

The Challenge to English

Excerpted from Samuel Huntington's controversial book, Who Are We?

by Samuel P. Huntington

During the 1988 campaign to have English declared the official language of Florida, the Republican governor, Bob Martinez, declared his opposition: "We don't select a religion for Americans. We don't select a race for Americans. And we have not selected a language for Americans."²⁴ He was wrong. Three hundred years of history had selected English as the language for

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Americans, and on election day 83.9 percent of Florida's voters endorsed that choice. The presence of this language proposal on the Florida ballot (as it was in two other states that year) was symptomatic of the extent to which, during the 1980s and 1990s, language became a central issue of American identity. Controversies arose over bilingual education, businesses requiring their employees to speak English, government documents in languages other than English, ballots and election materials in districts with significant non-English-speaking minorities, the designation of English as the official language of national and state governments. The role of English in schools and other contexts had come up before in the United States, but the profusion and intensity of controversies at the national as well as state and local levels were unprecedented. In terms of both symbol and substance, the battles over English were a major front in the broader war over American identity. The question in this conflict, one scholar said, is "whether the United States should reflect a dominant English-speaking majoritarianism or encourage a multilingual culture."²⁵ The real issue, however, is not

multilingualism but bilingualism.

Only a few questioned the importance of English in American culture and the desirability of Americans being proficient in English. The language controversies did, however, raise two issues. First, to what extent should the U.S. government promote the knowledge and use of languages other than English and restrict the ability of governments, private businesses, and other institutions to require the use of English? In most instances, the other language is Spanish, which gives rise to the second and much more important issue: Should the United States become a bilingual society, with Spanish on an equal footing with English?

"Language," Miguel de Unamuno said, "is the blood of the spirit." It is also something much more down-to-earth. It is the basis of community. In this respect, despite Governor Martinez, it differs fundamentally from race and religion. People of different races and different religions have often fought each other, but if they have the same language they can still speak to each other and read what each writes. Nations, as Karl Deutsch showed in his classic work *Nationalism and Social Communication*, are groups of

people who communicate more extensively and intensely with each other than they do with other people.²⁶ Without a common language, communication becomes difficult if not impossible, and the nation becomes the arena for two or more language communities whose members communicate far more intensely with the members of their group than with those of the

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other group. Countries where almost everyone speaks the same language, such as France, Germany, and Japan, differ significantly from countries with two or more linguistic communities, such as Switzerland, Belgium, and Canada. In the latter countries divorce is always a possibility, and historically these countries have in large part held together by fear of more powerful neighbors. Efforts to make each group fluent in the other's language seldom succeed. Few Anglo-Canadians have been fluent in French. Few Flemish and

Walloons are at home in the other's language. German-speaking and French-speaking Swiss communicate with each other in English.

Throughout American history English has been central to American national identity. Immigrant groups have at times attempted to maintain the use of a different language, but except for some small, isolated, rural communities, English has triumphed in the second and third generations. Teaching new immigrants English, as we have seen, has been a central concern of American governments, corporations, churches, and social welfare organizations.

At least that was the case until the late twentieth century. The promotion of minority languages and the downgrading of English then became key elements in the efforts by governments and other institutions to encourage subnational identities. Central to these efforts was the interpretation of the Civil Rights Act (1964), the Voting Rights Act (1965), and the Bilingual Education Act (1967). Title VI of the Civil Rights Act prohibited discrimination on the basis of “national origin” in federally assisted programs of state and local governments and private institutions. Title VII prohibited discrimination in employment on the basis of national origin in firms employing fifteen or more workers. The Voting Rights Act included a

provision sponsored by Senator Robert F. Kennedy requiring New York election authorities to provide election materials in Spanish to Puerto Rican voters. The Bilingual Education Act was designed by Senator Ralph Yarborough of Texas to provide help to Mexican-American children who were poor and educationally disadvantaged because of their weak knowledge of English. The initial appropriation was \$7.5 million.

From these humble and limited beginnings emerged a complex structure of Federal regulations, court decisions, and further legislation in a process somewhat similar to that by which the race-blind civil right acts gave birth to racial preferences. Federal administrators interpreted the laws so as to authorize and require government support for non-English languages. Their interpretations were generally upheld by federal judges. Congress then enacted new laws expanding support for non-English languages and limiting the use of English. These moves in turn stimulated organized opposition and popular reaction manifested most notably in a dozen referenda in which, with one exception, the pro-English forces always won.

