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The New Nativism: Language Policy and Linguistic Ideology in the United States

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Abstract: Recent decades have seen a rise in nativism in the United States, manifested in calls for tighter immigration controls, resistance to bilingual education, and increasing support for English as the official language. There are renewed calls to restrict both the public and private scope of languages other than English, as well as the stigmatized dialect called variously Black English, Afro-American Vernacular English, or Ebonics. While earlier nativist movements in the U.S. targeted immigrants in general and Germans in particular as posing the greatest threat both to English and to national stability, the new nativists focus on the growing number of Spanish speakers, arguing that unlike previous immigrant groups, Hispanics show more language loyalty and resist assimilation into the Anglo mainstream, supporting their claims with figures from the recent Census 2000. I will discuss the history of U.S. language policy in light of recent legislation, legal decisions, Census language data, and public commentary on language issues. While Spanish continues to be perceived as disruptive and a threat to the dominance of English, I argue that such perceptions are erroneous, based more on prejudice than on linguistic reality.

Keywords: nativism, English language, bilingualism, Ebonics, Afro-American Vernacular English, U.S. immigration, language laws.

The new nativists

Linguistic nativism – the kind that says, “Speak English or go back where you came from” – is a long-standing American tradition. It’s also unnecessary. No matter how hard minority language speakers in the United States work to preserve their speech, they face an inexorable shift to English. That was true of German in the past, and it’s true of Spanish today. Eighteenth-century nativists like Benjamin Franklin accused German Americans of taking jobs away from English workers, of speaking a debased dialect of their own language, and of refusing to learn English. Franklin considered Germans racial others, calling them “swarthy,” not white like the English. Other Anglos accused the Pennsylvania Germans of laziness, illiteracy, clannishness, a reluctance to assimilate, excessive fertility, and Catholicism. They were even blamed for the severe Pennsylvania winters (Baron 1990). But it wasn’t long before the Germans, and just about everyone else who didn’t speak English, abandoned their heritage languages. Some immigrants became Protestant. Some, if they could, even became white.

Today the English language dominates the entire world as colonialism shifts from a political to an economic basis. But despite its global spread, there is a distinct feeling that English is endangered at home, in the United States. The new nativists see Spanish as the enemy. They are wrong: while Spanish has eclipsed German as the leading minority language spoken in the U.S., the 2000 Census reports that 92% of all Americans over five years old have no difficulty speaking English, and 96% claim to speak English well or very well. While that’s down by about 1.5% from 1990 figures, it hardly depicts a language under siege.

But Americans who speak only English, as most do, tend to see other languages as threats. When the U.S. entered World War I in 1917, the governor of Iowa struck out at the German enemy by attacking the German language. He issued an order forbidding the use of any foreign language in public: on the street, in churches, even on the telephone, a much more public instrument than it is now. In response to the war, Iowa’s German population switched to English (Baron 1990). But fearing a Spanish invasion – the number of Hispanics in Iowa doubled between 1990 and 2000 – in 2002 Iowa became the twenty-seventh state to make English its official language. However English in Iowa needs no protection: only 2.9% of Iowa’s population are Spanish speakers, and over half of those 80,000 Hispanics speak English very well (Census 2000).

English is as secure now as the language of American government, education, and commerce as it’s been since the first British invasion of Virginia and New England in the seventeenth century. But Harvard’s Samuel P. Huntington is only the latest scare-monger to argue otherwise. In his new book, *Who We Are* (2004b), Huntington warned that “the values, institutions, and culture” of the creators of America – white Protestant speakers of English – are rapidly losing ground to multiculturalism and diversity. Giving ammunition to nativists who regard Miami as a foreign country and the American Southwest as a province called North Mexico, Huntington laments that Hispanic immigrants, unlike other groups, retain their heritage language and pose a threat not just to English, but to American stability. He warns that the only way for Hispanics to buy into America without tearing it apart is to learn English:

“There is no Americano dream. There is only the American dream created by an Anglo-Protestant society. Mexican Americans will share in that dream and in that society only if they dream in English” (Huntington 2004a).

Huntington concedes that the United States no longer defines itself as exclusively white and Protestant, but he insists that the Anglo-Protestant creed, the American dream embodied in the English of Thomas Jefferson’s *Declaration of Independence* and the other founding documents, is something that non-English speakers are just not going to understand. Languages around the world carry the burdens of national or religious ideology, and English is no exception: it’s the language of representative democracy, of global capitalism, of rock ‘n’ roll. But that doesn’t mean that freedom, business and music can’t be expressed in other languages as well. The eighteenth-century insistence that language reflects the essence of ethos and culture in ways that do not translate has strong supporters among those opposed to immigration as well as those focused more altruistically on the preservation of American ideals. But in the eighteenth century the Continental Congress ordered translations of the founding documents as a way of enlisting support from French Canada and from non-anglophone colonists.

Huntington, who could as easily be writing about Germans two hundred years ago in Pennsylvania, objects that Hispanics are different from other immigrants to the U.S.: too many come illegally; they concentrate their settlement regionally; they don’t value education; they don’t marry nonhispanics; they have a high fertility rate; their economic status remains low; and they don’t buy homes. And unlike other groups, Hispanics oppose official-English laws. Even when their socioeconomic status improves, Huntington charges, Hispanics hold on to Spanish, slowing their educational progress and ultimately, their assimilation.

