

The English Language Amendment

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ABSTRACT: Why should English be made the official language? If it does not affect the rights of Americans, it is merely symbolic and frivolous. If it restricts the rights of some Americans, it is dangerous. By passing the English Language Amendment, the rights of the language minority would be lost. Not only would the language minority suffer, but it would lead to the end of the rights enjoyed by all Americans.

Throughout the years, Americans have dealt with several types of discrimination. The citizens of the United States have been faced with many types of discrimination from those relating to sex to those directed towards race. In each case, the courts have been faced with the difficult job of protecting the rights of the minority. The American people are about to be faced with yet another type of discrimination. Americans face a discrimination aimed toward the non-English-speaking minority. Bills that would make English the official language of the United States of America are currently being considered at both the state and federal levels. The amendment, if passed, would have an enormous effect on the population as a whole, with Hispanic and other non-English-speaking minorities affected most dramatically. Passage of the English Language Amendment would insult, alienate, and oppress a significant portion of our society.

Evidence suggests that the omission of an official language clause was not an oversight on the part of the framers of the Constitution (Lexion 658). The framers took no steps toward protecting the English language even though it was at risk (Gallegos 54). In fact, English was more at risk during the time the Constitution was designed than it is now (Gallegos 54). At the time, Germans, who preferred their own native tongue, made up 8.7 percent of the United States population (Gallegos 54). The framers' hope was that non-English-speaking Americans would assimilate, but not through the use of coercion (Gallegos 54). Rather than passing an official English clause, the framers included a clause which guaranteed freedom of speech to all citizens.

The United States has always been a multilingual nation, owing to the diversity of its early settlers. Settlers have come from such nations as Spain, Germany, France, China, Japan, and many others. The question can be proposed, "Since we've gotten by since 1787 without an official tongue, do we really need one now?" (Gallegos 53). In a survey by Hearst Newspapers, 64 percent of the respondents assumed that English was already the official language appointed by the Constitution (Gallegos 53). There is no correlation in American history between the use of languages other than English and political fragmentation (Daniels 39). In fact, the only major American rebellion was the Civil War, which was not caused by a language conflict (Daniels 39). "Our history shows that people could become citizens without demonstrating English-language knowledge, that vibrant

non-English language communities have flourished in this country, and that in general, people's loyalty and patriotism have not been equated with the ability to speak English." (Daniels 39). America is clearly not suffering as a result of the absence of an official language.

Supporters of the English Language Amendment invariably use connotative language to trigger an emotional response that persuades Americans of the importance of making English the official language. Groups supporting the amendment, such as "U.S. English" and "English First" "routinely play on the fears of the English-speaking population that they will soon find themselves at the mercy of foreigners" (Boran 9). Both such supporting groups have the same arguments as to why they think an English Language Amendment is necessary. Among their beliefs are these: that an amendment will unite the country, protect the English language, encourage assimilation, and cut government spending on bilingual ballots and education. "Such arguments are based on distortions, misconceptions, and half-truths" (Daniels 39). These arguments are poorly supported with little factual information.

The major premise that groups such as "U.S. English" always state is that the amendment will unite Americans. The amendment will not unite Americans. Instead, it will lead to an increase in hostility, frustration, and conflict among different language groups. "U.S. English" assumes that the language minorities are strong enough to undermine American society (Puig-Lugho 481). This is not true. There is no underground movement by the language minority to take control of the United States. As history shows, no American uprising has ever resulted from the absence of an official language. However, the adoption of an English Language Amendment will most likely lead to deep rifts among different language minorities and the majority. It will not bring Americans together, but instead will separate the language minorities into one collective group and the language majority into another. The probability of the two groups' existing peacefully and without conflict is highly unlikely. In Florida's Dade County, where Official English / English Only legislation has been pushed, the County Commissioner has received bomb threats (Trasvina 211). That is hardly a sign of unity.

"U.S. English" and other similar groups argue that English is losing its supremacy in the United States. However, this assumption is questionable. Approximately ninety percent of Americans speak English as their primary language, and almost all American business is conducted in English. A larger portion of Americans speak English now than they did when the country was founded. These facts do not suggest that the English language is losing its position as

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the primary language of the United States.

