great disadvantage of full participation in society (Schmidt 2000).

The cultural pluralist perspectives advocates for policies that favors the maintenance of

native languages and at the same time favors the integration by promoting the acquisition of

English.

C. The Assimilationist Perspective

The Assimilationist perspective emphasizes the unifying role of language. They are

defendants of declaring English the official language of the United States by arguing that:

> "Declaring English the official language is essential and
> beneficial for the U.S. government and its citizens. Official
> English unites Americans, who speak more than 322
> languages (2000, U.S. Census), by providing a common
> means of communication; it encourages immigrants to
> learn English in order to use government services and
> participate in the democratic process; and it defines a
> much-needed common sense language policy."
> (http://www.us-english.org/view/8)

It is hard to find an intellectual statement in the literature that supports the declaration of

English as official language of the United States. The support of such a proposal comes from

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private organizations such as US English or Pro-English. They argue that the United States lacks

an assimilation policy for immigrants and such a fact is causing that the successful integration

ways of the past are being lost (www.us-english.org).

US English argues that government policies and expectations actually encourage citizens

to maintain (or learn) their own language instead of English. They claim that the term 'English-

Only" is misleading since they are not against any foreign language, but they promote the

recognition of English as the official language in the United States. Citizens have the right to use

and learn any language they wish (www.us-english.org).

US English also estimates that the costs of providing services in more than one language

will total more than $2.2 billion. They argue that declaring English the official language means

that official government business at all levels must be conducted exclusively in English, which

includes all public documents, records, legislation and regulations, as well as hearings, official

ceremonies, and public meetings (www.us-english.org).

The arguments that US English defend point in the direction of three assumptions: (1) the

validity of competence in English as an indicator of national loyalty; (2) the presumed neutrality

of Standard English; and (3) the sufficiency of willpower for its mastery (McGroarty 2002).

Assimilation advocates defend a unifying official English policy, since they consider that

ethnic diversity in a given population is inherently destabilizing. The argument is that,

> "To serve separate political needs of minority groups and to
> facilitate the development of leadership elites in such
> groups is risky and ultimately dangerous. Thus the support
> of general policies for distinct mother tongue language
> maintenance, and the specific funding of bilingual
> education in any form, undermines the peace and security
> of the state." (Donahue, 2002, p. 141-142)

4. A typology of language policy

From the previous sections, the elements language, power, ideology have been identified in the conception of language policy. But policies determine in the end legal rights, political rights, social rights, and participation rights. In the United States, linguistic rights have been normally included among non-discrimination rights in the Civil Rights Act (Bratt Paulson 1997).

In order to identify the different institutional ways that those rights can be protected or ignored, it is necessary to distinguish the language policy models that have been recognized by the previous literature.

There are two important domains that condition change for language policy in the United States: greater acceptance of pluralism and greater emphasis on choice and individualism as expressive of an individual's uniqueness. These two domains reflect the balance between democracy and meritocracy (McGroarty 2002).

Turi (1994) states that the fundamental goal of all legislation about language is to resolve possible linguistic problems. The problems that stem from these language conflicts and inequalities are resolved by legally establishing and determining the status and use of the concerned languages. This notion of language policy as a way to resolve linguistic problems is contested by Tollefson (2002b) when he argues that language policy is actually not trying to resolve but to settle a conflict about power and the hegemony between different groups. In which both of them agree is in Tori's (1994) assertion that language policy is aimed at speakers of any given language and not at language itself.

Schmidt (2000) argues that regardless of the numerous reasons why governments have tried to influence language behavior, language policy may be categorized in the following typology:

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1. Centralist policy: Those types of policy that aims to protect one central dominant language at the expense of the rest of the languages within a nation.

2. Policy of assimilation: Such type of policy approach intends to establish different mechanisms in order to ease the transition into a given dominant language for speakers of other languages.

3. Policy of pluralism: The policy of pluralism has an objective the respect and maintenance of all languages spoken within a given nation.

4. Policy of linguistic nationalism: This type of policy divides any given territory into different autonomous areas and each of them is assigned full control over language matters.

Tollefson (2002a) in the context of the United States identifies the following strategies that have been adopted with regard to language behavior:

1. Implicit and covert policies and informal practices – Tollefson (2002a) identifies this type of policy as the most dangerous ones. They are defined as 'gatekeeping' policies, which imply that they have as a goal limiting some specific populations the access to some social resources. Examples of this type of polices are the English Literacy requirements for voting or access to education.

2. Promotion-oriented and Expediency-oriented policies – These policies could be framed in the policies of pluralism described by Schmidt (2000). In the United States, this type of policy is exemplified by Title VII of Bilingual Education passed in 1968, which established the possibility of being taught in one's native language for children born outside of the U.S.

3. Tolerance-oriented policies – This policy is similar to the one granted for private language schools or the situation that German lived in Pennsylvania in the 19th Century.

4. Null policy – The absence of policy leaves an open space for informal practices, and in cases like language policy deciding not to enact a policy is a type of policy that normally works in the disadvantage of the most vulnerable groups.