Huntington is convinced that if America doesn’t remain Anglo-Protestant and English-speaking, it will split into two countries, one Anglophone and the other, Spanish-speaking. He suggests shutting off Mexican immigration to solve the language problem, facilitate assimilation, and preserve the union. This would lead to a newly-diverse immigrant community, unlike the current predominantly-Spanish-speaking one, an immigrant community that would once again adopt English as a common denominator, and the nation could return to normal.

Huntington is wrong in his assertion that English is a Protestant language. Even though the American founders were largely Protestant, English, which remains the American the common denominator language, has never been the undisputed

property of one ethnic or religious group. It’s a language that started out in heathen Europe, traveled to Celtic Britain, was leavened with the Latin of Irish monks, the Norse of Viking raiders, and the French of Normans bent on regime change (Baron 2004). Even during the brief Anglo-Protestant moment of Shakespeare and King James, English swelled with borrowings from Latin, Italian, and Spanish. Modern English has absorbed words from Arabic, Hebrew, Navaho, Yiddish, Polish, Hindi, Bantu, Japanese, and a host of others. In turn the British, and later the Americans, exported English around the globe, where local varieties of the language have gone native. In short, English is culturally diverse enough to make Huntington’s Anglo-Protestant ideal citizen switch to Klingon.

Meanwhile, back in the United States, even with the continuing influx of Spanish speakers to renew the speech community, Hispanic Americans are losing their Spanish, many of them by the second generation, considerably faster than the language loss of pre-World War I immigrants. (The same thing seems to be happening in the Asian community, despite continued high levels of Asian immigration.) Hispanic American adults enroll in Spanish classes not because they have kept their language, as Huntington insists, but because they are losing it. Their children take special heritage-language Spanish classes in college for the same reason: loyalty to a language being eclipsed by English. And they object to official-English laws like Iowa’s not because they want to keep on speaking Spanish. It’s not the law that preserves or drives out the language, but subtle social and economic pressure. Hispanics object to official English legislation – as all Americans should – because such laws say, “We don’t want you here.”

Meyer v. Nebraska

In 1919, at the height of the xenophobia that followed America’s entry into World War I and led to Iowa’s ban on the use of foreign languages, the state of Nebraska passed a broad English-only law prohibiting the use of foreign languages at public meetings and proscribing the teaching of foreign languages to any student in a public or private school who had not yet completed the eighth grade. Robert T. Meyer, a teacher in the Lutheran-run Zion Parochial School, was fined twenty-five dollars because, as the complaint read, “between the hour of 1 and 1:30 on May 25, 1920,” he taught German to ten-year-old Raymond Papart, who had not yet passed the eighth grade. [Much of the material in this section is taken from Baron 1990.]

Meyer appealed, claiming that the Nebraska English-only law denied him the equal protection to pursue his calling as a teacher as guaranteed by the Fourteenth Amendment, and it denied parents the

right to determine what their children would be taught. The Nebraska Supreme Court affirmed Meyer's conviction for "the direct and intentional teaching of the German language" (Meyer 1922). The court accepted the state's argument describing "the baneful effects of permitting foreigners who had taken residence in this country, to rear and educate their children in the language of their native land." The Court ruled that such a situation, because it proved "inimical" to the public safety, inculcating in the children of immigrants "ideas and sentiments foreign to the best interests of this country," fell within the police powers of the state.

The Nebraska court also dismissed the idea that foreign-language instruction was useful for the young. It found that most parents, with the exception of some who were foreign-born, "have never deemed it of importance to teach their children foreign languages." It agreed as well that the teaching of a foreign language was harmful to the health of the young child: "The hours which a child is able to devote to study in the confinement of school are limited. It must have ample time for exercise or play. Its daily capacity for learning is comparatively small." Such an argument was consistent with the educational theory of the day, which held as late as the 1950s that bilingualism led to confusion and academic failure, and was harmful to the psychological well-being of the child. Indeed, the psychologist Florence Goodenough contended in 1926 that the use of a foreign language in the home was a leading cause of mental retardation (Hakuta 1985, 27).

Arguing the state's brief before the U.S. Supreme Court, the Nebraska Attorney General defended the "English first" statute by stressing – in patriarchal terms – the enlightening power of the English language:

If it is within the police power of the state . . . to legislate respecting housing conditions in crowded cities, to prohibit dark rooms in tenement houses, to compel landlords to place windows in their tenements which will enable their tenants to enjoy the sunshine, it is within the police power of the state to compel every resident of Nebraska to so educate his children that the sunshine of American ideals will permeate the life of the future citizens of this republic. A father has no inalienable constitutional right to rear his children in physical, moral or intellectual gloom. [Baron 1990]

The U.S. Supreme Court reversed Meyer's conviction in the landmark decision *Meyer v. Nebraska* in 1923. Writing the majority opinion for the Taft court, Associate Justice James Clark McReynolds argued,

the protection of the Constitution extends to all – to those who speak other languages as well as to those born with English on the tongue. Perhaps it would be highly advantageous if all had ready understanding of our ordinary speech, but this cannot be coerced by methods which conflict with the Constitution, – a desirable end cannot be promoted by prohibited means.

Associate Justice Oliver Wendell Holmes, who favored official English and had no problem telling teachers what they could and could not do in the classroom, dissented from the majority opinion: "No one would doubt that a teacher might be forbidden to teach many things," although Holmes supported the Court's decision to strike down an Ohio law specifically barring instruction in German.

