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Making It Official: The Institutionalization of the Hegemony of English in the US

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Abstract: Drawing upon Critical Discourse Analysis (CDA) as theoretical framework and methodological tool, the present paper critically examines the legislation that has established English as official language in 30 states. This study captures the motivation and rationale of the policies, their stated outcomes and educational implications. The analysis situates the discourse embedded in official language policies within its socio-historical context and the conceptualization of race and language in the US. The results indicate that official English legislation responds to a conservative raciolinguistic ideology that seeks to reaffirm the hegemony of English as a mechanism of internal colonization. Official English attempts to establish monolingual educational and governmental practices that serve as an instrument to protect the status quo and, thus, perpetuate the privilege of whiteness and the subordination of immigrants, and Black, Indigenous, and People of Color (BIPOC).

Keywords: Language policy; English-only policies; official English; language policy in education

Oficializándolo: La institucionalización de la hegemonía del inglés en los Estados Unidos

Resumen: Basándose en un análisis crítico del discurso como marco teórico y como instrumento metodológico, el presente estudio examina la legislación que ha establecido el

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inglés como lengua oficial en 30 estados. Esta investigación captura la motivación y la razón fundamental de las políticas, sus objetivos establecidos y sus implicaciones en educación. Este análisis sitúa el discurso constituido por las políticas de oficialidad del lenguaje dentro de su contexto sociohistórico y la conceptualización de lenguaje y raza en los Estados Unidos. Los resultados indican que la legislación que establece el inglés como idioma oficial responde a una ideología raciolingüística conservadora con la intención de reafirmar la hegemonía del inglés como mecanismo interno de colonización. El movimiento “inglés oficial” intenta imponer prácticas monolingües en el gobierno y en la educación que sirven como instrumento para mantener el status quo y, así, perpetuar el privilegio de la raza blanca y la subordinación de inmigrantes, y las comunidades negras, indígenas, y de color.

Palabras-clave: Política lingüística; Política de “solo inglés”; inglés oficial; política lingüística educativa

Oficializando: A institucionalização da hegemonia do inglês nos Estados Unidos

Resumo: A partir de uma análise crítica do discurso como referencial teórico e como instrumento metodológico, este estudo examina a legislação que instituiu o inglês como língua oficial em 30 estados. Esta pesquisa captura a motivação e a lógica das políticas, seus objetivos declarados e suas implicações para a educação. Esta análise situa o discurso constituído pela política de oficialidade da linguagem em seu contexto sócio-histórico e a conceituação de língua e raça nos Estados Unidos. Os resultados indicam que a legislação que instituiu o inglês como língua oficial responde a uma ideologia raciolingüística conservadora com o intuito de reafirmar a hegemonia do inglês como mecanismo interno de colonização. El movimiento “inglés oficial” intenta imponer prácticas monolingües en el gobierno y en la educación que sirven como instrumento para mantener el status quo y, así, perpetuar el privilegio de la raza blanca y la subordinación de inmigrantes, y las comunidades negras, indígenas y de cor.

Palavras-chave: Política lingüística; Política “somente em inglês”; inglês oficial; política de linguagem educacional

Language Policy in the US

Despite the fact that a significant number of policies have been designed and implemented to regulate the use of language throughout its history, language and policy have been often regarded as two completely unrelated constructs in the US. From early on, after the inception of the nation, policies and practices were adopted in order to reinforce the supremacy of English. These, often unofficial, regulations established English as a form of national affirmation, forced non-English speakers, especially Native Americans, enslaved Africans, and populations of annexed territories (Mexicans), to learn and use English, and regulated access to information, resources, and services exclusively in English (Crawford, 2000, 2004; Schmid, 2001; Tsui & Tollefson, 2007; Wiley, 2014). The success of this approach to language policy was so overwhelming that linguistic assimilation in the US has been described as “Babel in Reverse” (Haugen, 1972) and as a “graveyard for languages” (Rumbaut et al., 2006).

The significance of this swift assimilation into English is emphasized by the fact that no language was ever granted official status in the U.S. Constitution. However, in the 1980s, a legislative movement originated with the aim of establishing English as official language in every state and at the federal level (Wiley, 2004). As a matter of fact, of the 30 states that have passed official English legislation, only three did so before 1980; Nebraska in 1920, Illinois in 1969, and Hawaii in 1978 (see

Table 2). This regulatory movement seems to continue up to the present, as West Virginia just adopted English as official language in 2016.

The impetus to regulate language at this particular point in time, together with the dearth of empirical knowledge about the factors that contribute to or encourage the enactment of official English policies and the structure and goals of those policies, raise a series of questions about official English in the United States. The present study, using a critical discourse analysis (CDA) approach, examines the ideological conceptualization and the language in the policies that have established English as the official language at the state level in the U.S. and its potential implications for education. The analysis focuses on the rationale, stated goals and outcomes, symbolism, and discursive elements of the legislation, as well as the ideological concepts engulfed in the process of adopting English as an official language. The following overarching questions guided the research:

- a) What generic structures do official English policies display: rationale, objectives, limitations, penalties, and any other salient aspects and characteristics?
- b) How are key concepts, such as language, language education, linguistic identity(ies), and diversity, theorized and construed?
- c) What are the actual goals (stated or implicit) of official English policies and its implications for education?

Previous Literature

Previous research on official English and language policy in the US may be grouped in three general areas.

