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Dangerous Difference: A Critical–Historical Analysis of Language Education Policies in the United States

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[U]nless the stream of [German] importation could be turned ... to other Colonies, ... they will so out number us, that all the advantages we have will not ... be able to preserve our language, and even our government will become precarious.

—U.S. statesman and inventor Benjamin Franklin, in a letter to a British member of Parliament, May 9, 1753 (cited in Crawford, 1992, p. 19).

No unity or community of feeling can be established among different peoples unless they are brought to speak the same language, and thus to become imbued with like ideas of duty. Deeming it for the very best interest of the Indian, both as an individual and as an embryo citizen, ... no school will be permitted on the reservation in which the English language is not exclusively taught.

—Commissioner of Indian Affairs J. D. C. Atkins, in his annual report of 1887 (cited in Crawford, 1992, pp. 50–51).

Gobernar es poblar translates "to govern is to populate".... Will the present majority peaceably hand over its political power to a group that is simply more fertile? ... As Whites see their power and control over their lives declining, will they simply go quietly into the night? Or will there be an explosion?

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—John Tanton, cofounder of U.S. English and founder of the Federation for American Immigration Reform, in a memorandum to supporters, October 10, 1986 (cited in Crawford, 1995, p. 68).

As ideological constructs, language policies both reflect and (re)produce the distribution of power within the larger society. Language policies may be officially sanctioned, as in the 1887 dictate of Commissioner Atkins, just mentioned, or as exemplified a century later in the 1986 passage of California's Proposition 63, making English the state's official language. Language policies are often assumed to involve "government action or lack of it" regarding language statuses and uses (Ricento & Burnaby, 1998, p. 33). This definition, however, tends to reify official acts and formal state policies, and to obscure the complex human dynamics these policies represent. Here, I view language policy as a sociocultural process: that is, as modes of human interaction, negotiation, and production mediated by relations of power "V (see, e.g., Bourdieu, 1977; Levinson, Foley, & Holland, 1996; Wiley, 2000). From this perspective, language policy includes public and official acts and documents, but equally important, it constitutes and is constituted by the practices each of us engages in every day. "When we fight in support of a community-based language program," Pennycook (2001) writes, "when we allow or disallow the use of one language or another in our classrooms, when we choose which language to use in Congress, conversations, conferences, or curricula, we are making language policy" (p. 215). Holm (in press), and Parsons-Yazzie (1996/1997) provide a more specific and intimate example: When a bilingual Navajo child hears a request in Navajo from her parent and chooses to respond in English, that child is also responding to a wider discourse on language policies. At the same time, child and parent are negotiating the language policy of the home.

50 di Schools are among the most dominating discursive sites in which both eb official and unofficial language policies are produced and legitimated. In this chapter, I offer a critical-historical analysis of these enactments in the education sphere. Grounded in critical pedagogy and a historical-structural approach to language planning (see, e.g., Bourdieu, 1977; Forester, 1985; Freire, 1970, 1993, 1998; Pennycook, 1999; Tollefson, 1991, 2002), this analysis assumes that medium-of-instruction policies are neither historically nor socially neutral. As Pennycook (2001) points out, they are not simply about "the educational efficiency of one code over another" (p. 195). Rather, choices about media of instruction, whether officially sanctioned or not, concern struggles for political and economic participation, democracy, and human rights. Expanding on an earlier analysis of Indigenous educational and linguistic rights (Lomawaima & McCarty, 2002; McCarty, 2002a), I argue that these struggles can be conceptualized as contests over what constitutes "safe" versus "dangerous" difference in human social life.1 In these contestations, language becomes a proxy for social class and race. 618e

For example, how do we explain the paradox of the value placed on foreign language instruction in U.S. schools, and the simultaneous devaluing of those same "foreign" languages among Indigenous and immigrant minorities? In Arizona, the state with the most restrictive antibilingual education policy to date, public school districts have been placed in the position of expunging non-English languages from English language learners (ELLs), while being simultaneously required to provide foreign language instruction as part of the core K-12 curriculum. Who are the intended recipients of these two different medium-of-instruction policies? Whose interests are being served by sorting language education in these ways? And, if we assume a federal commitment to eradicate Indigenous languages, as articulated by Commissioner Atkins in 1887, how do we explain the subsequent federally sponsored development and dissemination of Native language teaching materials? How do the 1968 Bilingual Education Act, the 1975 Indian Self-Determination and Educational Assistance Act, and the 1990/1992 Native American Languages Act square with widespread standardizing regimes focused on English (only) and scripted reading programs?