The lineup in these battles also paralleled that on racial preferences. Large numbers of government officials, judges, intellectuals, and liberals, a fair number of elected legislators and executives, and the leaders of Hispanic and other minority organizations were on one side. On the other side were many legislators, a small number of private individuals and groups, and,

as with racial preferences, large majorities of the American public. They were regularly joined by substantial numbers of people from the language minority groups.

The language battles between opposing coalitions on the roles of English and other languages occurred with respect to elections, government, business, and schools. Only citizens may vote in American elections. People become citizens by birth or naturalization. Citizens by birth (with the possible exception of Puerto Ricans) may be presumed to have a rudimentary knowledge of English. People who wish to be naturalized are required to demonstrate “an understanding of the English language, including an ability to read, write, and speak ... simple words and phrases ... in ordinary usage in the English language.”²⁷ Only the disabled and elderly persons who have resided in the United States for fifteen or more years are exempt from this requirement. It thus seems reasonable to assume that virtually all those with the right to vote know or should know at least enough English to read a ballot and related voting materials.

In 1975, however, Congress amended the 1965 Voting Rights Act so as to prohibit state and local governments from imposing any voting qualification, prerequisite, or procedure that would “deny or abridge the right of any citizen of the United States to vote because he is a member of a language minority group.” The act required local governments to provide bilingual ballots in voting districts where: (1) either the English literacy rate was below the national

average or fewer than 50 percent of potential voters voted in the 1972 election where election materials were only in English; and (2) five percent or more of the population belonged to a language minority group, defined as American Indian, Asian, Alaskan native, or “of Spanish heritage.” In 1980, in response to a federal lawsuit, the San Francisco registrar of voters agreed to provide ballots, voter pamphlets, poll watchers, and to conduct voter registration drives in Spanish and Chinese as well as English. By 2002 some 335 jurisdictions in thirty states had to provide written materials, and oral assistance in languages other than English, of which 220 were required to do so in Spanish. These requirements often affected very small language minorities. In 1994, for example, Los Angeles County spent over \$67,000 on voting services for 692 Tagalog speakers.²⁸

Federal agencies and the courts interpreted “national origin” in the Civil Rights Act to include language and the prohibition against discrimination to prevent the covered institutions from requiring participants in their programs to speak English. In addition, these institutions were mandated to provide service and support to non-English speakers to make them equal to English speakers. Courts also ruled that state and local laws requiring the use of English in certain circumstances were unconstitutional because they violate the First Amendment guarantee of free speech. The First Amendment was thus extended to cover not just freedom of

expression and the content of speech but also the language used to express that content. In short, governments may not be able to require the use of English when they determine that to be necessary.

The influx of Asian and Hispanic immigrants in the 1980s prompted many California localities to adopt ordinances requiring store signs to be at least partly in English for public safety reasons. An Asian American Business Group challenge to such a rule in Pomona was upheld in 1989 by Federal District Court Judge Robert Takasugi on the grounds that the signs were “an expression of national origin, culture, and ethnicity” and hence regulation of them violated the First and Fourteenth amendments. In another case, in 1994 the Department of Housing and Urban Development challenged an Allentown, Pennsylvania, ordinance directing the mayor to issue all documents exclusively in English and threatened to withhold its \$4 million annual grant to Allentown. After considerable furor, the mayor said he would not implement the ordinance and HUD did not suspend the payments. In 1999 the 11th Circuit Court of Appeals ruled that Alabama could not give

driver's license tests only in English because Title VI's provision against "national origin" discrimination prohibited actions that had disparate impact on non-English speakers. The U.S. Supreme Court, however, held that the private parties to this suit would have to prove not just disparate impact but also discriminatory intent, which they had not done.²⁹

In 1988 Arizona voters narrowly approved an amendment to the constitution making English the state's official language and requiring that all state officials and employees "act" only in English in performing government business. The Arizona Supreme Court recognized the validity of the requirement in the act of Congress admitting Arizona to the union that English be the only language of instruction in Arizona schools and that all Arizona officials and employees must be able to use and understand English. It invalidated the constitutional amendment, however, for violating the First Amendment "because it adversely impacts the constitutional rights of non-English-speaking persons with regard to their obtaining access to their government and limits the political speech of elected officials and public employees."³⁰ The U.S. Supreme Court declined to review this decision.