Historical, Legal, and Political Aspects of Official English Legislation

Previous studies have examined the historical origin and development of English-only policies in the US, finding connections to a nativist agenda against the use of languages other than English (Pavlenko, 2002; Tatalovich, 1995). Some other studies have analyzed the legal implications of official English legislation and the litigation that emerged in some cases as well (Dale & Gurevitz, 1997; Peña, 1998). A number of studies portray official English as strongly symbolic acts with no substantial material consequences (Baker & Wright, 2017; Citrin et al., 1990). However, others found a troubling infringement of the First and Fourteenth Amendments of the U.S. Constitution in official English by abridging freedom of speech and denying equal protection to citizens whose native language is not English (Ricento, 2006; Schmidt, 2000; Wiley, 2004). Some research claim that policies that respect multilingualism would also provide equitable access to essential government services for people who do not speak English by protecting their rights and ensuring due process in a language they can understand (Tollefson, 2002, 2006; Wiley, 2004).

Economic Concerns

Some research has focused on official English and the potential implications on the workers and the work conditions of those who are not yet proficient in English. Zavodny (2000) found that there is a substantial decline in the earnings of non-English proficient workers. Robinson-Cimpian (2014) found that Hispanic bilingual males participate in the labor market at slightly lower rates and earned lower wages. However, those indicators for bilingual females are slightly higher.

Other studies have examined the effects of private employers' English-only workplace rules and found effects in terms of declines in the labor market outcomes and safety issues in the workplace, in addition to concerns related to discrimination (Califa, 1989; Grenier, 1984). The question is if official English policies are likely to exacerbate these disparities.

Social and Educational Aspects of Official English Legislation

Research has focused on the potential consequences of official English in terms of the integration, assimilation, and/or exclusion of non-English communities. Tollefson (2002) argues that the promotion of language rights has a positive effect on reducing the potential for language conflict and enhances linguistic minorities social prospects. Liu, Sokhey, Kenney, and Miller (2014) found that the perception of immigrants as a threat together with national salience of minority rights voices in states that allow for direct initiatives increase the likelihood of adoption of official English policies at the state level. Furthermore, Lawton (2016) used CDA to analyze the discourse of English-only proponents identifying ideological and discursive strategies against Latinx population in the US behind their arguments.

Although the specific actual impact of official English in education has not been previously examined. Studies that have assessed the effects of policies that ban the use of languages other than English at school have revealed the detrimental effects for the education of culturally and linguistically diverse students (Gándara & Hopkins, 2010; Menken, 2009; Wiley, 2014; Wright, 2011). There is overwhelming evidence that the use of the native language for instructional purposes not only enhances English acquisition, but it also boosts the learning of academic content (August & Shanahan, 2006; Lindholm & Aclan, 1991; Slavin & Cheung, 2005), especially in those programs whose goal is to achieve and maintain bilingualism and biliteracy (Thomas & Collier, 2012; Umansky et al., 2016).

Previous research has examined official English from an array of different angles, but we may still ask how the legislation articulates and justifies these understandings around language, power, race and ethnicity, education, culture, assimilation, and its rationale to further the interests of both individuals and the nation. It is necessary to look at the goals and the language of the policies enacted in search of patterns and commonalities and to analyze the potential discourse(s) embedded in official English and its claims. But, before delving into the analysis that pertains to this study, I discuss the socio-political and historical context of language policy in the US by summarizing the arguments in favor and against the legislation.

Sociopolitical Framework of Language Policy in the US

Regardless of lack of officiality, the US soon embarked on a crusade to impose the use of English by eradicating native American languages and any other language used in the annexed territories, mainly Spanish (Crawford, 2000), and demeaning non-standard varieties of English, such as African American English (Baugh, 1999). Languages from northern European countries, especially German, which were initially tolerated, were outlawed during the heyday of the nativist movement in the first quarter of the 20th century (Pavlenko, 2002; Tatalovich, 1995). Understanding the history behind language ideology in the US is essential in order to shed light on official English and its motivation. This ideology has been shaped around two opposing positions: (a) U.S. identity, the primacy of the needs of the nation, and the integration of immigrants; and (b) Language rights, equity, and social justice.

In Favor of Official English: Strengthening the Cohesiveness of the Nation

The justification for official English policies has been built around a monolingual ideology that associates linguistic minorities as foreign to the US and, therefore, must assimilate into 'America' and abandon any traces of their countries of origin, especially their native languages (Kloss, 1971). Supporters of official English have presented the maintenance of languages other than English as a threat to the unity and singularity of the US (Tatalovic, 1995). Policies that

encourage the learning and use of other languages are presented as political projects that have the potential of destabilizing America's democratic system (LoBianco, 2014). Their argument, borrowed from the nativist movement in the early Twentieth century (Tatalovich, 1995), is that establishing policies that promote the maintenance of languages other than English is to serve the political needs of separatist minority groups, which may ultimately represent a threat to U.S. identity (Donahue, 2002).

Hirsch (1988) stated that "linguistic pluralism enormously increases cultural fragmentation, civil antagonism, illiteracy, and economic-technological ineffectualness" (p. 91, cited by Lo Bianco, 2014, p. 312). Supporters of official English also argue that enforcing the use of English will serve as a bridge for the integration of communities that remain beyond the social and economic benefits of the mainstream (Archibuggi, 2005). The maintenance of languages other than English is equated to social isolation, poverty, and inequality (Laitin & Reich, 2003; May, 2014; Pogge, 2003).

These are the arguments that the group U.S. English, an organization founded in 1983 self-described as a "citizen's action group dedicated to preserving the unifying role of the English language in the U.S." (U.S. English, n.d.) has defended. U.S. English states that because a significant proportion of immigrants may not need to speak English to go about their lives in the US, one of the pillars of the spirit of the country is endangered. U.S. English defends the call for English to be the official language of the United States by arguing that "Official English unites Americans [...] 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" (U.S. English, n.d.).

