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The English Language Amendment – Should English be the official language
of the United States?

During the last two decades, the discussion about making English the official language of the United States through a constitutional amendment has rekindled and gained in importance. English is the language of political, social, and economic discourse in the United States, and has thus been the language of the United States through tradition and practice. Nevertheless, the Constitution of the United States has never defined any language to be the official language of the country, since the nation in its beginnings was tolerant to a wide variety of languages and cultures, united under this constitution. It was commonplace to hear many different languages in the days of the nation's founding, which can still be seen in such examples as that the Articles of Confederation were not only printed in English but also in German, along with several other documents. But the debate over a national language for the United States is not a new issue – in 1780, John Adams proposed for the Continental Congress to introduce an academy to “purify, develop, and dictate usage of,” English (ACLU). But his proposal was rejected with the arguments that this would be undemocratic and a threat to individual liberty. The founding fathers decided not to declare an official language for several reasons, including “a belief in tolerance for linguistic diversity within the population, the economic and social value of foreign language knowledge and citizenry, and a desire not to restrict the linguistic and cultural freedom of those living in the new country” (ERIC Digest, 1997).

This attitude of general tolerance and appreciation of diversity has changed during the last centuries. History shows that discussions about an official language usually occur in response to immigration waves. The current discussion about a national language for the United States started in 1981, after the beginning of an immigration wave, which would grow to be the second largest immigration wave in this century, in the period between 1980 and 1991. This rush of foreigners aroused the fear in Americans that their language, English, would lose its dominance in their country. And along with this goes the fear that with the language of the white people also the dominant role in social and economic life of the whites would be lost. Language is not only a means of communication but also an icon, which represents the national identity of a country. The question of who is and who is not a “real” American is subconsciously addressed in the discussion about the official language of the United States, because language is the signifier which decides who belongs and who does not.

Statistics show the huge language diversity, which exists in the United States today. According to the 1990 Census, 329 different languages are spoken in the United States today, including English. And although 97% of all Americans state that they speak English “well” or “very well”, there are 31.8 Million Americans who speak a language other than English at home, which is 14% of the total American population of age five and older. Estimations of the numbers of people who speak English “not well” or “not at all” state, based on the US Census data from 1980 and 1990, that in the year 2050 there will be over 21 million people unable to speak English in the United States. That number equals 5.75% of the entire population.

Another example to illustrate the changing linguistic situation in the US is a city named El Cenizo in Texas. El Cenizo is situated close to the Mexican border and about 90% of its inhabitants speak Spanish, although many also speak English. In August

1999, the city decided that all town council meetings and functions would be held in Spanish. English translations of meetings are available but must be requested 48 hours in advance. With this decision El Cenizo is the first American town to introduce an all-Spanish policy like this, and it is a clear sign for the changing linguistic realities in the United States.

Several states were officially bilingual, like California, or required school instruction in languages other than English, like Pennsylvania, or used bilingual education. But at the end of the 19th century an influx of immigrants, mainly from Eastern and Southern Europe and Asia, led to nativist sentiments in Americans. This change of attitude led to the first enactment of restrictive language laws. After the elections of 1876 not only immigrants but also English-speaking Black Americans were affected by the introduction of the Jim Crow Laws, which required literacy for voting. Around the same time, California, which had been officially bilingual for thirty years, ratified the first English Only provisions, supported and led by the Anti-Chinese Workingman's Party. In 1917, English literacy requirements were introduced for public employment, naturalization, immigration and suffrage in order to "Americanize" the newly arriving immigrants, and to exclude those who were looked upon as low class and undesirable. After the outbreak of the World War I, strong anti-German sentiments led to the closing of English-German bilingual schools and legislation that barred German from being taught in school in several states. Although some of these laws were changed in later years, the damage was done and German disappeared quickly. In 1968 the Congress, having realized that especially Hispanics have been denied equal educational opportunities, sought for new way of educating Hispanics and members of other language minority groups and enacted the Bilingual Education Act. But ever since its introduction this Bilingual Education Act has been under discussion and attacks. All

these examples show impressively how language laws are often connected to the images of immigrant groups and the whole issue of immigration.