In the context of historically constituted power relations, these apparent policy contradictions can be seen as responses to larger political, socioeconomic, and demographic forces. When linguistic and cultural diversity have been viewed by dominant interests as instrumental, "safe," or nonthreatening—as was the case in the colonial United States, Benjamin Franklin's protestations notwithstanding-linguistic and cultural pluralism has been tolerated and even supported in official and unofficial ways (Heath, 1992). "Dangerous" difference—manifest, for instance, in the presence of enslaved Africans who were systematically denied access to English literacy, and more recently in the Ebonics controversy—is frequently associated with what Hill (2001) calls "language panics." The Ebonics controversy, in which the Oakland, California school board's recognition of the vernacular language of its African American students unleashed months of media furor, is one illustration of a "national language panic" (Hill, 2001, p. 250). One response to the controversy was the introduction of bills in the California legislature and the U.S. Congress disapproving the use of state or federal funds for Ebonics instruction, and requiring that any existing funds for such instruction be immediately shifted to the teaching of English (Chen, 2001; Hill, 2001). Language panics, Hill (2001) asserts, "are not really about language ... they are about race" (p. 245). And, I argue, they are about social class, power, and control.

The United States provides an especially revelatory context for the analysis of these struggles over medium-of-instruction policies. As the most powerful country in the world in which English dominates as the national if not the official language, debates over the status and role of English have shaped educational practices for centuries. The United States also represented the state of the st

sents a colonial power with ongoing territorial interests. In Puerto Rico, language education policies continue to be hotly debated, and the schools, especially, have become "a battleground over Americanization" (Crawford, 1992, p. 11; see also Delgado Cintrón, 1994; García, Morín, & Rivera, 2001; Language Policy Task Force, 1992).

Finally, the United States is one of the most linguistically and culturally diverse countries in the world. At the end of the 20th century, "people of color made up 28% of the nation's population.... The [U.S. Bureau of the Census] predicts that their numbers will grow to 38% of the nation's population in 2024 and 47% in 2050" (Banks, 2001, p. ix). A significant proportion of this population are English language learners who speak over 150 different languages and who represent the "new immigration"—those who have come to the United States since 1965, when Congress abolished the national origins quota system (Qin-Hilliard, Feinauer, & Quiroz, 2001). Unlike earlier waves of immigration, which originated in Europe and were largely White, the "new immigrants" come primarily from Latin America, Southeast Asia, and the Caribbean (Qin-Hilliard et al., 2001; Suárez-Orozco, 2001). These demographic shifts are having a profound impact on U.S. schools. According to Suárez-Orozco (2001), immigrant children are "the fastest growing sector of the U.S. child population Nationwide, there are now over 3.5 million ELL youth enrolled in U.S. schools" (pp. 351–352).

Efficacious medium-of-instruction policies that build on this growing diversity, treating it as an individual and a collective resource (Ruiz, 1984), could not be more timely. Instead, we are witnessing another seeming paradox: Even as pressures mount for cultural and linguistic homogenization—reflected most visibly in English-only mandates and the growing standardization movement—a clear pattern of heightened social, economic, and educational stratification exists. Virtually every social indicator demonstrates a widening gap between those with and without access to economic and social capital. Indigenous and other minoritized students² experience the lowest rates of educational attainment, the lowest family incomes, and, particularly among Indigenous youth, the highest rates of depression and teen suicide (Garcia, 2002; Lomawaima & McCarty, 2002; Valdés, 2001). Suárez-Orozco (2001) notes further that, "Among immigrants today, the length of residence in the United States seems associated with declining health, school achievement, and aspirations" (p. 354). Acculturation, ostensibly a force for homogenization, appears to lead not to a more equitable distribution of resources and opportunity, but rather "to detrimental health, more ambivalent attitudes toward school, and lower grades" (Suárez-Orozco, 2001, p. 354).