Against Official English: Language Rights, Equity, and Social Justice

Opponents of official English understand the US as a multicultural and multilingual nation of immigrants. They denounce that behind official English hides an anti-immigration, white supremacist sentiment based on the idea that the United States was founded by white, Anglo-Protestant settlers. They claim that, backing the seemingly innocent intention of declaring English the official language of the United States, there is an agenda of hate and discrimination against ethnolinguistic minorities and an attempt to further marginalize them by silencing their languages (Crawford, 2000; Giroux, 2001; Macedo, 2000; Wiley, 2014). Opponents of official English legislation claim that trying to establish, artificially and unnecessarily, an official language will provoke conflict among the diverse populations in the United States (Tollefson & Tsui, 2014). Wiley (1998) concludes that, if English were declared the official language of the United States, it would not only isolate communities that use languages other than English, but it would also accentuate social ascription based on the variety of English any given individual or group speaks.

English Plus is a movement formed with the intention of promoting greater acceptance of the linguistic reality in the US and understand cultural diversity as a national strength (Lewelling, 1992). English Plus (1987) maintains that English is and will remain the primary language in the United States. However, in their view, the status of English as the primary language does not mean opposing the use and promotion of other languages. English Plus portrays language diversity not as a threat to an English-only American identity but as an opportunity to capitalize on the multilingual resources that exist in the nation. English Plus claims that the ability to communicate in several languages enhances US economic, political, and cultural prospects. Therefore, policies and practices that foster multilingualism would not only increase the quality of our democracy, but also the prospects for all. In their view, it is actually necessary to promote policies that strengthen programs whose goal is to teach bilingualism and biliteracy.

Language and Power in the Construction of Official English

The previous claims serve as theoretical framework for the present critical discourse policy analysis. Arguments on both sides corroborate the understanding that language is a vehicle for the construction, replication, and transmission of social and cultural values, and as such deeply linked to social, political, and economic conditions (Pennycook, 2006). Language is both form and source of social and cultural capital and serves the dual purpose of social identification and social classification (Bourdieu, 1986). From a critical perspective, language, as well as culture, are not discrete entities with fixed meanings but representations of active construction of meanings (Macedo & Bartolomé, 2001; Street, 1993; Tollefson, 2006). Languages and cultures are ascribed to and flow with particular geographical, historical, and sociopolitical contexts and, thus, susceptible to issues of power. In other words, language and culture are always imbricated in power relations (Macedo & Bartolomé, 2001; Nieto, 1999). Therefore, attributing status, functions and/or values to languages ultimately implies favoring a given social group.

Because language and power are so deeply intertwined, understanding the processes by which power is structured around linguistic resources –rewards and penalties of language use – shed light on how individuals are enabled or prevented from acting, and also how they are represented in society based on language. In this regard, language policy may be regarded as a social construct that involves not only the overt rules or policies enacted but, more importantly, the implicit practices that become entrenched in the culture, the belief system, attitudes, and myths of a given nation (Schiffman, 1996). As a result, language policy may be considered an element in the production and reproduction of a hegemonic structure favoring particular ethnic and/or social groups and their linguistic practices over others and, at the same time, restricting the possibilities of alternative ethnic, socio-cultural and linguistic communities in order to ensure their colonization and/or subordination (Bartolomé, 2008; Wiley, 2002).

Flores and Rosa (2015) define raciolinguistics as the systematic stigmatization of the linguistics practices of racialized populations. They argue that raciolinguistic experiences are substantiated by the historical and contemporary co-naturalization of language and race that emerged in the globalization of European colonialism. The validation of colonialism involved positioning Europeans, including their languages, as superior to non-Europeans (Rosa & Flores, 2017). In fact, early colonizers in the Americas position indigenous communities as linguistically subhuman (Rosa, 2017). These categorizations of the linguistic inferiority of minoritized populations have continued in the postcolonial era. For example, the language varieties used by African Americans and Latinxs in the US are still considered as substandard or as deficient (Flores, 2016). Furthermore, Black, Indigenous, and People of Color (BIPOC) in the US continue to be subordinated even after having embraced English as their language (Macedo, 2006). Consequently, official English may be a raciolinguistic instrument to further institutionalize the labeling of the US as white and English-speaking and delegitimize the cultural and linguistic practices of immigrants and BIPOC.

If official English legislation, as supporters in the US argue, is motivated to prevent social conflict and enhance the opportunities for integration and economic growth of ethnolinguistic minorities, these policies must establish explicit and clear mechanisms and procedures to promote said opportunities while simultaneously depleting any potential prejudices. In other words, if such is the authentic motivation, a critical analysis of official English policies will reveal how these policies articulate its aspiration to serve and benefit the nation as a whole, linguistic minorities in particular, and how much the legislators are willing to guarantee the linguistic rights of all individuals. Precisely, the present analysis intends to assess the extent to which official English aligns with the

aforementioned theories in pursuit of economic, social progress, and integration or as a means of domination, as Wiley (2002) and Bartolomé (2008) put it, a mechanism of “assimilation for subordination.”