The decision in *Meyer v. Nebraska* was to some extent an empty victory for language teachers: while their calling could no longer be restricted, the ranks of German classes had been devastated by the linguistic assimilation which World War I forced on German Americans. In 1915 close to 25 percent of the student population studied German in American high schools. Seven years later, in 1922, only 0.6 percent – fewer than 14,000 high school students – were taking German (Gilbert 1981, 263).

American attitudes toward minority languages have a history of swinging between extremes of tolerance and intolerance. Asserting that "American ideas have been born in English and require English for their proper preservation and dissemination," the 1920-22 Illinois State Constitutional convention adopted an amendment requiring English literacy of all appointed and elected office holders. It also affirmed both English as the language of instruction in the public private schools and the right to teach foreign languages. The delegates recognized the role of the schools in the Americanization process: "How shall we ever make these millions think America if we do not teach them to speak American," but they rejected an attempt to exclude German from the school curriculum. Ironically, the argument against German echoes the nation-language connection so thoroughly grounded in German philosophy: "If we permit the children and citizens to live, move and have their intellectual being in the language and literature of absolutism, it will be well nigh hopeless to attempt to preserve a pure democracy among them. There has never been an absolutism among English-speaking peoples." Speakers warned of "the disintegrating tendencies of polyglot States," and referring to Babel then as one might refer to Canada today, urged that national unity requires a national language (Baron 1990).

Post-war official English sentiment found some support in the anti-British feeling of many

Irish-Americans. In 1923, Montana Representative Washington Jay McCormick introduced a bill in the U. S. Congress to make American the nation's official tongue. McCormick's bill was not so much anti-German or anti-minority language as it was virulently anti-British.

McCormick's bill died in committee, but *American* was clearly in the air in 1923, and similar bills appeared in a number of state legislatures that year. All but one failed. State Senator Frank Ryan of Chicago sponsored a bill making American – not English – the official language of Illinois. Its whereabouts attack those American Tories “who have never become reconciled to our republican institutions and have ever clung to the tradition of King and Empire.” According to Ryan, such Anglophiles foster racism and defeat the attempts of American patriots “to weld the racial units into a solid American nation.”

The bill clearly appealed to the Irish electorate, and though as finally worded it was toned down considerably, its original sentiment remained. The Brit-bashing clauses were replaced by a paean to America as the world's welcoming immigrant haven. A final paragraph justified changing the name of the language because newcomers to the United States considered its institutions and language to be American, not English. Despite passage, the Illinois law produced no sweeping changes in usage in the state, where English rather than American continued to be taught in the public schools, albeit illegally, and it was quietly repealed in 1969, when English once again became the official state language (Baron 1990).

Lau v. Nichols

German, cast as a language of authoritarianism in contrast to the democratically constituted English language, was not the only target of American xenophobes. Spanish was the object of vilification as well. The language commentator Charles Astor Bristed echoed the common nineteenth-century American rejection of New World Spanish, completely underestimating the economic and literary influence that language would achieve only a century later, and dismissing it instead as beneath notice. Writing in 1855 Bristed claimed,

Little . . . is known, and as little cared about, the nature and extent of the modifications which the Spanish language may have received in the Hispano-American republics, for these countries occupy but an insignificant place in the political world, and what is more to the point here, are absolutely nowhere in the literary world.

This negative attitude toward Spanish greatly affected the political status of New Mexico in

its relations with the United States. Acquired through the Treaty of Guadalupe Hidalgo in 1848, New Mexico was made a territory in 1849, with a promise of immediate statehood. Although California, acquired in the same year, became a state in 1850, after gold was discovered at Sutter's Mill, New Mexico, which remained one of the poorest areas of the country, was repeatedly denied statehood until 1912.

New Mexico and California treated their Spanish speakers differently. Although the 1850 California constitution protected Spanish, that provision was removed when the document was revised thirty years later. The Treaty of Guadalupe Hidalgo did confer American citizenship on Mexicans who chose to stay in the region, but at least one delegate to the 1879 California constitutional convention, complaining of the paperwork that goes with official bilingualism, considered the state's Hispanics to be strangers still: “We have here in the Capitol now tons and tons of documents published in Spanish for the benefit of foreigners.” Also classed as foreigners were California's Chinese, who were segregated into separate “oriental” schools until well into the twentieth century (Baron 1990).

American schools have never adequately addressed the problem of non-English speaking students. In 1911, the Dillingham Commission found 60-70% of children of foreign-born parents “retarded” in school. Colin Greer reports that in 1904, 39% of New York City elementary school pupils were as much as 2 years behind grade level. In 1910, New York City had a 30% high school drop out rate, which increased to 50% in the 1940s. Rather than promoting mobility, “the schools were more often agencies for maintaining social status pretty much as they found it.” Even half of “favored” immigrant groups, English and Welsh, remained unskilled workers.

Eventually American schools were forced to confront the problem non-English-speaking students. *Lau v. Nichols* (414 US 563 1974) was a class action suit brought by the guardians of Kinney Kinmon Lau on behalf of more than 1,800 non-English-speaking Chinese American students of the San Francisco Unified School District, alleging violation of the students' rights under the 14th Amendment, which guarantees equal protection under the laws for all persons. Despite a California policy of ensuring mastery of English by all students, these students received no supplementary English instruction. Though they were attending school, they were receiving no education at all. The court ruled,

Students who do not understand English are effectively foreclosed from any meaningful instruction. . . . We know that those who do not understand English are certain to find their

The Supreme Court decided for Lau not on the basis of constitutional law, but on sec. 601 of the Civil Rights Act of 1964 (42 USC sec. 2000d), following the Department of Health, Education and Welfare's 1970 lead that not providing English for non-English speakers was a form of national-origin discrimination:

It seems obvious that the Chinese-speaking minority receive fewer benefits than the English-speaking majority from respondents' school system which denies them a meaningful opportunity to participate in the educational program – all earmarks of the discrimination banned by the regulations.