A critical-historical analysis of medium-of-instruction policies sheds a revelatory light on these processes. In this chapter, I examine key episodes in the enactment of language education policies in the United States. This

informs an examination of more recent developments, particularly antibilingual/anti-immigrant legislation and the "New Literacy Movement" (Gutiérrez, 2001), characterized by phonics-driven reading programs and a renewed emphasis on school "accountability" and testing. Although these developments illuminate the levers of power that have been clamped on difference deemed to be proscribed, or dangerous, they also reveal the windows of opportunity that have been levered open by minoritized groups in struggles for linguistic and educational self-determination.

This is not a comprehensive historical overview. For that, readers are referred to the classic analyses of Fishman (1966), Kloss (1977), and Ferguson and Heath (1981), and to the more recent work of Crawford (1992), González & Melis (2001a, 2001b), Piatt (1990), Ricento and Burnaby (1998), and Wiley (2000, 2002). However, I do cover a wide historical horizon, beginning with the first encounters between Native peoples and Europeans.

EXPEDIENT TOLERANCE

In the swirl of interests that engulfed the North American continent following the European invasion, multilingualism was both common and necessary, a tool of trade and intertribal communication among Native peoples, and of the diffusion of Christianity and European ideas. Goddard (1996) documents 62 language families and more than 300 distinct languages indigenous to North America—a remarkably rich diversity of peoples and mother tongues. Although less diverse, colonial languages also flourished, with Spanish, French, English, Dutch, German, and Russian being the most numerically significant. It is not surprising, then, that there also was widespread use of regional lingua francas, both among Indigenous speakers and between them and Europeans, as a means of practical communication for specific purposes (Silverstein, 1996, p. 117).

Beginning with Christopher Columbus' late 15th century voyage, and continuing in the 16th century with Ponce de Leon's colonization of Puerto Rico and Florida, and the subsequent expeditions of Cabeza de Vaca, Cortés, de Soto, Alarcón, and Oñate, "Spaniards held a virtual [colonial] monopoly over the southern half of this country for one entire century before the arrival of other Europeans" (Castellanos, 1992, p. 14). In his comprehensive treatment of the overlapping "cycles of conquest" in what is now the southwestern United States and northwestern Mexico, Spicer (1962) asserts that the ruling principle of the Spanish Catholic Church—"an obligation to civilize the barbarians"—"was never questioned as the raison d'etre of the Spanish conquest" (p. 281). Native life was to be reorganized around the missions, led by the Jesuits in the south (until their expulsion from New Spain by the King of Spain in 1767), and the Franciscans in the north. The fundamental change introduced by the missionaries "was

summed up in the conception of 'reduction'"—that is, settlement in compact villages where Native people presumably would be more susceptible to social manipulation and ideological management (Spicer, 1962, p. 288). The indoctrination of children was a major focus of the missionaries' efforts, and in schools in or near the missions, they taught literacy and numeracy in Spanish (Spicer, 1962).

Instruction in Native languages also was fundamental to the Spanish program. Particularly among the Jesuits (less so for the Franciscans, at least in northwest New Spain), there was an emphasis on the missionaries' acquisition of Native languages. Indeed, according to Spicer, some Jesuit missionaries hesitated to teach Spanish because of its perceived destabilizing effects on Native people who gravitated to Spanish mining settlements in search of employment. "To distribute land to [Natives] ... to encourage Indians to mingle with the riffraff of the frontier settlements would ... break up the little kingdoms of God" (Spicer, 1962, p. 307).

Nearly all Indigenous languages of Sonora and Chihuahua were committed to writing by Spanish Jesuits. The oldest surviving Native North American grammar of Timucua, spoken in what is now Florida and Georgia, was completed by the Franciscan missionary Francisco Pareja (Goddard, 1996). Goddard (1996) writes that, "Many Timucuas, both men and women, learned to read and write using Pareja's books" (p. 18). And, as early as 1688, there is evidence of Native literacy in Apalachee, a Muskogean language spoken in what is now the Florida Gulf Coast (Goddard, 1996).

The policy of using Indigenous languages as media of instruction, and of developing Indigenous writing systems to create religious texts, continued with the English and French Jesuits in New England and New France. In 1663, working with Native speakers, Congregationalist minister John Eliot completed a translation of the Bible into Massachusett. Like other Puritan missionaries, Eliot deemed Native peoples to "have no principles ... nor wisdome of their own" (Eliot, 1651, cited in Szasz, 1988, p. 106). One of his chief projects was the Indian praying town, small, self-governing villages where Native children could be removed from the influences of family and tribal community, and instructed in Christianity and the "civilized" arts. Native languages were essential to the civilizing process, and in the 18th century, "Native literacy became widespread in the praying towns" (Goddard, 1996, p. 23).