In 1981, when California's senator, S.I. Hayakawa, introduced the first English Language Amendment as a Senate joint resolution in Congress, a huge wave of immigration had just set in. The "English Only" movement, which professes to make English the official language of the United States, started to gain strength around this time. Since 1981, different versions of bills proposing an English constitutional amendment have been introduced in every succeeding Congress, but they never passed beyond a hearing and no further actions were taken on them. Constitutional Amendments must be approved by a two-thirds majority of both houses of Congress and be ratified by three-fourth of the states. So far on federal level this hurdle has proven to be too high for the "English Only" movement.

The "English Only" movement has made greater gains on state level. In twenty-two states, English has been declared the official language, either by statute or by constitutional amendment. The content of these varies from state to state. Some merely declare English to be the state's official language, while others are more detailed and include components such as enforcement provisions. Others bar state and local governments from providing bilingual services to residents who are not proficient in English. Those are just a few aspects of the different Official English laws enacted in different states. The states with English language laws are Alabama, Arkansas, California, Colorado, Florida, Georgia, Hawaii (which is officially bilingual), Indiana, Kentucky, Mississippi, Montana, Nebraska, New Hampshire, North Carolina, North Dakota, South Carolina, South Dakota, Tennessee, Virginia, and Wyoming. Arizona's Official English law was ruled unconstitutional in 1995, and Illinois' law was repealed in 1991.

Two big groups are involved in the whole discussion about making a constitutional amendment making English the official language of the United States of America. The movement which is strongly opposing any notions of making a language amendment to the Constitution is called “English Plus”.

“English Plus” is based on the belief that the United States thrive on the diversity of its people, which provides the nation with a “unique reservoir of understanding and talent” (EPIC, 1992, p.152). This and the belief in the equal protection under the Constitution is the core of the United States. An amendment regulating the use of language would nullify this equal protection under the laws, and therefore this amendment has to be prevented and “...language assistance be made available in order to ensure equal access to essential services, education, the electoral process and other rights and opportunities guaranteed to all members of society.” (Gallegos, p.25) “English Plus” believes that all US residents should have the opportunity to learn English and reach a level of proficiency *plus* learn one or more other language. This means for non-native English speakers that they can achieve proficiency in English as well as maintain proficiency in their mother tongue. For native English speakers this means that they can reach proficiency in a language other than English while maintaining or continuing to develop English proficiency. “English Plus” agrees with the English Only groups that proficiency in English absolutely necessary for success in the United States and that opportunities have to be provided for all residents to learn English, but they disagree with the approach English Only groups take toward the issue.

To achieve the above mentioned goals of “English Plus” the movement supports bilingual education, because research has proven the positive influence the native language development has on second language proficiency. Successful bilingual education thus can actually result in faster acquisition of English. “English Plus” also

states that bilingual services and education will not encourage language minority groups to not learn English. According to “English Plus” more than 90% of immigrants from Hispanic background believe that US citizens and residents should learn English. Thus, “English Plus” concludes that there is no lack of motivation in immigrants to learn English, but the primary barrier to acquiring English is the lack of opportunity. There are long waiting lists for adult English classes, and many people even get turned away. To change this situation and offer more opportunities for learning English is one of the main goals of “English Plus”.

The movement also supports legislative measures that are designed to provide language assistance to those Americans who are not yet fluent in English. Those services would include interpreter services in emergency situations like 911. Other services include provision of multilingual drivers license exams, multilingual medical services, and bilingual education and employment training. On different levels other services might also be provided, such as bilingual provisions of the Voting Rights Act and the Court Interpreters Act which ensure equal rights in those areas for immigrants. On state level language services in civil courts and at migrant health and substance abuse centers could be established or maintained.

English Plus legislation has been introduced in several states in the form of a nonbinding policy statement. The movement has provided means for advancing multilinguistic policies at the state level. New Mexico, for example, has declared that proficiency in more than one language is beneficial to the nation, that proficiency in other languages should be supported, and that English does not need an official legislation to support it. Other states that have also passed English plus resolutions are Oregon and Washington.