5. Restrictive and repression-oriented policies – Such policies have as a goal monolingualism and are directed at limiting use of any language other than English in public domains. Examples of these policies can be found in the attitudes toward Native American languages especially in the 19th and early 20th Century and Proposition 227 in California, which banned bilingual education in the State.

Cloonan and Strine (1991) distinguish differences in language policy depending on the origin of the policy in:

a. Constituency-based language policy is determined by legislation, is comprehensive, highly formal, directed at the language population, and is shaped by pressures from the majority or a specific constituency.

Example: English Language Amendment

b. State-benefit-based language policy is also determined by legislation, is formal and comprehensive, is directed at the benefit of the state, and represents a response to governmental concerns.

Example: Language of Government Act

c. Clientele-based language policy is determined by administrations of governmental agencies, is not comprehensive but rather ad-hoc and informal, and is shaped by administrative standards and pressure from citizens for services.

Examples: Court Interpretation, Spanish-language "mirandizing," bilingual education, foreign-language ballots

As derived from the different typologies of language policy that have been identified, we can divide language policy into: practices, beliefs, and ideology. It is necessary to take into account that language policy functions in a complex ecological relationship among a wide range of linguistic and non-linguistic elements (Spolsky 2004).

In analyzing language policy it is equally important to consider: the administrative unit responsible for language policy, the ideological context in which the policy is justified, and the process through which the policy is formulated (Donahue 2002). Following these promises now we explore historical measures of language legislation in the United States.

5. <u>Experiences with language policy</u>

As we have mentioned before, the United States refused to establish an official language, although the reason for this is in dispute. However, such a fact does not mean that language behavior was not regarded as an essential part in the process of the formation of the U.S. Language policies in the U.S. have ranged from repression to restriction to tolerance to accommodation, depending on forces that have little to do with language (Crawford 1998).

Native Americans were soon to discover the first approaches to language policies. By the 1880s, the Bureau of Indian Affairs implemented a policy of forced Anglicization for Native Americans, sending Indian children to boarding schools. Such policies did not succeed in eradicating the child's native language, but it did instill a sense of shame in them that assured English-only education for future generations (Crawford 1998). Such policies internalized a feeling of ambivalence about their own culture in those children and a feeling of subordination with the assumption that "our language was second best." (McCarty 2002, p. 289)

Other historical experiences that proved different attitudes toward language are found in the 1848 Treaty of Guadalupe Hidalgo after the Mexican-American war, and the Gadsden Purchase of 1853, which incorporated Mexican territories into the U.S. Both treaties included provisions which granted automatic US citizenship to the inhabitants of the newly ceded territories, and purported to guarantee land ownership rights, and protect the religious, linguistic, and cultural freedoms of the people that already lived in those regions. In practice, however, this was often not the case (MacGregor-Mendoza 1998). For instance, Spanish-language schooling was discontinued in California in 1855. The California Land Act of 1851 required landowners to prove title of their holdings in English-language courts. 40% of Spanish-speaking owned lands had to be sold to pay for English-speaking lawyers (Crawford 1998).

In order to ensure linguistic and cultural dominance, the US government adopted two different strategies. The first one entailed defining state borders to favor an English-speaking majority by splitting Spanish-speaking communities and delaying the recognition of statehood until English-speaking settlers had colonized the new territories. For this reason, California was accepted as a state in 1850, Nevada in 1864, Colorado in 1876, and Utah in 1896. In the case of New Mexico, which at the time of its incorporation in 1848 included Arizona, such strategy was obviously implemented since it took 60 years for the Federal government to admit such territories as states (MacGregor-Mendoza 1998).

The same policy of colonizing by language was attempted in Puerto Rico after it was bought from Spain in 1898. The American school system was imposed together with the no Spanish rule in schools. However, the population of Puerto Rico rejected the new imposition, which destroyed the basic original educational system in the island, vehemently and it had to be eventually discontinued (Crawford 1998).

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In general, no-Spanish rules were strictly imposed, particularly in the Southwest, where they were enforced with physical punishment and verbal reprimands. More subtly Spanish monolingual students were classified according to test exclusively in English, which resulted in the misplacement and psychological damage of those children (MacGregor-Mendoza 1998).

The case of Hawaii reflects the harm that a dual language education system can cause when Standard English is identified with the minority white middle-upper class and Hawaiian Creole English with the Native working class (Crawford 1998). It is an example of how language trespasses the linguistic borders to mark socio-economic distinctions in any given community.

The first case in law that had an impact on language policy was Meyer v. Nebraska, 262 US 390 in 1923. Meyer, a parochial instructor, was accused of violating a Nebraska law enacted in 1919 that prohibited instruction in any foreign language. However the Supreme Court held that the law violated the Fourteenth Amendment of the U.S. Constitution by limiting individual inalienable rights (Tollefson 2002a).