The petitioners did not ask for, nor did the court prescribe, any specific remedies, though the court listed as two possible options either the teaching of English to these Chinese students, or direct instruction in Chinese, while allowing that other acceptable solutions might also be possible. The Court created no language rights for the plaintiffs, but did order the school district to come up with a plan integrating its non-English-speaking students into its schools, and the result has been the so-called Lau Remedies, most of them centering on some sort of transitional bilingual education (Baron 1990).

The Language of Government

Twenty-seven states now have laws declaring English to be their official language. An amendment to make English the official language of the United States has been proposed almost annually since the early 1980s. It has drawn very little support from legislators, many of whom worry that it will cost them more votes than it's worth. The current version of the ELA, which once again has almost no chance of passing, reads as follows:

SECTION 1. The English language shall be the official language of the United States. As the official language, the English language shall be used for all public acts including every order, resolution, vote, and election, and for all records and judicial proceedings of the Government of the United States and the governments of the several States.

SECTION 2. The Congress and the States shall enforce this article by appropriate legislation.

The ELA does little more than legalize the *status quo* (to use a Latin term), serving as symbolic support for a national language rather than requiring or forbidding particular behaviors. Supporters of legal props for English have turned to legislation rather than amendment: it's a much simpler process, one that requires less support for passage, and one that allows more narrow definitions of what is and is not allowable. [Much of the material in this section is taken from Baron 2004.]

In 1996 the U.S. House of Representatives passed the "Language of Government Act" declaring English to be the language of the federal government. The majority report, after a nod to diversity, declares, "throughout the history of the United States, the common thread binding individuals of differing backgrounds has been a common language. In order to preserve unity in diversity, and to prevent division along linguistic lines, the Federal Government should maintain a language common to all people." English will empower immigrants, and any money saved would go to teaching English to immigrants.

The law adds a chapter to Title 4 of the US Code entitled "Language of the Federal Government." Hearings on the bill were held before the House Subcommittee on Early Childhood Youth and Families with only "friendly" witnesses testifying. The majority report of that subcommittee states that over the past few decades, Congressional action and inaction has resulted in a balkanized national language policy. It insists that publishing government documents in languages other than English discourages immigrants from learning English, and warns that the Census Bureau counts more than 320 different languages spoken in the United States.

A General Accounting Office (GAO) investigation, ordered by the Committee, found only 265 of 400,000 federal documents, or .06%, had been published in foreign languages. Nevertheless the report continues, "The point is not to quibble over facts and figures but rather to focus on the bigger policy: is America going to advocate policies like the learning of English to empower people to realize the American dream? Or, do we continue the trend toward the balkanization of languages, encouraging people to interact only with those of similar backgrounds?" It finds that 86% of citizens and 81% of immigrants want this bill. "The vast majority of citizens in this country are fed up with the present day situation which has fostered linguistic welfare." Finally, the report calls attention to the fact that, at that time, twenty-three states had official language laws, as did seventy-nine nations.

The committee also issued a minority report which warned that the law would generate frivolous lawsuits (despite the fact that the Republican majority had consistently opposed frivolous lawsuits), and it worried about the impact of the law on the Commonwealth of Puerto Rico. Finally, an Alaskan language specialist argued that the common thread holding American society together has not been a common language but rather a desire to "promote the general welfare and secure the blessings of liberty to ourselves and to our posterity."

In addition to the Language of Government Act, 1996 saw an attempt to repeal the 1965 Voting Rights Act, which guaranteed multilingual ballots. The repeal was opposed by the Justice Department, which argued, "More than our language unites us. We are united as Americans by the principles of tolerance, free speech, representative democracy, and equality under the law. HR 351 contravenes each of these principles."

While official language legislation was opposed by representatives of some language minority communities in the United States, native communities, perhaps resentful of resources going to immigrants, agreed to support the new laws provided their own languages were protected. In hearings of the Senate Committee on Governmental Affairs (March 7, 1996), Hawaiian and Native American groups argued that the Language of Government Act should pass only if it was amended to "guarantee the revitalization and perpetuation of the indigenous languages of the United States." The National Congress of American Indians testified, "In recognizing English as the official language of the United States, Congress must, at the same time, reaffirm Indian sovereign rights regarding the use of our own languages to protect an important part of Native American culture from becoming extinct." "American Indian and Alaska Native people . . . are not simply 'ethnic groups,'" they are also sovereign nations. In response, the amended version of the proposed Language of Government law read, "The official language of the Government of the United States is English *except for special provisions for Native American languages which are the national languages of the United States.*" In the end, Congress did not pass the Language of Government Act or repeal the Voting Rights Act (Baron 2001).

The English Language Unity Act

After the terrorist attacks of 9/11, the Language of Government Act was reborn as the "English Language Unity Act." The patriotically-named bill was introduced into Congress in 2001, and having made no headway, it appeared again in 2003. The bill "declare[s] English as the official language of the United States, to establish a uniform English language rule for naturalization, and to avoid mis-constructions of the English language texts of the laws of the United States, pursuant to Congress' powers to provide for the general welfare of the United States and to establish a uniform rule of naturalization under article I, section 8, of the Constitution."