German Moravian, Russian Orthodox, Dutch Reformed, Presbyterian, and Roman Catholic missionaries adopted similar practices. A primer in Delaware, an Eastern Algonquian language, was developed by Moravian missionary David Zeisberger and became "the first school book used in the state of Ohio" (Goddard, 1996, p. 23). Working with Cherokee speaker David Brown, Congregationalist missionary Daniel Buttrick produced a Cherokee spelling book in 1819 (Buttrick & Brown, 1819, cited in Goddard, 1996,

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p. 31; see also Noley, 1979). This was displaced by Sequoyah's syllabary in 1821. In accordance with 19th century church policy, Russian Orthodox missionaries also developed alphabets, grammars, dictionaries, and primers in Aleut and Central Yup'ik (Goddard, 1996).

Missionaries were not alone in the instrumental value they attached to Indigenous languages and literacies. Thomas Jefferson recorded vocabularies of Unquachog and Unami, spoken in what is now Long Island and New Jersey. William Anderson, a member of Captain James Cook's 18th century maritime expeditions, compiled a Nootka vocabulary. Meriwether Lewis and William Clark collected linguistic data on their cross-country expedition, and numerous other European traders and invaders found it expedient to become knowledgeable of Indigenous languages (see, e.g., Goddard, 1996).

Thus, from the initial invasion through the early 1800s, there was a striking consistency in the formal and informal policies of Europeans toward Native languages and their speakers. These policies can be characterized as ones of expedient tolerance. Although the transmission of colonial languages was clearly a priority, this aim, and the larger ones of religious conversion and territorial usurpation, could only be achieved through knowledge and use of Native tongues.

Early colonial policies toward Native languages, however, cannot be decoupled from the larger colonizing agenda and its more diffuse and deadly impacts. Although estimates vary, prior to European encroachment, the Native North American population numbered in the tens of millions (Dobyns, 1983; see also Lomawaima, 1995, p. 332). Two centuries of contact and conflict with Europeans decimated that population, leaving fewer than 250,000 in 1890 (Adams, 1988, p. 3; Lomawaima, 1995, pp. 332–333). Native people often felt the impact of Europeans well before they saw a European. Western European crops, material culture, livestock, and disease spread more quickly than did the Europeans, transforming Indigenous sociopolitical systems and cultural practices. Corruption and brutality among both state and church officials was rampant (see, e.g., Spicer, 1962). Language policies were but one aspect of a much broader cultural transformation project carried out by several competing colonial powers—all intent on asserting dominion over Native lands and lives.

CALCULATED TOLERANCE

As missionaries and colonial civil authorities prosecuted their interests, "settlers from almost every northern and western European nation continued to arrive in the Americas" (Castellanos, 1992, p. 15). In 1664, 18 European languages, in addition to Indigenous Algic languages, were spoken by people of 20 nationalities in what is now Manhattan Island (Castellanos, 1992).

In much the same way that missionaries and traders found it advantageous to learn Indigenous languages, statesmen and other colonists in the emerging republic placed an instrumental value on the use and coexistence of multiple colonial languages. Among the founding leaders of the new republic there was an ideological commitment to democracy, and an explicit rejection, at least with regard to White Europeans, of any appearance of aristocratic coercion (Heath, 1992). Silverstein (1996) also notes that at this time, many European languages were only emerging as "standardized, written vehicles and communicative emblems of crowns, of nation-states, and of aggressive colonial enterprises" (p. 117). In other words, there were "no colonial language policies or programs to build upon" (Heath, 1992, p. 20). There also seems to have been a pragmatic recognition of the value of multiple languages for diffusing the ideals of the new government: "[I]f leaders recognized the potential of plural languages to spread the ideas of the new government, the citizens would become capable of helping legitimate the new government" (Heath, 1992, p. 24). And, it was recognized that the spread of English might be more readily achieved without coercion, as English became associated with liberty (Heath, 1992, p. 24). Heath (1992) characterizes this as a dual ideology of universalism—the notion that the ideals of political liberty are universal—and pragmatism (see also Crawford, 1992, p. 9). Between 1780 and 1820:

The national elite recognized the plural nature of American society During this period ... [d]iversification in language choice, change, and use not only prevailed, but was purposefully left unrestrained by leaders' repeated failure to provide a national language academy. (Heath, 1992, pp. 30–31)

The case of German in the emerging republic is of particular interest. Wiley (1998) notes that German was then "in an analogous position to that of Spanish in the United States today" (p. 215). But German enjoyed a much more elevated status than Spanish ever has in the U.S. For example, the Continental Congress published extracts of many of its documents in German (Piatt, 1990). During this time there were significant regional concentrations of Germans and, in the early 19th century, German immigration increased. By the 1830s, there were 100,000 Germans in New York alone (Wiley, 1998).

Not surprisingly, in areas with large concentrations of Germans, German was used as a medium of instruction. In 1840, the first German public school was established. According to Crawford (1995), during this period "no uniform language policy prevailed" (p. 23)—at least with regard to native speakers of European languages.³ Bilingual education, Crawford (1995) maintains, "was likely to be accepted in areas where language-minority groups had influence and to be rejected where they had none" (p. 23).

It was not until the latter part of the 19th century that state legislatures began to pass measures intended to suppress non-English colonial lan-

guages. In the case of German, this was largely in reaction to German Catholic schools "as tools for the Holy Roman subversion" (Wiley, 1998, p. 218; see also Crawford, 1995, pp. 24–25). Still, at the turn of the 20th century, more than a half-million German students were being schooled in their mother tongue (Crawford, 1995).

The U.S. entry into World War I brought on a full-fledged language panic. German Americans were suspected of sabotaging food supplies, and newly created state councils of defense took the use of German in schools, churches, and newspapers as a sign of disloyalty. Wiley (2002) reports that Germans were beaten, tarred and feathered, and otherwise threatened. German book-burnings were common, both by xenophobic mobs and German Americans desperately trying to demonstrate their patriotism. Thousands of Germans were fined for "language violations" (Wiley, 1998, p. 223).

During this period, several states passed legislation banning instruction in languages other than English, focusing especially on the primary grades "to make foreign languages inaccessible during those ages when children would have the best opportunity for acquiring them" (Wiley, 2002, p. 232). It was in this context that, in May of 1920, a teacher in Hamilton, Nebraska was charged and convicted under Nebraska law for using a German Bible to teach reading. The teacher, a Mr. Meyer, appealed to the state supreme court, arguing that his 14th amendment rights to due process had been violated. When the state court upheld the conviction, Meyer appealed to the U.S. Supreme Court. What is important for present purposes is that in overturning the Nebraska court's ruling, the U.S. Supreme Court recognized the constitutional right to speak one's mother tongue. (For greater detail on the 1923 Meyer v. Nebraska case, see, e.g., Piatt, 1990.)

Meyer v. Nebraska is significant in another sense, for it was the first U.S. Supreme Court decision in which language rights were contested. That the Supreme Court found in favor of Meyer is a positive sign for the protection of language rights, as is the fact that Meyer v. Nebraska has never been overturned. That the case was brought at all, however, suggests a deeper subtext. It is not coincidental that during the same period, 20 states enacted legislation establishing Americanization programs "to insure that all immigrants would learn English" (Piatt, 1990, p. 17). Large manufacturing companies, including Ford Motor Company and International Harvester, offered English classes for employees. In 1921, Congress introduced national immigration quotas, and in 1924, the National Origin Act was passed, limiting immigration to 150,000 Europeans per year, placing quotas on immigrants from other nations, and prohibiting immigration from Japan (Piatt, 1990, p. 18).

In the industrializing United States, linguistic and cultural tolerance was giving way to nativism, and difference was becoming dangerous and proscribed.