Research Design

Critical Discourse Analysis

CDA is a textually oriented method of analysis that endeavors to detail and explain the ways in which socially shared knowledge, attitudes, and ideologies are produced, disseminated, and reproduced (or resisted) through established discourses and orders of discourse (Van Dijk, 1993). CDA has been used widely to analyze social processes through language, including critical policy studies, health policy research, and education policy studies (Evans-Agnew et al., 2016; Fairclough, 2013; Lester et al., 2016). Wodak and Savski (2018) argue that the use of critical ethnography and CDA are relevant in current analysis of language policy. Johnson (2014) further argues that CDA actually produces a better understanding of language policy.

The CDA approach adopted for the present study follows the method described by Fairclough (1995), which involves using a three-dimensional framework: text, discourse practice (i.e., analysis of processes of text production, consumption, and distribution), and sociocultural practice (i.e., sociocultural analysis of the discursive event). According to Fairclough (2003), the connection between text and sociocultural practices is mediated by discourse practice, and policies are discursive instances of broader social practices. Therefore, policies are not a product, but a process, an ongoing social interaction that involves different audiences and interpretations, which shapes social discourse and social practice. Social practices overlap and mutually influence each other and also influence the socio-political space in which they are produced.

CDA has been the object of three main critiques: a) texts are selected in an arbitrary fashion; b) texts selected may not be representative; and c) no clear conclusions can be drawn from the analysis (Schegloff, 1997; Stubbs, 1997; Verschueren, 2011). In order to address the two initial concerns, I collected and analyzed all official English policies, as defined in the next section, to ensure that texts are not arbitrarily selected and that they constitute a representative sample. In order to address the third concern, I mapped the discursive make-up of official English by focusing on the following aspects: key concepts used, political and ethical values addressed, implications of official English for the representation of US society, and policy justifications. I also examined the generic properties of the policies, particularly the rationales, goals and purposes, and functions they claim to serve, whether explicit or implied. Attending to all these aspects is essential in order to determine the integrity of the claims and representations embedded in the policies and in the analysis of the present study, which I will further explain next.

Data Collection and Analysis

The analysis included the policies that established English as official language voted and approved by 30 states and to which I refer as official English policies. U.S. English (n.d.) includes Louisiana and Massachusetts as having adopted English as their official language. However, there is no official English policy in Louisiana other than the attorney general's declaration in 1992 that it was the opinion of his office that English was the sole official language of Louisiana. In the case of Massachusetts, in *Commonwealth v. Olivo* (1975), the Supreme Court of Massachusetts made a reference to English as “the nation's official language.” Valle (2013) claimed that this cannot be construed as the establishment of English as the official language in Massachusetts, but as a misinterpretation of the Court. I concur. Therefore, the final sample did not include these two states

(see Table 2). All data was collected from publicly available sources: states' websites and online databases, such as LexisNexis.

The legislation was ordered chronologically and marked according to the type of law enacted: constitutional amendment or statutory change. The data was first inductively and then deductively analyzed using as a reference the CDA theoretical tools introduced by Gee (2011). The data was organized in the following themes: figured worlds, as representations of attitudes, behaviors, values, and beliefs that are presented as self-evident (Gee, 2011); *intertextuality* (building a net of ideas making connections or references to other texts and/or institutions; Fairclough, 1995); language ideolog(ies); education; representations of social, economic, and linguistic relations; and purpose/goals.

Salient Characteristics and Policy Structures of Official English

In this section, I elaborate about the findings of the analysis of the data and the themes that emerged responding at each of the research questions.

Generic Structure and Categorization of Official English Policies

Eight states amended their constitutions and twenty-two modified their statutes or codes to grant English official status. In general, constitutional amendments are shorter and use more direct language than statutes' changes but employ the same patterns and allude to similar ideological constructs, which I will further detail in the following sections. The examination of the generic structure of the policies led me to categorize the policies according to their scope. I refer to scope as the degree to which the rationale, objectives and limitations of the policies explicitly address specific social and economic institutions, such as education or government acts/budgets, and the measures adopted to enforce the use of English as official language. Table 1 provides a description and an example of the categorization of narrow, medium, and wide scope policies.

Table 1

Categories of official English policies based on its scope

Scope	Definition	Example
Narrow (1)	Declares English as the official or common language of the state and may attribute to its state legislature the capacity to implement or enforce. There are no explicit institutional mandates or penalties.	The English language is the official language of the state of Colorado. This section is self-executing; however, the General Assembly may enact laws to implement this section. (Colorado Constitution Art. II § 30a, 1988)
Medium (2)	Declares English as the official language and elaborates on the rationale and/or purposes. Includes rights of action but does not estate any specific institutional requirements, applications, or penalties.	(a) Purpose. – English is the common language of the people of the United States of America and the State of North Carolina. This section is intended to preserve, protect, and strengthen the English language, and not to supersede any of the rights guaranteed to the people by the Constitution of the United States or the Constitution of North Carolina.

Table 1 (Cont'd.)

Categories of official English policies based on its scope

Scope	Definition	Example
Wide (3)	Declares and justifies English as official language, includes specific institutional requirements, such as for government employees or official acts, translations and/or education, roles of languages other than English. They also include enforcement and exclusions and/or limitations sections.	<p>(b) English as the Official Language of North Carolina. – English is the official language of the State of North Carolina. (General Statutes of North Carolina, Chapter 145-12, 1987)</p> <p>(a) English shall be designated as the official language of Wyoming. Except as otherwise provided by law, no state agency or political subdivision of the state shall be required to provide any documents, information, literature or other written materials in any language other than English.</p> <p>(b) A state agency or political subdivision or its officers or employees may act in a language other than the English language for any of the following purposes:</p> <p>(i) To provide information orally to individuals in the course of delivering services to the general public; (ii) To comply with federal law; (iii) To protect the public health or safety; (iv) To protect the rights of parties and witnesses in a civil or criminal action in a court or in an administrative proceeding; (v) To provide instruction in foreign and Native American language courses; (vi) To provide instruction designed to aid students with limited English proficiency so they can make a timely transition to use of the English language in the public schools; (vii) To promote international commerce, trade or tourism; (viii) To use terms of art or phrases from languages other than the English language in documents. (State Code 8-6-101, Wyoming)</p>