Supporters of the amendment also believe that it would encourage immigrants to learn English in order to assimilate into mainstream America. However, immigrants and other language minorities already feel strongly that learning English is imperative for success in American society. In Los Angeles, more than 40,000 adults are on the waiting list for instruction of English as a second language. Indeed, the demand is so high that the classes have to run 24 hours a day (Trasvina 7). Evidence shows that immigrants are learning English more quickly than in the past. In the past, immigrants took, on average, three generations to learn English. Immigrants are now learning English after only two generations (Puig-Lugho 48). After 15 years in the United States, 75 percent of the English-speaking immigrants speak English on a daily basis; and seventy percent of their children speak English (Gallegos 56). In fact, non-English-speaking Americans may believe English is more important than English-speaking Americans do. "Polled in 1985, 98% of Hispanic parents in Miami said it was essential for their children to read and write English perfectly (only 94% of Anglo parents said the same)" (Gallegos 56).

It is correct that bilingual ballots and education are expensive. However, they are necessary. Without them, language minorities could not vote or receive an equal education. The cost of educating immigrants to learn English would be equal to or more expensive than the current day bilingual education. The cost of fighting for the amendment is also high. "U.S. English" has already spent well over \$20 million on this campaign.

The passage of the amendment would mean that all government business would be carried out in English. That includes court room procedures, schooling, messages on signs, and even voting. Such an occurrence would have disastrous effects ranging from voting reduction among minority groups, a lack of education for non-English-speaking children, and rampant discrimination against non-English speakers.

First of all, people must be able to function in everyday life. In everyday American life, a current driver's license is often needed to provide transportation to and from work. Without bilingual drivers' tests, and in the absence of a translator, a non-English-speaker would be unable to obtain the driver's license he or she needs in order to maintain employment. Even if, by some miracle, the member of a language minority did pass the test, he or she would be unable to fully understand the English signs. Some understanding could take place, but a full understanding of the signs and regulations would never be completed.

Among the everyday problems that the language minority would face would be access to public resources. The problem has already arisen. Members of the language minority would be able to receive a library card like the rest of the public, but what would be the point if the resources available are incomprehensible? With the passage of the English Language Amendment, libraries would not purchase materials for the non-English speaker. In fact, some libraries might not even be able to accept them as a donation, because these books take up space that could be used for English books. In a town right outside of Los Angeles, where the population is three-quarters Asian, there have already been

disputes. When the library was offered a donation of several Chinese books, these books were rejected even though less than ten percent of the library's holdings were Chinese. Because of the English laws in his community, the Monterey Park Mayor did not hesitate before stating, "I don't think we need to cater too much to foreign languages. I think if people want a foreign language they can go purchase books on their own" (Betancourt 40). It took several months of lawsuits before the library was forced to accept the books. America's language minorities deserve access to public reading material and resources, also. And the English Language Amendment would thwart such access.

Another major problem would be the minorities' restricted ability to vote. Bilingual ballots would be a thing of the past. Therefore, anyone who does not speak English well and is unable to pass a literacy test would be denied the right to vote on issues that may affect him or her. In the past, English laws have been set up for the specific purpose of limiting the minorities' right to vote. If the amendment is passed, such denials of fundamental rights could happen again. These laws could result in the return to the discrimination of 1894, when the Immigration Restriction League supported the English test rather than more blatant racial and ethnical restrictions (Baron 2). The English-only ballots would halt the 44 percent increase in Hispanic voters from 1976 to 1980, and would result in extremely low minority voting (Daniels 55). Plus, the elimination of bilingual ballots could easily lead to political corruption (Lexion 674). Language minorities would have to rely on information from other sources about the information on the ballot. The information the language minority receives may or may not be valid. "The invalidation of access to rights once enjoyed may, as Marshall and Gonzalez (1990) warn, provoke a sense of frustration impelling these groups to seek redress outside of the political process and perhaps even turn to violence" (Daniels 56).

Such basic civil rights as equal voting opportunities and equal access to resources would not be the only things to fall victim to such a senseless amendment. Non-English-speaking Americans would be highly limited when it came to medical and emergency help. Emergency evacuation signs would not be available in any language but English. In the case of a fire, the non-English-speaking American would be unable to read the emergency information and would be left in a state of danger. Important emergency services such as 911 would be forced to eliminate bilingual operators, and non-English speakers would be left without the emergency aid that may save their lives. Medical and emergency aid are not issues that should be based on language, but with the passage of the English Language Amendment they would be.

Language minorities would be at risk of losing even more rights in the court room. No longer would language minorities be protected by the Fifth and Sixth Amendments. Such groups would be denied the right to understand proceedings, confront witnesses, and the right to counsel (Daniels 37). Since all court room procedures would be carried out in English and an interpreter would not be available, the non-English speaker would be left in a state of confusion. He or she would not be fully represented and would be denied due process because of an "inability to communicate"

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(Daniels 57). Once again language minorities would be alienated by an English speaking society.