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THE CIVILIZING PROJECT

Following the American revolution, the new federal government turned its attention to pacifying and "civilizing" Native peoples, "so that they would live on small farms and, therefore, make available their hunting grounds to White settlers" (Spring, 1996, p. 12). Toward this end, Congress passed the 1819 Civilization Fund Act to support the work of missionaries on the frontier. Education and civilization were synonymous, as illustrated by this coterminous statement to Congress by the House Committee on Indian Affairs:

Put into the hands of [Indian] children the primer and the hoe, and they will naturally ... take hold of the plow; and as their minds become enlightened and expand, the Bible will be their book, and they will grow up in habits of morality and industry, ... and become useful members of society (cited in Ad-2618e ams, 1988, p. 2)

Throughout the 19th century, the campaign for Indian removal and containment continued through a policy of military aggression, removal to reservations, and formal schooling. Toward the end of the century, as treaty-making ended, the federal government looked increasingly to schooling as the solution to the "Indian problem." "There is something whimsical in planting schoolhouses where no man [sic] can read," a missionary to the Lakota reflected at the time. "It is a remedy for barbarism we think ... and so we give the dose" (cited in Adams, 1988, p. 3). Unlike earlier missionary efforts, the goal was now complete annihilation of Indigenous languages and lifeways. In the words of the same missionary: "Uncle Sam is like a man setting a charge of powder. The school is the slow match. He lights it and ... in time it will blow up the old life, and of its shattered pieces will make good citizens" (cited in Adams, 1988, p. 3).

In 1887, Congress initiated a two-fisted policy designed to "blow up the old life." The General Allotment or Dawes Act provided for dividing reservation lands into 160-acre family plots, with the "surplus" to be sold to Whites. The effect of the Allotment Act was to dispossess tribes of millions more acres of their land. At the same time, the federal government declared a policy of compulsory school attendance for Indian children, with threats of imprisonment for parents who failed to comply. Adams (1988) characterizes the federal goal as "education for citizenship focused on [English] language instruction and political socialization" (p. 8). English-only policies were "largely instrumental," Adams maintains, with the real objective being "the Indian's political socialization" (Adams, 1988, p. 9).

The chief instruments of this plan were the boarding schools. "Schools... could not only civilize," Adams (1988) points out, "they could civilize quickly" (p. 12). Over the next century, on- and off-reservation boarding schools proliferated as sites where Indian children could be isolated for

years at a time, until their deculturation and re-ethnification were complete. The boarding school experience has been well documented (see, e.g., Ellis, 1996; Horne & McBeth, 1998; Lomawaima, 1993, 1994, 1996; McCarty, 2002b; Trennert, 1988), and I will not repeat that here. What is of interest for present purposes are the shifts in educational policy that have attended federal efforts to discern what constitute "safe" or allowable practices, versus those that are so dangerously different that they must be neutralized (Lomawaima & McCarty, 2002).

For part of the 20th century, the boarding schools remained the bedrock of the government's assimilation campaign (Ellis, 1996, p. 20). Prohibitions against speaking Indigenous languages were strictly enforced. "There is not an Indian pupil ... who is permitted to study any other language than our own," Commissioner of Indian Affairs Atkins affirmed in 1887, articulating a policy that would remain in effect well into the 20th century (Crawford, 1992, p. 49). Stories abound of students having their mouths "washed" with yellow bar or lye soap, or of standing for hours holding stacks of books over their heads as punishment for speaking the Native language (McCarty, 2002b, p. 45).

Coupled with an English-only curriculum was a program of military drill, harsh discipline, and training in the manual trades—all aimed at preparing Indian people as a working class, "amenable to federal control" (Lomawaima, 1995, p. 332). Textbooks included such titles as Baking Dictionary (Rhodes, 1953a), Shoe Repairing Dictionary (Rhodes, 1953b), Please Fill the Tank (Benton & Kinsland, 1953), Be a Good Waitress (Payne, Wallace, & Shorten, 1953), and I Am a Good Citizen (Williamson, 1954).

The abuses of the boarding schools eventually came under public scrutiny, prompting Secretary of the Interior Hubert Work to commission an independent survey of school conditions. In 1928, the study's director, Lewis Meriam, issued his team's report, a scathing indictment of federally controlled Indian education (Meriam et al., 1928). Over the next few decades, the Bureau of Indian Affairs (BIA) loosened its stranglehold over the use of Indigenous languages in schools, and in the context of the progressive education movement, authorized the development of some Native-language teaching materials. Under Commissioner of Indian Affairs John Collier, who served President Franklin D. Roosevelt from 1933 to 1945, the Indian New Deal included tribal economic development, self-government, and "civil and cultural freedom" for tribes (Szasz, 1974, p. 41). Although the Collier-era reforms represented a decided break with the past, they did not radically alter the status quo. Newly authorized tribal governments were patterned after the U.S. constitution, with BIA oversight. And newly created day schools-intended in theory to be schools from which children would return to their families at the end of the day—were in practice little more than local boarding schools. Although the edifices had changed, the