Table 2 lists the type and scope of policy for each state in chronological order. A total of 16 states (60%) approved wide scope policies that have as an objective to compel the exclusive use of English and severely limit the institutional use of languages other than English; 5 states approved medium scope legislation specifying a historical and cultural rationale to grant the English language a

primary role; and 9 states adopted narrow scope policies that establish the primacy of English and open the door for state legislatures to further adopt language policies.

The policies follow similar generic structures according to their scope. It may seem that states have adapted the language that other states had previously scripted. It would be interesting to analyze if territorial proximity may be a factor in the adoption of official English. In general, narrow scope policies are a few lines long declaring English the official language of the state. Medium scope policies add a justification and/or affirm the intention of the policies. Wide scope policies are much more elaborate. A consistent pattern is still followed with a preamble situating historically the need for the primacy of English, the inclusion of specific objectives, mandates, or requirements, and establishing penalties and limitations. Within these penalties and limitations, there are numerous mentions to the U.S. Constitution and some state specific legislation, creating an intertextual net to justify and strengthen the institutional implications of the policy.

Table 2

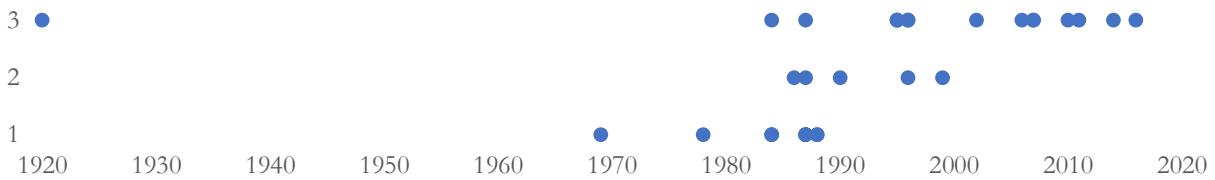
States that adopted official English by year of adoption

State	Year	Type	Scope
Nebraska	1920	Constitution	Wide
Illinois	1923/1969	Statute	Narrow
Hawaii	1978	Constitution	Narrow
Indiana	1984	Statute	Narrow
Kentucky	1984	Statute	Narrow
Tennessee	1984	Statute	Wide
California	1986	Constitution	Medium
Arkansas	1987	Statute	Narrow
Mississippi	1987	Statute	Narrow
North Carolina	1987	Statute	Medium
North Dakota	1987	Statute	Narrow
South Carolina	1987	Statute	Wide
Colorado	1988	Constitution	Narrow
Florida	1988	Constitution	Narrow
Alabama	1990	Constitution	Medium
Montana	1995	Statute	Wide
New Hampshire	1995	Statute	Wide
South Dakota	1995	Statute	Wide
Georgia	1996	Statute	Wide
Virginia	1981/1996	Statute	Medium
Wyoming	1996	Statute	Wide
Alaska	1998/2014	Statute	Wide
Missouri	1998	Statute	Medium
Utah	2000	Statute	Wide
Iowa	2002	Statute	Wide
Arizona	1988/2006	Constitution	Wide
Idaho	2007	Statute	Wide
Kansas	2007	Statute	Wide
Oklahoma	2010	Constitution	Wide
West Virginia	2016	Statute	Wide

Finally, I plotted the year of adoption according to policy scope (Graph 1) starting with Nebraska in 1920 to determine if there were any patterns in the timeline of implementation in terms of scope. Although states adopted simultaneously official English policies with differing scopes, there is a clear tendency that indicates the scope of official English increased overtime pointing towards an objective to ensure these policies had a strong impact strengthening the official use of English and limiting the access to languages other than English.

Graph 1

Scope of legislation (narrow – 1; medium – 2; wide – 3) by year of adoption



The Voice of Ambiguity in Official English

In analyzing the language in the policies, I argue that official English strategically draws on an ambiguous voice. By ambiguous, I mean that the language used does not clearly identify the motivations and objectives of the policies, but it is a deliberate strategy to safeguard the legality and obscure the rationale behind them. Because official English policies have been challenged in terms of their constitutional validity with regard to freedom of speech and no discrimination on account of origin (Tollefson & Tsui, 2004; Wiley, 2002), the language of the legislation reflects a cautious approach toward constitutionally protected rights.

In fact, Arizona, Alaska, and Oklahoma had controversial processes of approval – this is why Arizona and Alaska have two different years of approval in Table 2. In each of these cases, their respective State Supreme Courts determined the initiatives to be unconstitutional. In addition, there were allegations of discriminatory motivations on the part of the proponents from those that opposed the legislation (Ramos, 1991; Terry, 1998). The proponents of the legislation amended the original language to ensure that appropriate references were added to comply within the parameters of constitutionally protected rights. However, it is doubtful that the spirit of the law changed significantly.