In a parallel series of cases, the Equal Employment Opportunity Commission interpreted the "national origin" provision of Title VII so as to challenge rules of employers requiring employees to speak only English while at work. The EEOC filed thirty-two such

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suits in 1996 and ninety-one in 1999. Companies may impose such restrictions only in situations where it can be justified by a narrowly defined "business necessity." As one attorney opposed to official English has argued, with respect to Titles VI and VII, "the key legal issue is whether the prohibition on national-origin discrimination extends to language discrimination." If it does, he points out, "the failure of private hospitals that receive federal funds to provide adequate translation services for non-English-speaking patients" could violate the law.³¹

Following Congress's adoption of Senator Yarborough's proposal to help his poor Mexican-American constituents to get a better education, education in non-English languages spread rapidly throughout the country, even to those seven states whose laws or constitutions prohibited instruction in languages other than English. In 1970 the federal Office for Civil Rights directed that under Title VI of the Civil Rights Act, a school district with "more than five percent national-origin-minority-group children" had to "take affirmative steps to rectify the language

deficiency in order to open its instructional program to these students." Two years later, a federal district judge ruled that the equal protection of the laws clause required students in New Mexico to be instructed in their native language and culture. In 1974, in a San Francisco case involving Chinese children, the U.S. Supreme Court interpreted Title VI to mean that schools cannot simply provide non-English-speaking schoolchildren with the same instruction as English speakers and instead must provide some remedy to compensate for this deficiency in their knowledge.³² By 2001 Congress was appropriating \$446 million for bilingual programs, which was supplemented by huge amounts of state funding.

From the beginning of the bilingual program, as one of its supporters commented, "a key question of goals – whether the act was to speed the transition to English or to promote bilingualism – was left unresolved." Initially both goals were pursued, and in 1974 the act was amended to require schools to provide instruction in a student's native language and culture "to the extent necessary to allow a child to progress effectively through the educational system." Both maintenance and transitional programs existed until 1978, when the American Institutes for Research reported that 86 percent of the directors of bilingual education programs said that Spanish-speaking children were kept in such programs after they had become proficient in English. Congress then ended support for

maintenance programs, but in 1984 reversed itself and explicitly authorized their funding.³³

By the mid-1980s much of the instruction in bilingual education was, according to a *Time* magazine survey, “designed to maintain a student’s original language indefinitely, bolstering the language with enrichment studies in indigenous art, music literature and history.” “It is very important to us that kids take pride in their own culture,” said the director of bilingual programs in San Francisco, meaning, of course, their ancestral culture, not American culture.³⁴ In 1985 Secretary of Education William Bennett argued that the U.S. Department of Health, Education, and Welfare had previously “increasingly emphasized bilingual education as a way of enhancing students’ knowledge of their native language and culture. Bilingual education was no longer seen so much as a means to ensure that students learned English, or as a transitional method until students learned English. Rather, it became an emblem of cultural pride, a means of producing a positive self-image in the student.” Congressman James Scheuer, who had been an original sponsor of the Bilingual Education Act, expressed similar views. The program, he said, had become “perverted and politicized,” and instead of helping students master English, “the English has been sort of thinned out and stretched out and in many cases banished into the mists and all of the courses tended to be taught in Spanish. That was not the original intent of the program.”³⁵ In 2000 another original sponsor of the

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bilingual education law, former Congressman Herman Badillo, expressed similar views. In New York City, he pointed out, 85 percent of ninth-grade students in bilingual and ESL – English as a Second Language – programs did not finish the program by the end of high school and 55 percent of those in such programs in the sixth grade had not moved into mainstream classes eight years later. Bilingual education, he said, “has become ‘monolingual education,’ which doesn’t help the students It’s supposed to be English first, and then Spanish. It wasn’t supposed to be eight years in a program. It was supposed to be transitional.”³⁶

The federal government’s promotion of non-English languages and opposition to the English-only policies by state governments and private institutions generated a counter-movement. In 1981 Senator S. I. Hayakawa introduced a constitutional amendment declaring English the official language of the United States. Two years later he joined with others to form an organization, U.S. English, to promote this goal. And in 1986 another pro-English group, English First, came into being. These organizations launched a broad movement that resulted in nineteen

states adopting some sort of official English declaration during the 1980s and 1990s. These decisions were hotly contested by Hispanic and other language minority groups, plus liberal and civil rights organizations, and they got three states to pass alternative “English Plus” resolutions. Several legislatures declined to act on any of these proposals, but nowhere was an official English proposal defeated at the polls.³⁷