Another argument that is been brought up against an English language amendment is that such a restriction of language is a measure is contrary to the spirit of

tolerance and diversity embodied in the US Constitution, and that such an amendment would “transform [the Constitution] from being a charter of liberties and individual freedom into a charter of restrictions that limits, rather than protects, individual rights.” (ACLU)

One further argument against this kind of an amendment is that history has shown the impossibility of such a legislation to be successful: “...no nation has been able to achieve through legislation the kind of linguistic uniformity that the United States has achieved through “natural social forces” and with minimal official intervention.” (Baron, p.199)

Supporting an English language amendment is the Official English/ English Only movement, which mainly consists of two organizations – “English First” and “U.S. English”.

“English First” is a project of the Committee to Preserve the Family, which also established the organization U.S. Border Control, and headquarters in Springfield, Virginia. Its president, Larry Pratt, who also started Gun Owners of America, is secretary of the Council on Inter-American Security, which released a report implying that Hispanics are a national security threat and that bilingual education and programs promote cultural apartheid.

“U.S. English” was founded in 1983 by Senator Hayakawa and John Tanton, a Michigan ophthalmologist. In 1987, Linda Chavez, a Hispanic who worked on the U.S. Commission on Civil Rights and in the White House under President Reagan, became president of “U.S. English”. But she resigned one year later because of “repugnant” and “anti-Hispanic” overtones in an internal memorandum by Tanton. As consequence of this affair, Tanton resigned, too, and several prominent members of the board distanced themselves from the organization. The current president of “U.S. English” is Mauro E.

Mujica. To avoid the appearance of racial implications the organization boasts with its Hispanic members supporting an English Only amendment to the Constitution.

The objectives of “U.S. English” are to pass legislation at national, state and local level to declare English the official language of the US. They also want to put an end to policies which require government agencies to conduct their business in multiple language. Another big focus for “U.S. English” is to enforce the English proficiency required for naturalization, and at the same time make English proficiency in general a national priority. To realize this they demand extended opportunities to learn English quickly in schools and workplaces. The arguments professed by the Official English/ English Only groups as justification for these goals are as follows.

The first argument brought into the discussion is that English is necessary as the unifying thread to save the United States from fragmentation, due to its linguistic and cultural diversity. “U.S. English” states that “While multilingual people may be an asset to a nation, a government of many languages is a formula for divisiveness and disaster.” (Gallegos, p. 22) “U.S. English” takes the view that English is the only means which can help to maintain the unity of the nation and ability for communication within the American people. In order to realize this aim, they claim to support opportunities for people living in the US to learn English. While proponents of English Only claim that their legislation will prevent divisiveness along ethnic lines in the US, members of linguistic minority groups regard this kind of legislation as an attempt to marginalize them, to separate them further from the mainstream America. (Baron, p.188) Another argument is that the higher proficiency of English required for the naturalization of immigrants is necessary in order to enable them to become full and active members of society. In order to exercise their right to vote and evaluate candidates for election they need to be proficient in English. Together with this argument goes another argument that seems to bear in mind the best

for new American citizens – English is the language of opportunity, the means of climbing the social ladder and becoming socially and economically successful.

A very strong argument in this discussion is the issue of tax money and the costs of a multilingual nation for its taxpayers. Several examples given by English Only organizations include the one that in 1994 the IRS published and distributed 500,000 1040 forms and instruction booklets in Spanish. Of these 500,000 issues only 718 were returned at a cost of \$157 per completed form (U.S. English Facts & Figures). Another example is that the Los Angeles City Council has to print all its public notices in six foreign languages in addition to English, thus doubling its annual budget to \$ 1 million. A constitutional amendment stating that English is the official language of the country would reduce these costs dramatically, because it supersedes all other laws and court decisions. Thus, any voting requirements and fair and equal access to information etc. can be nullified by such an amendment, saving the taxpayer a lot of money.