It may be because of the thin line between the impetus and rationale in official English policies and the rights established in the U.S. Constitution, especially freedom of speech and no discrimination on account of origin, that their wording relies on ambiguity. For example, although the legislation clearly affirms the official status of English and its intention “to preserve, protect, and strengthen the English language,” it also sets a limit “not to supersede any of the rights guaranteed to the people by the Constitution of the United States or the Constitution of North Carolina.” (NC, Gen. Stat. Ch. 145 § 12). In a way, this may an implicit acknowledgment of the fact that some precepts may be interpreted as a limitation of citizens’ rights. In other cases, the laws include a statement that assures “this section may not be construed to [...] Disparage any language or discourage any person from learning or using any language” (WV Code §2-2-13). But the question remains, would it be necessary to include such language if there was no doubt the legislation may in fact be interpreted to discourage or demean the use of languages other than English?

At times, this ambiguity becomes confusion, as in the case of Virginia where the legislation “clarifies” no state agency is required to or prohibited from “providing any documents, information, literature or other written materials in any language other than English.” (Code of VA, Chapter 829 § 7.1-42). It may also be confusing that some policies, such as in Alaska and Hawaii, grant official status to other languages. In the case of Hawaii, Hawaiian is assigned a co-official status, but English is given the primary role. Paradoxically, Alaska’s legislation, which assigns co-official status to fourteen Native American languages, clarifies that this designation “does not require or place a duty or responsibility on the state or a municipal government to print a document or record or conduct a meeting, assembly, or other government activity in any language other than English” (Alaska statutes 44.12.310), which is mandated for English.

The exceptions included in wide-scope official English legislation contribute to the ambiguity of the language in the policies. For instance, the exclusion of Native American languages is prominent as in the case of Kansas, “This act may not be construed in any way to limit the use of any other language by a tribal government of native Americans.” It is highly unlikely that such exclusion is motivated by respect for the linguistic rights of Native Americans, but to avoid potential infringements of the federal Native American Languages Act of 1992. Once again, this ambiguity in the use of language, which includes seemingly contradictory arguments, has a twofold purpose: comply with federal mandates while still limiting linguistic rights, and hide the intrinsic motivation of the policies. Intertextual references in the legislation serve that purpose.

Stated (and Unstated) Goals of Official English

The preponderant goal of official English is to preserve, protect, and strengthen the English language, 10 states explicitly state it. But, regardless of this explicit mention, the policies are built on a structural discourse that establishes English’s primary role in the state and the need to protect and enhance it. Even policies that just declare “The English language is adopted as the official language of the state of Indiana” (Indiana Statutes, Chapter 10, 1), implicitly establish the primary role of English and the intention and need of protecting such a role. Depending on the scope of the policy, the legislation compels to do the following in order to protect and enhance the role of English:

- (a) Provide services, programs, publications, documents and all government materials in English. This is the most common requirement. 13 states explicitly require it. Preserving and strengthening the role of English is materialized by requiring all official government actions and documents to be conducted exclusively in English. As South Dakota’s legislature codified, “The common language is designated as the language of any official public document or record and any official public meeting” (SD Codified L § 1-27-20).
- (b) Avoid official actions or make laws that diminish or ignore the role of English as the language of government. Although this is an ambiguous statement, 11 states include language that establishes “the legislature shall make no law which diminishes or ignores the role of English as the common language of the state” (Alabama Constitution § 509). In some of these cases, states are more explicit and specify that “Neither this state nor any political subdivision thereof shall require, by law, ordinance, regulation, order, decree, program, or policy, the use of any language other than English” (SC Code § 1-1-697).
- (c) Protect the rights of people who use English: In order to protect the rights of individuals that use English, 6 states established that “a person shall not be discriminated against or penalized in any way because the person uses or attempts to

use English in public or private communication” (Arizona Constitution Art. XXVIII § 3). But also, that “no person shall be denied employment with the state or with any political subdivision of the state based solely upon the person's lack of facility in a foreign language, except when related to bona fide job needs reflected in the exceptions listed in RSA 3-C:2.” (NH Rev Stat § 3-C:3). It should be noted that there are no records of discrimination for using English in the US, but there are numerous reports of discriminatory incidents for using Spanish or Chinese, for example.

- (d) Provide greater opportunities for individuals to learn English: Although a number of states mention the desire to facilitating the acquisition of English among newcomers and immigrants, only Idaho, Kansas, Missouri and Utah mention specific ways in which this may happen. Missouri includes a reference to access English language services grants and adult basic education programs, Utah and Idaho ask their Boards of Education to initiate, continue, or expand English as a Second Language programs so that non-English speaking children and adults become proficient in English as quickly as possible. Kansas includes the following section: “The state of Kansas recognizes the importance of establishing and actively promoting English language classes, English language training or citizenship classes for non-native speakers. The local entity designated by the state board of regents to offer such services shall seek the assistance of local political subdivisions, community-based agencies and organizations, migrant worker groups, refugee resettlement programs, schools, churches and others in making non-native speakers aware of the availability of such classes and training and ensuring their continuation and expansion” (Kansas Statutes, 73-2806). However, no state commits or mentions any extra funding to increase opportunities to learn English. Because of how central the question of education is to the legislation and to ethnolinguistic communities, we will focus on how education is included as a goal in official English legislation next.