ideologies held by BIA school personnel were not so easily modified (see, e.g., Szasz, 1974, pp. 71–72). "'We weren't allowed to talk Navajo,' one day school graduate recalls, '[a]nd our visitation from our parents was very limited—maybe 5 or 10 minutes, that was it" (McCarty, 2002b, p. 49).

Through the 19th and part of the 20th centuries, federal Indian education policy was one of almost zero tolerance for linguistic and cultural difference. The underlying agenda was the complete subjugation of Indian people and the confiscation of their lands. This agenda was justified by a civilization-savagery Protestant ideology (Adams, 1988; Spring, 1996). Although John Collier and his successors instigated important reforms, including the introduction of bilingual instruction at selected locales, the assimilationist goals and ideology of racial superiority were never threatened. As late as 1953, BIA Education Director Willard Beatty—an architect, with Collier, of New Deal reforms—wrote that Indian education required "a recognition that the richest future for Indians ... lies in a mastery of the material culture of the dominant race" (1953, pp. 10-11).

SELF-DETERMINATION OR MASKED COLONIZATION?

The government's assimilationist agenda was not simply received by its intended targets. "Formal education did change my behaviors and attitudes," boarding school graduate Galena Sells Dick writes. "At the same time, I maintained a strong belief in my language and culture. Looking back, ... this foundation led me to become a bilingual teacher in my own community" (Dick, 1998, p. 24).

One unintended outcome of the boarding school system was the nurturing of an alliance of Native people from diverse tribes who grew up together in the schools, and who shared the sentiments espoused by Galena Dick, just mentioned (see, e.g, Horne & McBeth, 1998; Lomawaima, 1994). In the context of the Civil Rights Movement and liberal-Democratic reforms, these experiences and sentiments found expression in a growing movement for Indigenous self-determination. Perhaps more than any other episode in the history of American education, the struggle for self-determination lays bare the fault lines between "safe" and "dangerous" difference.

In 1970, President Richard M. Nixon delivered a historic message to Congress, proclaiming "every Indian community wishing to do so should be able to control its own Indian schools" (American Indian Policy Review Commission [AIPRC], 1976, p. 111). Nixon's address inaugurated a policy of Indigenous self-determination. This policy, however, did not emanate from sudden federal enlightenment. Just months before, the Senate Subcommittee on Indian Education, chaired by Robert Kennedy and, after his assassination, by his brother Edward Kennedy, had released a report on a 2-year Congressional investigation that condemned federal Indian educa-

tion policy as "one of coercive assimilation" (U.S. Office of Education, 1969, p. 21). Moreover, in 1966, the Navajo community of Rough Rock, Arizona, had established the first Indian school to have its own governing board, and to teach in the Native language (McCarty, 2002b; Roessel, 1977). Other Indian communities were poised to follow suit.

These developments had been foreshadowed in the strong support for education of Presidents John F. Kennedy and Lyndon B. Johnson. In 1954, Brown v. Topeka, Kansas Board of Education reversed a century-and-a-half of legal doctrine upholding "separate but equal" racial segregation sanctified in Plessy v. Ferguson in 1886, and in 1964, Congress passed both the Civil Rights Act and the Economic Opportunity Act, which, respectively, provided legal protection from discrimination and authorized community development programs for the poor. A spirit of innovation and emancipation characterized the field of education (Crawford, 1995, p. 12). In 1968, Congress passed the Bilingual Education Act (authorized as Title VII of the 1965 Elementary and Secondary Education Act [ESEA]), calling for new and imaginative programs that used children's native language while they learned English. In a reversal of past policies, the Bureau of Indian Affairs embraced bilingual education as one of the most promising approaches for educating Indigenous students (Bauer, 1970, p. 223).