Actually, German was relatively tolerated in Pennsylvania and other Midwestern States, unlike other languages, until the First World War. However Wiley (1998) points out that there was no effort to segregate German-Americans in the period after World War I as it happened with other minorities of color. But after that period, all foreign languages were portrayed as suspicious signs of anti-patriotism. According to Crawford (1998), such a strategy had two intentions, first to deprive a minority of its rights in order to frustrate worker solidarity, and second, to divulgate a perception of the United States as an exclusively Anglo community. And this situation remained quite constant until the 1960s.

The Title VII of the Elementary and Secondary Education Act, known as the Bilingual Education Act, has been the most important law in recognizing educational minority rights in the

history of the United States. The law did not force school districts to offer bilingual programs, but it encouraged them to experiment with new pedagogical approaches by funding programs that targeted principally low-income and non-English speaking populations (Ricento 1998).

The Supreme Court Sentence Lau v. Nichols, 414 US 563, 565 in 1974 reinforced the mandate that it was the school district's responsibility to provide the necessary programs and accommodations for children who did not speak English. In this case, a group of Chinese parents had sued a California school district for not educating their non-English speaking children in the same conditions as English speakers. Actually, the parents of these students argued that their children were left in a "swim-or-sink" situation by being taught exclusively in English, a language they still could not fully understand (Wiley 2002). In a related previous sentence in 1973, the Ninth Circuit Court of Appeals had argued that

> "The discrimination suffered by these children is not the
> result of laws passed by the state of California, presently or
> historically, but is the result of deficiencies created by the
> children themselves in failing to know and learn the
> English language." (as quoted in Wiley 2002, p. 55)

In the 80's, under Reagan's administration, the then secretary of education William Bennett cut the bilingual education budget nearly in half (Crawford 1998). A new era of resistance to language rights in the United States commenced: non-standard versions of English were deemed illegitimate, especially African-American vernacular; there was an alleged undersupply of certified bilingual teachers; and the idea that there would not be sufficient resources in extending language rights to all official situations was widely publicized (Wiley 2002).

In 1983, the organization U.S. English was founded by Senator S.I. Hayakawa. An organization whose purpose was to pass legislation in order to establish English as the nation's official language by arguing that the common language of the U.S. was in danger (Crawford 1998).

Today, it is estimated that 31 states have adopted official English legislation. 19 of them had passed such legislation during the 1980s. In 1996 the U.S. House of Representatives passed the Emerson English-Language Empowerment Bill (H.R.123). Finally the Senate did not act on this bill that would have established English as the United States sole official language and eliminated the language minority provisions passed in 1965 under the umbrella of the Civil Rights Act (Schmidt 2000).

6. Final Thoughts: What is left to be known?

Most studies of language policy so far are either historical studies or theoretical analyses. Most of them recognize language as a potent force for mobilizing public opinion to affect not only language policy, but broad issues of state formation, politics, ethnicity, social integration, and administration. However as Ricento & Hornberger (1996) argue

> "none of the theoretical approaches to language planning can predict the consequences of a particular policy or show a clear cause/effect relationship between particular policy types and observed outcomes […] Language policy must be evaluated not only by official policy statements or laws on the books but by language behavior and attitudes in situated, especially institutional contexts."

The literature identifies a variable relationship between language and sociopolitical conflict. But as Tollefson (2002c) asserts such relationship depends not on the degree of

diversity but on the particular "local" connections between language and various forms of social and economic inequality.

Wiley (1998) asserts that language remains a strong marker for social and economic differentiation and discrimination, and that policies that enforce English-only mandates are designed not to improve the chances of assimilation on the part of linguistic minorities, but that such policies represent a kind of 'ethnolinguistic domestication.' (p. 194) That is the reason why these policies gather as much resistance as integration in minority groups.

Wiley (1998) also predicts that if English is declared the official language of the U.S., would on the one hand accentuate the social ascription based on the variety of English that any given individual or group speaks. It would also exacerbate the 'gatekeeping' encounters according to the level of proficiency one has achieved. In both cases, Wiley predicts an intensification of the struggle between groups. In this sense, Tollefson (2002c) stresses the effect that the promotion of language rights may have in reducing the potential for language conflict.

Still the question that is to be addressed through a comprehensive analysis of the current and past legislation is: what is the pattern that language legislation follows in the US? And does it respond to a specific problematic area or not?

If the question of language policy is not mainly a linguistic question, but rooted in a deeper cultural, ethnic, and socio-economic perpetuation of discrimination, then it is necessary to track which socio-economic variables are affected or not by the passage of language legislation. One way to address such questions is using Freire's methodological framework, which follows the following pattern:

1. Comprehensively <u>construct</u> the problem (historical dimension)

2. <u>Deconstruct</u> the issue – Analyze it critically

3. <u>Reconstruct</u> the problem and develop potential solutions (alternatives)

Such a mehodological approach will hopefully contribute to unveil some of the questions

marks that still remain about the real effects of language policy or determine if it is only a

'rhetorical' policy and what the implications for such a fact are.

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