

Introduction

Although the United States has no official language specified in the US Constitution, one might assume that English holds this title, considering its ubiquitous role in American public life. A majority of US states have indeed solidified the official status of English through constitutional or statutory means (“Official English” laws). American language law at the state-level will be my primary object of study.

By conducting a comparative study on state language law, we will study how governments influence the use of the English language in official and unofficial settings, compare laws in their forms and effects, and identify reliable data to guide us in this task. Comparisons to other countries may assist as well, for example, the well-known “Loi Toubon” requiring the use of French by public officials in France [2].

Sociolinguistics affirms that language does not exist in a theoretical vacuum; it carries social evaluations and entails real outcomes for real speakers of a language variety. Through this perspective, we will analyse how the United States’ linguistic policy supports the dominant status of English and/or protects the rights of minority-language speakers. We will examine how social evaluation and lawmaking intermingled throughout American history and the effects of this on language communities.

Consequence

The percentage of Americans with a mother tongue other than English continues to rise (17.89% in 2000 to 19.89% in 2010). Yet some states, like California, with large numbers of minority-language speakers, also have Official English laws on the books; the views and concerns of these minority-language speakers must be considered vis-à-vis the majority language. Language issues often reflect the struggle for political power between majority and minority in democratic society.

The election of Donald Trump as President has sparked concern that public fears of immigration are on the upswing. Distrust of foreigners is easily disguised as concern over the purity of language. Liu et al. [9] finds that national salience of immigration fears (in national media and politics) is one of the leading risk factors predicting the adoption of language legislation at the state level. Direct democracy procedures facilitate the expression of this “grassroots fears”, and states with such provisions appear more likely to pass Official English laws.

Deficit

Baron [1] and other summaries of American language law give comprehensive legislative overviews of the issue at federal and state levels. A common concern with legislative analysis, however, is lack of followthrough. Legislation often receives a lot of coverage at the time of its debate; once implemented, it is difficult to isolate the effects and outcomes of the policy and the “buzz” has moved on to new issues. Here we want to assess the outcomes that state language initiatives have had for their citizens. This will be accomplished by finding case studies and relevant statistics.

For example, in California, voters approved two “pro-English” referendums in 1986 and 1998, despite the state’s massive Spanish-speaking population. This state thus has one of the strongest Official English laws in the country. Even the naming of babies is affected: only the 26 letters of the English alphabet are accepted on birth certificates, making it officially illegal to name a child in California “José” or “María” [8].

On the other end of the spectrum is a state like Illinois, where English is established as the official language to the extent that the Cardinal is established as the official bird, and the Monarch butterfly as its official insect. One would expect this language policy to have less tangible effect than California’s.

Questions

- Why did the US not adopt a federal language in the Constitution nor in the years that followed?
- What factors predict the adoption of state language laws?
- Have language laws succeeded in the ways their supporters hoped? And if so, how did they accomplish these goals?
- What factors predict the outcomes of state language laws?
- Why do direct democracy procedures increase the likelihood of linguistic regulation [9]?
- How do non-native English speakers responded to the Official English movement?
- How can we read government discourse as an implicit statement on language status?

References

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