In an era where the ability of Americans to understand the languages spoken by their enemies is severely strained (American intelligence agencies cannot translate documents or conversations quickly

enough to assess their importance to national security), the legislation seeks to protect and promote English and to ensure that naturalized citizens are fluent in the language. While it praises linguistic and cultural diversity, it finds that "Throughout the history of the United States, the common thread binding individuals of differing backgrounds has been the English language," and it recognizes that "among the powers reserved to the States respectively is the power to establish the English language as the official language of the respective States, and otherwise to promote the English language within the respective States." The Language of Unity Act would amend Title 4 of the U.S. Code by declaring English the official language of the United States and obliging the government to preserve and enhance the role of English, and to encourage greater opportunities for individuals to learn it.

The law specifies that "The official functions of the Government of the United States shall be conducted in English," including all laws, public proceedings, regulations, publications, orders, actions, programs, and policies" while exempting the teaching of foreign languages, the exigencies of national security, foreign policy, trade, tourism, public health and safety, the rights of the disabled, of the victims of criminals, of criminals, the Census Bureau, and the use of terms of art or phrases borrowed from other languages. The law specifies that "all citizens should be able to read and understand generally the English language text of the Declaration of Independence, the Constitution, and the Laws of the United States made in pursuance of the Constitution," and that all naturalization ceremonies be conducted in English.

It would be interesting to see whether native English speakers, let alone immigrants seeking naturalization, could understand the following provision of the English Unity law: "(a) English language requirements and workplace policies, whether in the public or private sector, shall be presumptively consistent with the Laws of the United States; and (b) Any ambiguity in the English language text of the Laws of the United States shall be resolved, in accordance with the last two articles of the Bill of Rights, not to deny or disparage rights retained by the people, and to reserve powers to the States respectively, or to the people."

Like the Language of Government Act, the English Unity law protects efforts to preserve Native Alaskan and Native American languages, and it does not "prohibit a Member of Congress or any officer or agent of the Federal Government, while performing official functions, from communicating unofficially through any medium with another person in a language other than English (as long as official functions are performed in English)."

What makes the "Language Unity Act"

divisive is the provision stating, "A person injured by a violation of this chapter may in a civil action . . . obtain appropriate relief." The law encourages any pro-English or anti-immigration activist to petition the courts to stop spoken and written communications in any language other than English. It puts all government employees on notice: any time they speak or write in a language other than English, they may be opening themselves up to a lawsuit where they would be required to prove that a specific use of a foreign language did not violate the law.

Official language laws address what is perceived to be competition from other languages. They don't address concerns over the competing varieties within English. Sometimes those varieties become public policy concerns as well.

Ebonics

Language policy in the United States has a racial as well as an ethnic dimension. In December, 1996, the School Board of the Oakland Unified School District, in California, passed a resolution declaring Ebonics to be the primary language of the African-American students in Oakland's schools. The resolution further declared Ebonics to be a language in its own right, not a dialect of English, and proclaimed that students be taught in ways that would maintain Ebonics as well as introduce them to standard English. [Much of the material in this section is taken from Baron 2000.]

The Oakland Ebonics Resolution, classifying Ebonics as a language, not a dialect, quickly came to be perceived as the Black English declaration of independence. It was greeted by the nation as an act of secession, and in response to the strong national opposition to its separatist stand, the Oakland School Board quickly replaced its initial radical stance on language with a conservative one, assuring the public that its goal had never been to teach Ebonics – after all, students already knew that language. Instead, the intent of the resolution was to teach teachers about the language their students brought to school, and to teach standard English to students who were not fluent in it, employing a methodology with a bilingual flavor that would direct students to translate from their home language into the standard.

Much of the Ebonics debate has focused on whether Black English is a language or a dialect, and on whether ESL techniques will work to convert AAVE speakers to standard English. The Oakland Resolution, which was later modified, was based on a recommendation by a panel charged with studying the problem that African American students, who make up the majority of Oakland students, have disproportionately low grades, are underrepresented in the district's gifted programs and overrepresented in their remedial programs, and tend to score lowest

of all racial and ethnic groups on standardized tests. The panel concluded that there were many things wrong with the Oakland schools and it made a number of recommendations, dealing with fixing up classrooms, improving educational materials, providing smaller classes, building up teacher morale. In other words, that report concluded, a whole lot of things besides language are "wrong" with the schools. The focus on language taken by the School Board misrepresented the problem, and suggested a quick fix solution that could not really work.

The Oakland resolution cited the Federal Bilingual Education Act as mandating programs for children of Limited English Proficiency (LEP) and argued that 'educational programs recognizing the English-language acquisition and improvement skills of African-American students are as fundamental as is application of bilingual education principles for others whose primary languages are other than English.' The resolution reiterated that African-American pupils were on the same footing as Asian-American, Latino-American, Native American, and other pupils 'who come from backgrounds or environments where a language other than English is dominant,' and instructed the superintendent of schools to secure state and federal title VIII bilingual education and ESL funding to address the needs of LEP African-American students.

But this attempt to claim a share of bilingual education funding was widely received as inappropriate. U. S. Secretary of Education Richard Riley quickly ruled Ebonics a dialect, not a distinct language, making it ineligible for federal bilingual education funds. Moreover, in the Spring of 1998, California voters wary that recognizing any language but standard English in classrooms represented a call to linguistic insurgency, put an end not just to Ebonics but to bilingual education as well by passing Proposition 227, which required English immersion programs and the linguistic mainstreaming after one year of all non-English-speaking or LEP students.