Education and Official English

Education is assigned a central role in official English legislation, 18 states, or 60% of the policies include explicit references to education. The major objective behind these references is to mandate education exclusively in English and limit the opportunities for linguistically minoritized students to receive instruction in their home language. There are two approaches to doing so in the legislation. A firm mandate to teach in English, as in the case of Nebraska, first state to require that “the common school branches shall be taught in said language in public, private, denominational and parochial schools” (NE 10920). In the case of Tennessee, the state does not only require public schools, but also colleges to provide instruction in English: “instruction in public schools and colleges of Tennessee shall be conducted in English unless the nature of the course would require otherwise.” (TN Code Ann. § 4-1-404)

A softer approach avoids language as direct, but resolutely push schools to provide instruction primarily in English and languages other than English are acceptable as long as they are used as a means to transition to English as quickly as possible. For instance, South Carolina's, but also several other states', legislation does not “prohibit any law, ordinance, regulation, order, decree, program, or policy requiring educational instruction in a language other than English for the purpose of making students who use a language other than English proficient in English” (SC Code Ann. § 1-1-(696-698)). Utah and Idaho make an explicit call to their Boards of Education to establish rules to govern the use of languages other than English in public schools.

In addition, official English legislation explicitly endorses foreign language education by clarifying that the law does not apply “To instruction designed to teach the speaking, reading, or

writing of foreign languages” (GA Code Sect. 50-3-100), but limits vernacular language maintenance and development for linguistic minority students. This endorsement is strengthened by Utah and Idaho that add a clause allowing libraries to: “(i) collect and promote foreign language materials; and (ii) provide foreign language services and activities.” These clauses indicate that learning another language is appropriate for English speakers, but speakers of other languages must only be exposed to English. The legislation, therefore, represents learning English as education for linguistic minorities.

In summary, with regard to education, official English establishes that a) no language other than English should be used as medium of instruction; b) specific programs should be put in place in order to transition non-native students into English as quickly as possible; and c) the use of languages other than English is only acceptable in the context of foreign language education.

The Construction of Language and Diversity within Official English Legislation

In this section, I will discuss the representations of language, linguistic identity(ies), and diversity embedded in official English. The representations that the legislation allude to pertain mainly to a particularly conservative understanding of the intersection of language and race, ethnicity, national origin, and socioeconomic status as I will detail next.

Figured Worlds in Official English: Socio-Political and Cultural Representations of Language and Diversity

Official English policies depict a “figured world” of U.S. history marked by linguistic and cultural fragmentation and conflict that was transcended because of English. Hence, its deserving of a primary role. English is not only declared official language, but it is also defined as “common,” “unifying,” “legal,” “primary,” and “sole language of the government.” Gee (2011) defined “figured worlds” as ideological representations of given concepts that are taken for granted and considered as matter of fact regardless of their factual basis.

Anchored in this figured world, English is depicted as a foundational rock of the U.S., even more, English symbolizes the unifying component that rises above the dilemmas generated by diversity. In its prologue, Idaho’s legislation states that “In the beginning, Idaho was comprised of individuals from many ethnic, cultural, and linguistic backgrounds [...] Idaho was able to build a state from this widespread and diverse background because of a binding common thread. The English language. A common language has allowed us to discuss, debate, and come to agreement on difficult issues. The need is just as great today.” (Idaho Resolution 17031). It is therefore clear in this statement that “individuals from many ethnic, cultural, and linguistic backgrounds” is the initial step that needed to be transcended to allow for the inception of the state of Idaho. The English language is presented as the catalyst that allowed for that transcendence. However, it is inevitable to ask whose ethnic, cultural, and linguistic backgrounds are represented by the English language, certainly not those of Black Indigenous People of Color (BIPOC). Therefore, the representation that English was the force that allowed for agreement “on difficult issues” implies that non-white population must give up their ethnic, cultural, and linguistic resources in order to “come to agreement.”

In addition, this representation portrays the transition to English as seemingly peaceful and voluntary, ignoring the oppression and painful violence inflicted on Native American peoples and other ethnolinguistic minorities to abandon their culture and language (Crawford, 2004). Finally, the statement “the need is just as great today” implies that the ethnic, cultural and linguistic backgrounds of some individuals are still presented as menacing to “the state” today. The notion that the

backgrounds of BIPOC and bilingual individuals may still jeopardize “the agreement” is implicit in such statement.

This perspective clearly aligns with the arguments of Flores and Rosa (2015) with regard to raciolinguistics. Because English is a representation of whiteness and situated as central to the foundations of the US, white linguistic and sociocultural practices are also situated as fundamental to the identity of the US and those of BIPOC’s are positioned as inherently deviant and threatening. Furthermore, opposing the primacy of English, and whiteness, is equated to opposing the US. What this narrow vision is actually implying is that those that represent English, namely White Anglos, represent the only true American identity and therefore their supremacy cannot be questioned either.

The figured world of English “as the glue that holds us together”, however simplistic and unrealistic, is ubiquitous and quite persuasive in the discourse of official English policies. It contributes to the pervasive monolingual ideology in the US that associates bilingualism with anti-patriotic attitudes and as a sign of detachment from American values (Kloss, 1971). This ideological stance goes way beyond a linguistic question and points to the inextricable connection between language and ethnicity and race.

Neoliberal Discourse

Neoliberal discourse is characterized by the defense of an individualistic market-driven approach that thrives on building antagonistic competition. This approach is also applied to social relations in which individuals are thought to behave in a completely rational manner on account of maximizing their own benefit (Rose, 1999). Aligning with these neoliberal principles of rational choice and benefit maximization, official English policies present the English language as a key to enjoy the benefits of global capitalism: opportunity, self-reliance, economic growth, freedom, and a better quality of life. According to this theory, rational individuals would voluntarily abandon their own languages and speak English only in order to maximize their opportunities of success. Such is the reason why cultural and linguistic diversity are portrayed as obstacles to accomplishments whereas the cultural and linguistic capital of the dominant group are promoted as common good. This strategy ensures not only economic and political, but also social and cultural hegemony.