The passage of the English Language Amendment would cause problems not only for adults in their everyday life, but also for children. The official English amendment would deny children who do not speak English the equal opportunity to education. Many compare the bilingual debate to that of the *Brown vs. Board of Education* case. Both instances deal with the denial of education rights to a minority group. The *Brown* case dealt with the denial of equal education based on racial discrimination, while the bilingual education debate deals with the denial of equal education due to language discrimination. In Arizona, the removal of a bilingual education system would affect more than 60 percent of the state's school-aged children in urban centers (Daniels 56). That is an extreme example. However, in 1980, 10.9 percent of the population spoke a language other than English, while one out of every seven lived with someone who did (Baron 3). The removal of bilingual education would impair the learning of the language minority child. A child learns best at first using the language with which he or she is familiar. "Without bilingual education, the learning of content is delayed and while the language minority child strives to acquire English proficiency, important windows of cognitive opportunity will be missed. Without using the child's native language for instruction, the ability of the minority children to keep pace with their English peers in terms of content will be severely impaired" (Daniels 56). Those children will most likely be forced to remain in a remedial class for years to come, owing to language problems. As Daniels states, "An era will commence where children are linguistically restricted and psychologically punished for speaking their own native language in school" (56).

Language is directly related to culture, and culture to race. For example, Spanish speakers tend to be Hispanic. That is what leads to the belief that there is more to the "official English" debate than just language. Prejudiced people justify discriminating against non-English groups a lot more easily than discriminating against non-Anglo groups. "Recent developments show 'English Only' Laws provide powerful tools for those who do not tolerate people who speak languages other than English" (Puig-Lugho 42). Those who fear the loss of white supremacy could very easily use language as a new way to maintain power. If the amendment were to go into effect, the English speakers would be empowered and most likely become more hostile toward individuals who use a language other than English. The hostility would most likely be directed at non-White groups with different ethnic backgrounds. Once again, immigration officials would be able to use English laws to discriminate against those ethnic groups they find undesirable. Examples can be cited in U.S. history where language was used to suppress the rights of non-Whites. Such examples include laws in 1850 against the Irish, laws in 1892 against Hispanics and Asians, laws of 1926 in Alaska against Native Americans, laws of 1897 in Wyoming against Finns, laws of 1889 in Washington against Chinese, and the law fol-

lowing the Civil War against Blacks (Baron 3). The adoption of the amendment would make ethnic discrimination on the basis of language easier to justify and, in turn, lead to the oppression of non-English groups.

Up to this point, predictions concerning the amendment have been inferred from the past and possible case scenarios. However, more concrete evidence against the amendment can be found in the states where it *has* been adopted. In many states, the English Language Amendment has been added to the state constitution. The reasoning from state to state differs; therefore, the results also vary. In Arizona, the law was adopted as a symbol, much like the state bird. Bilingual education is still present in the classroom and other languages are permitted. However, in California, it was adopted as a supreme law. Signs in other languages have been removed, and bilingual education is a thing of the past. Workers are not permitted to speak their own language in the work place, and many have been dismissed for doing so. "One consequence is the increase reprimands or firings of Spanish speakers by employers who don't allow them to speak anything but English on the job" (Daniels 54). Reports continue to surface about the workers who are being fired for using a language other than English on the job (Baron 3). The laws are strict about the use of English, and have caused an increased hostility among language minorities. As a result, there is more discrimination in the work place and in schools. The amendment has resulted in the minorities' loss of freedom of speech.

Other significant advantages derive from having a diversity of languages in American society. The world is moving towards a global economy, where it is an advantage speak more than one language. Moreover, the United States has always been a multilingual country, with citizens from all around the globe. "The United States has probably been the home of more bilingual speakers than any other country in the world" (Daniels 52). Making English the official language would do away with the communication advantage to that Americans currently enjoy. Furthermore, encouraging bilingualism would be a much better option for the good of the economy. It would give America the upper hand in international relations such as government and business dealings.

The question still remains, why should English be made the official language? If it is merely symbolic and will not have any impact on the rights of Americans, then it is frivolous. If it restricts the rights of a portion of Americans, then it is dangerous. The passage of the English Language Amendment would lead to the loss of the rights of language minorities. "The number of rights language minorities enjoy will decrease and, as a consequence, their quality of life will suffer" (Daniels 56). Not only will the language minority suffer, but so will the rest of the general population. "Amending the Constitution would change our society's fundamental conception of what is fair in education, the work-place, the courts, and the voting booths" (Daniels 57). It will lead to the end of the rights now enjoyed by Americans. Simply put, "[d]enying rights to speakers of other languages allows for a slow but inevitable encroachment upon the right of us all" (Daniels 58).

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