Those states in which the legislature took pro-English action tended to be Southern and other states with relatively small immigrant, Asian, and Hispanic populations. In states with large minority populations, the legislatures declined to act or defeated these proposals. The four states (Arizona, California, Colorado, Florida) where voters approved the official English proposals (in three by substantial majorities) had, as Jack Citrin et al. observe, “as a group, the highest proportion of non-English speakers, immigrants, Hispanics, and Asians. These four states also experienced the highest rate of growth in their Hispanic and foreign-born populations between 1970 and 1980.” In somewhat similar fashion, the 1989 official English referendum in Lowell, Massachusetts, followed a decade of large Hispanic and Southeast Asian inflows into the city, producing a quadrupling of children with limited English proficiency, or LEP, in five years.³⁸ Rapid expansions of non-English-speaking peoples, the evidence suggests, creates a powerful stimulus for the reassertion of their English language identity by native

Americans but not by their legislators.

By every indication the American public is overwhelmingly pro-English. In a careful 1990 public opinion survey, four scholars concluded that, "To the mass public, English remains an important symbol of national identity." In 1986, 81 percent of the American public believed that "anyone who wants to stay in this country should have to learn English." In a 1988 poll, 76 percent of Californians rated speaking English as "very important" in making one an American, and 6 percent believed that the right to vote should be limited to English speakers. In a 1998 poll, 52 percent of Americans strongly supported and 25 percent somewhat supported legislation that would require all school instruction to be in English and the placing of LEP students in a one-year-English immersion program.³⁹ The huge majority of Americans who hold English as a key component of their national identity, combined with squeamishness of legislators on language issues, provided a strong incentive for proponents of official English and opponents of bilingual education to resort to initiatives and referenda to get their policies enacted into law.

From 1980 to 2000, twelve referenda were held in three cities and four states on English as the official language and on bilingual education (See Table). These referenda were all initiated by pro-English groups. In all except one, the voters approved the pro-English or anti-bilingual-education proposal. The average vote in favor of pro-English positions was 65 percent,

ranging from a low of 44 percent in Colorado to a high of 85 percent in Florida. In all these cases political elites and establishment institutions overwhelmingly opposed these measures, as did heads of Hispanic and other language minority groups.

In 1980, a measure to reverse an ordinance declaring Dade County, Florida, bilingual and bicultural, to mandate the use of only English in government, and to prohibit the use of public money for "promoting any culture other than that of the United States," was vigorously opposed by Hispanic groups, the *Miami Herald*, and the Greater Miami Chamber of Commerce, which alone spent \$50,000 trying to defeat it. Those in favor of the proposal spent about \$10,000 on their campaign. Dade County voters approved the proposal by a 59.2 percent majority.⁴⁰

In 1986, a proposed amendment to California's constitution making English the official language was opposed by all the state's top political figures (except then Senator Peter Wilson), including the governor, attorney general, the other U.S. senator, the state Senate president, the speaker of the Assembly, the mayors of San Francisco and San Diego, the city councils of Los Angeles and San Jose, all the major television and radio stations, all the major newspapers except the *San Francisco Examiner*, the California Labor Federation (AFL-CIO), and the California Catholic Bishops Conference. On election day, 73.2

percent of California voters approved the amendment with majorities for it in every county.⁴¹

In 1988 presidential candidates George H. W. Bush and Michael Dukakis opposed the official English measures on the ballot in Florida, Arizona, and Colorado. So also did the political, social, and economic elites in these states. In Florida the proposed constitutional amendment was opposed by the governor, the attorney general, the secretary of state, the *Miami*

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Herald, the Greater Miami Chamber of Commerce, plus many Hispanic organizations, others of which, however, abstained in deference to the overwhelming popularity of the measure. It was approved by 85.5 percent of the voters and carried every county.

Also in 1988, in a bitter contest in Arizona, an official English initiative was opposed by the governor, two former governors, both United States senators, the mayor of Phoenix, the Arizona Judges Association, the League of Arizona Cities and Towns, Jewish

leaders, and the Arizona Ecumenical Council composed of eleven Christian denominations. The proposal suffered from the disclosure in the midst of the campaign of a memo by John Tanton, the head of U.S. English, the campaign's principal funder, that proposed a moratorium on immigration, included allegedly derogatory remarks on Catholics, and hence was labeled "the Nazi memo" by the proposal's opponents. These circumstances produced the only close vote among the official English referenda, with 50.5 percent of Arizonans approving it. In Colorado, the official English measure was opposed by the governor, the lieutenant governor, the attorney general, the mayor of Denver, one United States senator, the leading Catholic bishops, the *Denver Post*, the state Democratic Party (the Republicans taking no position), and Jesse Jackson. It was approved by 64 percent of Colorado's voters.⁴²