But the larger question, getting back to language, is to examine why at least some people in Oakland felt it necessary to define Ebonics as a distinct language in the first place. The middle class black community adamantly rejects Ebonics, defining it not as black English, but as bad or ungrammatical English. The larger American community is ready to accept the diversity of English around the world. In contrast, the 'real-world' or day-to-day English varieties of internal colonies, that is to say the English of the inner cities and of the socially disenfranchised, continues to be stigmatized by speakers of more prestige varieties of the language.

If as Max Weinreich suggested, 'a language is a dialect with an army and a navy,' Oakland was clearly and deliberately trying to become the mouse

that roared by going up against the most heavily armed language in the world, as the following summary shows:

- the School Board selected language status for Ebonics out of a whole range of recommendations to focus on for its resolution
- naming Ebonics as a language sparked a strong national reaction which began to dissipate once the assertion was retracted
- claiming language status for Ebonics underscores the helplessness of Oakland, the only school district in California with a majority black student population, in the face of massive student underachievement
- and the failure of the attempt to supply Ebonics with an army and a navy forces us to consider the ambiguous position of black English in the United States.

Neither the public nor the linguists who focused on Ebonics devoted much time to exploring the fact that some people in Oakland clearly had felt the political need to classify Ebonics as a separate language. Indeed, the motivation of these Oakland residents was not just to grab bilingual education dollars, but instead possibly to counter the powerlessness they felt when confronted by the poor performance of their African-American students, and to express their frustration at having their language both unconsciously embraced and openly rejected by American popular culture. Williams (1996) touches on this frustration, observing that black English in the United States is both emulated as the height of creative linguistic style and reviled as the embodiment of illiteracy:

Perhaps the real argument is not about whether Ebonics is a language or not. Rather, the tension is revealed in the contradiction of black speech being simultaneously understood yet not understood ... There are enough standard-English speakers who just love to 'talk black,' who at the drop of a hat break out in 'basketball' ... This phenomenon is part minstrelsy, part presumptuousness and, most complicated of all, part of the mainstream's assimilation of black speech patterns that, once incorporated, are promptly forgotten as such.

Considering black English as a separate language was not a view invented in Oakland. Indeed, it is not a new phenomenon: a small but significant number of African American students whose education was not particularly Afro-centric have reported to me over the past thirty years that they were told, by teachers in high school, that black English was not a dialect but a separate language. More recently, though, in discussions of the Ebonics controversy in the winter and spring of 1997 at the University of Illinois and elsewhere, while the black

faculty tended to accept Ebonics as either a dialect of English or even a separate language, a surprising number of African American students reported that they had never been exposed to the concept of a racialized language variety at all, either in school or at home. Instead, they had been told by parents and teachers that there wasn't 'white English' or 'black English,' just 'good English' and 'bad English.' For example, one African-American high school senior in California told reporters, 'We don't say, 'I be.' That's slave language ... The last time I checked, black people just speak English' (Asimov and Olszewski 1996). Denial of a separate, black English is not a new phenomenon. Hale (1998: 19) reports that, consistent with the black post-Civil War self-consciousness regarding the culture of slavery days, one resident of the Georgia Sea Islands, where the Gullah dialect replete with Africanisms still survived, insisted to an anthropologist collecting folklore in 1919, 'Dere is not'in de matter wid us but bad grammar.'

I would also like to suggest that the acquisition of standard English, problematic as it may be in terms of pedagogy, has never guaranteed success in life or even access to the economic mainstream. Discrimination – on account of their language – against people who speak non-standard English usually masks other, more sinister forms of prejudice. Women and members of every ethnic and racial minority have found that mastering the mainstream varieties of English – say, legal language, business English, or technical jargon – by itself will not guarantee them equal treatment. Even if your language is irreproachable, if teachers, employers, or landlords want to discriminate against you, they will find another way to do so.

Standard English may be necessary, but it is seldom sufficient, for school and workplace success. And if our sports heroes, media celebrities, and public figures are anything to judge by, success is often achieved without standard English. In addition, few of the success stories of first-generation immigrants to this country involve the learning of impeccable standard English. As teacher's aide Yolanda Hernandez cynically put it when asked by a reporter to comment on the furor generated by the Ebonics resolution, "Proposition 187, Proposition 209, and now this. It's easy to see a pattern. They don't want immigrants here, and they don't want us to get jobs. But they want us all to talk the same."

Language in Oakland, as it often does elsewhere, masked deeper issues. The Ebonics resolution opened discussions on race relations, education, and a variety of social problems. Many people viewed the Oakland resolution as a declaration of independence, a separatist move going beyond language. When Oakland reversed course

and tried to make its focus on Ebonics seem more like an assimilationist move, critics were appeased. But it seems to me that the Oakland resolution, both in its original and its modified form, also seemed to resist official or standard English, a move guaranteed to strike people as revolutionary. There is a perception abroad that privileging any voice other than standard English, even alongside standard English, even as a bridge to standard English, disrupts the intellectual and moral as well as the social order.

The response to the Oakland Ebonics resolution further suggests the continued existence of internal colonies in a postcolonial world, the existence of subaltern peoples, an underclass whose voice remains unheard. That in itself seems to be one reason for Oakland's attempt to define itself out of English into its own language. The other, more practical reason, was surely to get funds equivalent to what was being spent on ESL students. Nativism came to the fore as some African-American community activists in Oakland must have wondered, "Are we going to sit idly by while *immigrants* get a special education deal from the federal government?" Such thinking would seem to underlie that fact that in the Fall of 1997, Oakland budgeted some \$400,000 to support the SEP program while angering federal authorities by not hiring enough bilingual education teachers.