It is for that reason that official English legislation labels English as the language of access, the element necessary for inclusion: “In order to encourage every citizen of this state to become more proficient in the English language, thereby facilitating participation in the economic, political, and cultural activities of this state and of the United States.” (IA Code Ch. 1.18) This contributes to the idea that English is the language of opportunity and therefore, the more English, the better.

Official English also appeals to the concept of maximizing benefit by inferring that services such as bilingual education, translations, and interpretations are an expensive and unnecessary consideration that deter individuals from learning English. The assumption in the legislation is that if all multilingual services are discontinued, everyone will learn and use English. In some cases, official English includes a section that mandates funding designated for translation and interpretation be accounted separately and returned to the state general fund, which gives the impression tax money is being saved. I was unable to find any documentation that would confirm this end.

In terms of limitations and exclusions, the interests of private businesses are exempt from following the English-only requirements as in “the promotion of international commerce, tourism, sporting events, or cultural events” (GA Code Sect. 50-3-100). As typical of neoliberal practices, the law imposes linguistic restrictions on individuals that do not apply to businesses and corporations.

Conclusion

Wrapped in the paradigms of “one nation one language” (Anderson, 1983), official English policies articulate the exclusive use of English as the “common language of the peoples of the US”

that serves as “the glue that holds us together,” and attempt to regulate, delegitimize, and hinder the use and learning of other languages in the US. Even though they have been presented as symbolic policies with hardly any effects (Citrin et al., 1990, see also Baker & Wright, 2017), official English policies fulfill an agenda to penalize minoritized non-standard English speakers by hindering their access to public information, quality education, and public services. Their intention is not only to symbolically emphasize the status of English, but also to implement specific linguistics measures with regard to government acts and, more importantly, education. In addition, official English sustain a discourse that portrays non-English speakers, especially Latinos, as culturally and linguistically inept and a potential threat to the traditional values of the US.

As it is clear from the analysis of arguments both in favor and against official English, language cannot be defined as a neutral instrument for communication. In fact, Gramsci (1971) asserted that, when the issue of language comes to the forefront, the underlying question is always about the reorganization of cultural hegemony. In this regard, it is no coincidence that most official English policies were approved after the 1980s, a time when immigration patterns shifted from mostly white European population to people of color from Latin American and Asian countries (Pew Research Center, 2015).

Despite the increase of Spanish-speaking population in the US, close to 41 million people (U.S. Census, 2011), there are no signs that English has less of a presence or preponderance both in the US and internationally (Ricento, 2019; Wiley, 2014). However, such increase of Spanish speakers is actually perceived as a threat. Furthermore, it is important to note that Spanish was spoken as a colonial language more than 100 years before English in the territories that are part of the contemporary US (Macías, 2014). In response, official English is part of the movement to ensure that White Anglo cultural and linguistic practices are institutionalized as “the highest standard.” Because standard English is associated with Whiteness in the US and elsewhere (Alim, 2016; Bonfiglio, 2002; Rosa, 2017), institutionalizing the primacy of English is to a large extent institutionalizing the primacy of Whiteness. In addition, official English policies continue to reproduce an exclusionary discourse to justify the subordinated position of minoritized groups, belittle their cultures and languages, and deny the plurilingual foundations of the US.

One of the most damaging effects of official English is the devaluation of bilingualism and biliteracy in the US. The racialization of language in official English intends to permeate the educational system with the goal of a) devaluing the linguistic resources that people of color possess; and b) exhibiting language as a problem, but as a resource and a right (See Ruiz, 1984) only when standard English is the reference. Official English policies present learning English as “education” for ethnolinguistic minorities. The consequences of this obstinacy continue to manifest in educational programs and practices that harm not only culturally and linguistically diverse students, but the nation as a whole. The fact that ever fewer individuals in the US are able to speak a second language puts the country at a disadvantage in an increasingly globalized world (Wiley, 2014). However, the defense of multilingualism must not be only based on arguments of economic prosperity. Languages are deeply linked to cultural and personal identity and must be recognized as an individual’s right, and central to fostering of community cultural wealth and health. Official English policies epitomize the complete disregard for the characteristics, rights, and needs of the US and the individuals that comprise it, which clearly represent a plurilingual society. Ultimately, understanding other languages, participating in different socio-cultural structures, understandings, and practices enhances and enriches not only the individual, but also the nation (May, 2014).

Contrary to the negative representations of bilingual education, school districts and state education boards have found in dual language programs – bilingual programs, typically comprised of students who are English monolinguals and non-English speakers, that attempt to develop literacy in English and another language – a promising practice that benefits all students academically (Baker &

Wright, 2017; Genesee et al., 2006; Thomas & Collier, 2012; Tollefson & Tsui, 2014). In what it may seem a paradox, the assumptions, worldviews, practices, beliefs, and values of an exclusionary monolingual discourse can only be challenged through the respect and understanding of other languages. However, previous research has found the need to establish solid social justice principles in dual language programs in order not to privilege only white English monolingual students (Cervantes-Soon et al., 2017; Palmer et al. 2019). I argue this is especially true in states whose legislatures have approved official English policies. Otherwise, the results will be dual language programs whose practices are at odds with the principles that inspired them.

To close, I offer one final reflection on the ideological arguments disguised as self-evident truths within policies that promote highly discriminatory agendas. In analyzing policies, it is necessary to unveil those hidden discourses that may serve as an instrument of inequity and exclusion. The strive to educate in courageous dialogue and intercultural understanding among the groups that make up the rich social, cultural, racial, and ethnolinguistic tapestry of the United States is worthwhile.

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