The English Only organizations also make use of the comparison between the situation in costs for Canada and the estimated costs for a similar language policy in the USA. Canada spent \$6.7 billion on its dual-language requirements in the decade from 1980 to 1990. The US has a population ten times as big as Canada and would thus have expenses ten times as big for similar requirements over the period of ten years, thus reaching costs well over \$60 billion. And this is only taking into consideration a dual-language policy; depending on how many languages are being accommodated the cost for such a policy could easily reach \$100 billion for one decade alone. These are impressive numbers, which are sure to draw the attention of the average tax payer toward the discussion about an official language policy in the United States.

The comparison between the language situations in Canada and the United States is not a completely correct comparison if it comes to issues other than money.

Language is certainly one of the most obvious distinctive characteristics in the conflict between the officially French speaking province Quebec and the anglophone rest of Canada. But language is only one of the points under discussion, there are a lot of political reasons that divide Quebec from the rest of Canada.

French and English were both colonial languages that became dominant in different parts of what later became Canada with the British conquest. Only recently have the French Canadians begun to regain language rights. Even though the language rights have been restored there is still a lingering resentment toward the anglophone government, which produces the observed divisiveness in the nation. Since the language rights have been restored, the French Quebecois have become rather protective of their language and show no interest in protecting the rights of non-French speakers. French has been able to establish such a high profile in Quebec because the English-speaking middle class of Canada still views French as a culturally prestigious language. Thus, bilingual education has been successful in Quebec, although non-English-speaking immigrants to Quebec would prefer to learn English, as the internationally more powerful language. (Baron, p.186/187)

The situation in Canada is as follows. The constitutional crisis in Canada is, that Quebec is the only one of the ten provinces that has not yet ratified the Canadian constitution. In 1990 they would have been satisfied with a compromise, which would have recognized Quebec as a “distinct society” and granted the province special rights, but this compromise was in turn not ratified by two other provinces, so the conflict remain unresolved. In 1991, Quebec’s governing party, the Quebec Liberal Party, delivered an ultimatum to the Canadian government – they should either accept a radical decentralization of power that would allow Quebec to develop according to its own linguistic and cultural priorities, or Quebec would hold a referendum to decide for itself whether to remain part of Canada or to break away. Some of the linguistic rules enacted

in Quebec include the law from 1977, which bans English from commercial signs in Quebec. The linguistic situation between the US and Canada can not be simply be compared to each other because there are several differences that need to be taken into consideration. The most important one is that the split in Canada is clearly between English and French, made even more obvious by the regional confinement of the different languages. The United States experience the opposition of English not only against one other language, but a wide variety of language groups. Thus, the situations can not be compared on a one to one level.

Another reason that makes it difficult to compare the situation in Canada and the United States is that besides the linguistic struggle there is also a more political struggle going on in Canadian politics - the struggle between the provinces and the central government. Canada`s central government is seated in Ottawa, Ontario, the richest and most populated province. Provinces that are more peripheral resent the central government for being overly sensitive to local interests at the expense of their own. Quebec, due to its close proximity to the central government and its broad representation in the Cabinet, also is a target of the other provinces` attacks. Since then, the Allaire report has been adopted by the Quebec Liberal Party, which calls for a radical decentralization of the current political system in Canada, and which would make Quebec an autonomous political entity and have the federal government surrender most of its current powers over Quebec to the provincial government. Even in the Canadian West, where voices can be heard strongest against the central government and Quebec, there are supporters for the Allaire report, hoping that it would not result in a declaration of independence but rather in a decentralization that may benefit all provinces and not only Quebec.

This comparison shows that the United States will most likely not suffer the same fate as Canada and other multilingual countries. The fate of linguistic struggles that divide the nation and lead to severe problems seems to be far away from the US American fate. After all, no matter how the discussion about a constitutional language amendment, there is still the 97% majority of American people who speak English. And the number of 613 million people speaking English as first or second language worldwide (Baron, p.177/178) also points to the same direction that the English language is far from being extinct or endangered, and thus the discussion of making English the official language of the United States can be considered more as a symbolical, or political means of conveying an opinion, than a measure for saving the language .