But critics and some supporters of the Oakland resolution as well noted that even if SEP programs bolster students' self-image, they have not been demonstrably successful at improving test scores. Complicating things further for those who see standard English as the only voice that is listened to, the paths to linguistic assimilation are not simple ones. Then there is James Sledd's (1973) criticism of bidialectalism and its relation to social mobility to consider: not everyone wants to move into the middle class, at least not on the terms that seem to be available. Even for the many whose goal is economic success, there is the realization that second language teaching techniques don't seem very effective in teaching second languages; how will they be effective teaching first languages? Translations from home language to standard English are wooden, mechanical, just another example of school busy work that doesn't match how language operates in the world outside the classroom.

The Oakland Ebonics controversy brought into relief not just the plight of underperforming school children. It focused the nation's attention, for a brief time, on the political issues that can underlie questions of language. Ebonics foregrounded the struggle over who gets to name language. It forced Americans to consider how language varieties struggle for privilege and against stigma. And it showed as well that language pedagogy is, at best, an

uphill battle. Most important, perhaps, it brought to the public arena, if fleetingly, the notion that standard English and Ebonics are constructed categories, just as class and race are. The world is always already multilingual (Calvet 1974) and multidialectal – as are individuals. Putting these notions together we see that the constructions we make of language are temporary and fluid, shifting as context and power bases shift. The American public did not take to this idea very readily – no surprise there – for that public sees language variation as fine so long as standards are maintained and the political order is not challenged. In this view, home language is valued so long as it is confined to the home, or the streets.

But Oakland's declaration of linguistic independence challenged those conventional standards and that linguistic order, with predictable results: Ebonics was not recognized as a language, nor were bilingual education dollars allocated for African American students. The fallback position Oakland moved to in response to the public outcry against Ebonics restored the status quo but left us with the unsettling reminder that language colonies continue to exist in a world that sees itself, politically, as very much a postcolonial one.

The Oakland School Board may have had an inkling that an independent language of Ebonics might not prevail even within the progressively multicultural but beleaguered city of Oakland. Their radical December 18 resolution provided an alternative, a concession to the old way of doing things that was overlooked by the media and the linguists alike. According to the resolution, parents could have their children's speech classified not as a foreign language but as a pathological or deficient form of English:

African-American parents who view their child's limited English proficiency as being non-standard English, as opposed to being West and Niger-Congo African Language based ... [may] have their child's speech disorders and English-language deficits addressed by special education and/or other district programs.

This remedial approach exemplifies how schools have been treating the language of black children for years, and in the end it did not differ all that much from how teachers supporting the Oakland Ebonics resolution, and armed with bilingual methodologies, treated their students' first language. It is clear that Oakland's linguistic 'revolution' failed because it was seen as too radical by the American media and public. But what added to its failure was the fact that, despite their revolutionary sloganeering, the teachers and administrators of the Oakland schools share with the public a conservative view of language that focuses, in the end, not on the language students

bring to school, but on vague, idealized, and poorly understood standards of correctness that students are told to acquire. As the Task Force argued in its report, the problems of Oakland's underachieving African-American students are complex and require multiple solutions, attention to language being only a small part of the overall picture. It is unfortunate that the language issue drew so much negative attention to Oakland. A true linguistic revolution might have been just what Oakland needed, but I'm not sure what such a revolution would look like, and in any case, it was not to be.

The Census Language Data

Samuel Huntington claims that Hispanics are breaking with the traditional pattern of language shift among immigrants in which the first generation are monolingual speakers of their native language; the second generation tends to be bilingual in English and the native language; and the third generation are typically monolingual English speakers. Huntington argues that Hispanics retain Spanish and at best become bilingual, rather than switching completely to English. But data from the 2000 Census, insofar as they allow us to detect patterns of language shift, suggest there is no major difference between Hispanics and other immigrant groups in terms of ability to use English.

In addition to counting population, the decennial U. S. Census collects and tabulates data on a variety of demographic features, including language use in the United States. Respondents report whether a language besides English is spoken in their homes. If another language is used, they are asked to identify it and to indicate whether any household members also speak English, and if so, how well. Here is the three-part question on language that was used in the 2000, 1990, and 1980 Census:

11a. Does this person speak a language other than English at home?

Yes

No → *Skip to 12*

b. What is this language?

(For example: Korean, Italian, Spanish, Vietnamese)

c. How well does this person speak English?

Very well

Well

Not well

Not at all

Census data reveals that language patterns in the United States are changing. By 1970, Spanish had replaced German as the most commonly-spoken non-English language in the United States (Census 2000).

Other languages moved up in the rankings over the past two decades to reflect newer immigration trends: in the past ten years, Chinese rose from 5th place to second, Vietnamese jumped from 9th to 6th place, Russian went from 15th place to 9th, and Arabic rose from 13th to 11th place. Korean remained steady in 8th place, while French dropped from 2 to 3, German from 3 to 4, Italian from 4 to 7, Japanese from 11 to 13, and Hindi from 14 to 16.

Analyzing the 1990 Census, Dorothy Waggoner found no worrisome increases in first-language retention among immigrants. She concludes that despite their growing numbers, "people who speak languages other than English are less likely to have difficulty speaking English now than a decade ago. English-speaking difficulty is directly related to the length of time . . . spent in the United States. Native-born home speakers of non-English languages are less likely to have difficulty than immigrants and immigrants who have spent more than ten years here are less likely to have difficulty than their counterparts in 1980" (Baron 1990).