In 1989, looking back on the previous year's referenda, a Stanford University linguist commented sadly but accurately, "By and large, the successes of the [Official English] movement have been achieved without the support of establishment politicians and organizations The U.S. English leadership is probably justified in claiming that 'no one is for us but the people.'"⁴³

The following decade the same lineup appeared in referenda on bilingual education. In 1998 in California several Hispanic leaders and many Hispanic voters supported Proposition 227 to end bilingual education. All the state's

elected Democratic officials and President Clinton opposed it, as, with some qualification, did Texas Governor George W. Bush. Sixty-one percent of the state's voters approved it, as did majorities in every county except San Francisco. Two years later, a similar proposal in Arizona was opposed by the state Republican leadership, all the state's top elected officials from the governor on down, all the major newspapers, Governor Bush and Vice President Gore, with the opposition spending many times that spent by the supporters. It was approved by 63 percent of the Arizona voters. In 2002, in Massachusetts, the Republican gubernatorial candidate, Mitt Romney, backed an initiative to end bilingual education, but it was opposed by Democratic leaders, prominent academics including the deans of eight schools of education, other establishment figures, major media including the *Boston Globe*, and a "coalition of teachers, unions, immigrants' rights activists, and community groups."⁴⁴ Sixty-eight percent of the voters approved it.

In more than two decades, the only defeat by popular vote of a pro-English or anti-bilingual-education measure occurred in Colorado in 2002 when an initiative to end bilingual education lost by 56 percent to 44 percent. This result was brought about by a last-minute huge expenditure of funds provided by a pro-bilingual-education millionairess. These were used for an appeal to the anti-Hispanic sentiments of Colorado voters by warning them that the end of bilingual education would create "chaos in the classroom" and

"bedlam if thousands of ill-prepared immigrant children flooded mainstream classrooms."⁴⁵ Faced with this prospect, the Colorado voters chose to endorse educational apartheid.

The attitudes of Hispanics on language issues partly paralleled but also differed somewhat from those of blacks on racial preferences. Hispanics tended to oppose the largely symbolic official English proposals. In exit polls in 1988 in California and Texas, for instance, on average only 25 percent of Hispanics supported declaring English the official language of the United States as compared with 60 percent of Anglos. The 1980 Dade County English-only initiative was endorsed by 71 percent of whites and 44 percent of blacks, but only by 15 percent of Hispanics. In 1986, 41 percent of Hispanics voted in favor of the official English proposal in California. Two years later, only 25 percent of Florida Hispanics voted for a similar measure.⁴⁶

Hispanics have tended to be more ambivalent, and often favorable, toward measures to end or limit bilingual education, which have immediate and powerful consequences for their children. A 1998 national poll showed 66 percent of Hispanic parents wanting their children to learn English "as quickly as possible, even if this means they fall behind in other subjects."⁴⁷ Hispanic parents surveyed in 1996 in Houston, Los Angeles, Miami, New York, and San Antonio said that teaching their children English was by far the most important thing that schools do. In the 1998 national poll

on whether all instruction in schools should be in English with a special one-year immersion program for those deficient in English, 38 percent of Hispanics expressed strong support and 26 percent somewhat supported this position. The impetus for the California anti-bilingual-education proposal came from Hispanic parents in Los Angeles who pulled their ninety children out of school to protest the inferior education they were receiving in bilingual classes. As the Reverend Alice Callaghan, an Episcopal priest and director of a Hispanic community center, observed: "Parents do not want their children working in sweatshops or cleaning downtown office buildings when they grow up. They want them to get into Harvard and Stanford, and that won't happen unless they are truly fluent and literate in English." In one 1997 poll in Orange County, 83 percent of Hispanic parents said "they wanted their children to be taught in English as soon as they started school." In a different October 1997 *Los Angeles Times* poll, 84 percent of California Hispanics said they favored limiting bilingual education. Alarmed by these figures, Hispanic politicians and leaders of Hispanic organizations duplicated their efforts against the Civil Rights Initiative and launched a massive campaign to convince Hispanics to oppose the bilingual education initiative. Again they succeeded. On election day in June 1998, after what the *New York Times* called "a blitz against the measure by almost every elected Hispanic official in the state," less than 40 percent of

Hispanics voted for it.⁴⁸



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The Social Contract Press
445 E. Mitchell St. Suite D
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ISBN: 1-881780-26-0

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