In addition to language demographics, the Census highlights language loyalty. Households are considered "linguistically isolated" if no teen-ager or adult speaks only English or if no one checks the box labeled "speaks English very well." Such households, it is implied, will hold on to their native language.

30% of Hispanic households are linguistically isolated, while only 19% of households where other Indo-European languages are spoken – including Hindi and Urdu – get that label. With an isolation rate of 41%, Asian-language households in the United States are the least assimilated linguistically at the moment the Census snapshot was taken. That picture is likely to change: as Dorothy Waggoner showed in her analysis of earlier Census reports, the longer immigrants stay in the U.S., the better their English becomes ("Language Minorities in the United States," 1988).

Living in a linguistically-isolated household doesn't preclude future language development. While it's possible that English will gain no purchase there in the years to come, it's much more likely that this snapshot actually reflects a family in transition from first- to second-language fluency, whose members in ten or twenty years will either be comfortably bilingual, or they will have become monolingual English speakers.

According to the Census, foreign-born speakers of Spanish currently report weaker English than foreign-born speakers of Indo-European or Asian and Pacific Island languages. 28% of Spanish speakers speak English "very well," while 42% of Asian and Pacific Island language speakers and 55% of Indo-European language speakers identify as fluent in English. In contrast, native-born speakers of Spanish report levels of English comparable to

native-born speakers of Asian languages, and both groups lag only slightly behind speakers of Indo-European languages.

This suggests that while Hispanic immigration is proportionately higher than that of other groups, second-generation Spanish speakers are acquiring English with little difficulty. Yes, some studies find evidence of first-language retention among Hispanics in border areas of the U.S., where contact with new immigrants acts as a brake against language loss. But other studies suggest some Hispanics are abandoning Spanish by the second generation, a sign of speedy assimilation.

The new nativists are also alarmed about declines in English fluency. Using U.S. Department of Education guidelines, the Census groups everyone reporting a level of fluency below “speaks English very well” into the broad category “speaks English with some difficulty.” This includes those who claim to speak English “well,” “not well,” and “not at all.” If we combine monolingual English speakers with other-language speakers who speak English “very well,” 91.9% of Americans have no difficulty with English. In 1990, 93.9% of the population reported fluent English, and in 1980, 95.2% of all Americans, whether or not they also spoke another language, claimed to speak English very well.

But we can’t conclude from this that there really has been a 3.3% decline in English ability over twenty years. Respondents have no objective standard for deciding whether they speak English “well” or “very well,” and they may also disagree about what constitutes speaking English “not well” or even “not at all.” Census takers are not competent to make these distinctions either.

The Census does not ask residents of households where only English is spoken to rate their language proficiency. If it did, the results might be surprising. When I ask my monolingual English students, all English majors, to rate their ability to use English, almost no one chooses the highest category. Students for whom English is not their first language – also English majors – rate themselves lower still. To an outside observer however, both groups exhibit native-speaker competence. It would be unwise to assume that the inconsistent self-reporting of language use in the Census will even out if the sample is large enough. It would be safer to read the data on English competence as a measure of linguistic insecurity rather than a picture of actual fluency patterns.

Whether or not fluency is down, immigration is up and there is definitely a need for more transitional language services. But it has been the case from the 1900s on that the demand for English-language instruction has outstripped the availability of classes in English as a Second Language (ESL), leaving newcomers to pick up

English when and where they can. While the percent of American residents who don’t speak any English doubled between 1980 and 2000, it’s still only 1.3% of the 262,375,152 Americans over five years old. But that translates to three million nonanglophones, in addition to the close to seven million who say they speak English, but not very well. Ten million people is a significant number. We can’t just tell them, speak English or get out.

Immigrants cannot possibly master English overnight, even though the new nativists wish that they would. Learning a language takes more than motive and opportunity, it takes persistence. Adults who manage to find space in an ESL class often discover that the pressures of work, family, or simply traveling to class make regular attendance difficult. American schools, never very effective at teaching native English speakers a foreign language, have never done well teaching English to immigrant children. In the early twentieth century, at the height of the immigration boom, few schools even tried to deal with the influx of nonanglophones into English-only classrooms and dropout rates soared. The *Lau v. Nichols* decision demonstrated that American schools were still immersing and ignoring their non-English-speakers. Both the bilingual programs that flowed from *Lau* and the new immersion programs that arose in response to complaints about bilingual education have proved unpopular and ineffective. Children still pick up more of their English from other children and from the media than from instruction in the classroom. And they still become fluent, though not necessarily in the language of the schoolroom.

For language policy in the United States to be effective, it must flow not from ideologies of nativism and protectionism, but from social and linguistic realities. Those realities reveal nonanglophones with an abundance of motivation who continue to switch to English at rates which actually alarm their communities. Afternoon or Saturday schools to maintain language and culture don’t work: most of the children would rather be anywhere else. By the time they get to college, these same students, South Asian, Hispanic, Korean, Arab or Greek, lament the loss of their heritage language and take steps to try to recover what they can before it’s too late. Unfortunately, even if they master the cuisine or the dance, most of these young adults can’t recover the language sufficiently to converse with relatives when they visit the old country, let alone aspire to any sort of fluency.

Rather than protecting an English language that can take care of itself, or projecting an American Babel that is not to be, our policy makers might do better to address the massive loss of language that the inevitability of assimilation still guarantees. In the “global” 21st century, language is a resource that the United States cannot afford to squander.

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