For a time, state interests and those of Indigenous and other minoritized communities seemed fortuitously aligned. In 1972, Congress passed the Indian Education Act (initially Title IV of the ESEA)—the first federal legislation to support Indigenous bilingual/bicultural materials development and teacher preparation—and in 1975, the Indian Self-Determination and Educational Assistance Act (P.L. 93–638) was passed, codifying the procedures for Indian tribes and communities to run their own schools. Together with the Bilingual Education Act, this legislation laid the legislative and financial framework for placing American Indian education under local control (McCarty, 1997, p. 46).

By 1978, there were 34 American Indian community-controlled schools. Supported by Title IV, Title VII, and P.L. 93–638, Indigenous communities across the nation were producing a corps of bilingual teachers, a corpus of Native-language teaching materials, and evidence of substantial student benefits (AIPRC, 1976, p. 265). The policy paradigm had shifted.

But the liberatory goals of Native educators have not gone uncontested by the federal bureaucracy, and many have been curtailed or turned back. When its funding was reauthorized in 1974, the Bilingual Education Act took on an explicitly remedial emphasis. In subsequent years, the trend has been toward transitional bilingual education as well as alternative approaches (such as English immersion programs) that do not include bilingual instruction at all. (See the discussion of "English for the Children" statutes below. See also Grinberg and Saavedra [2000]

for an insightful critique of the processes through which the Bilingual Education Act has been subverted from its original emancipatory goals, to a new form of minority docilization.)

Furthermore, the exercise of Indigenous self-determination has been undermined by the very legislation ostensibly designed to promote it. From the beginning, Indian community-controlled schools have operated under a constant cloud of financial insecurity. Delays in contract negotiations between Indigenous school boards and the BIA were notorious (see, e.g., AIPRC, 1976). "The system we operate under would defeat the President of General Motors," Rough Rock School Director Ethelou Yazzie stated in federal testimony. "It is a political game in which the community or school that refuses to lie down and die wins just enough to stand up for the next punch" (AIPRC, 1976, p. 311). "We are made to feel like the proverbial stepchild," the Coalition of Indian Controlled School Boards pointed out in federal testimony; "too much time and effort goes into securing funds rather than focusing on the educational needs of our children" (AIPRC, 1976, p. xii). Other critics have charged that achieving self-determination under P.L. 93–638 was "like trying to climb a greased pole" (Senese, 1986, p. 153).

The 1988 passage of P.L. 100-297, which provided a forward-funding system for Indian community-controlled schools, has been touted by federal officials as a cure for these problems and a boost to Indian self-determination (see DeConcini, in White House Conference on Indian Education, 1992, p. 6). Participating in these forward-funding arrangements, however, requires schools to meet standards determined not by local school boards, but by national accrediting organizations. Thus, Native American schools have been plunged into the treacherous waters of English-only standards, accountability, and high-stakes testing. In this scenario, there is little room for instruction that incorporates local languages and knowledge.

In 1974, Richard Nixon's Commissioner of Indian Affairs pledged that, "From any angle you ... look at the Bureau's education program today—and increasingly so in the future—you will see emblazoned on the school walls: Indian control" (AIPRC, 1976, p. 119). That federal rhetoric was and is tethered to a bureaucracy that cannot shake loose its colonial moorings. The fact that Native people have managed to survive in this system and to carve out places of difference, such as community-controlled schools, is testimony to their ingenuity, perseverance, and genuine belief in self-education as an inherent human right. Two hundred years after the first federal forays into American Indian education, that fundamental right is still under assault.

DANGEROUS DIVERSITY

As these battles have continued in American Indian and Alaska Native education, a wider struggle for linguistic human rights and educational self-determination has gained momentum across the United States. In-

deed, as Fishman (1991, 1994, 2001) and Skutnabb-Kangas and Phillipson (1994) demonstrate, the struggle is international in scope (see also Phillipson, 2000; Skutnabb-Kangas, 2000; Tollefson, 2002). In the United States, this struggle has centered on moves to make English the nation's official language, and to outlaw bilingual education in public schools.

The English-Only movement had its official beginnings in 1981, when Senator S. I. Hayakawa introduced an amendment to the U.S. constitution that would make English the nation's official language. Two years later, Hayakawa and John Tanton, a physician who had earlier founded the Federation for American Immigration Reform (FAIR), started U.S. English, a group determined to stop what it called "the mindless drift toward a bilingual society" (Crawford, 1995, p. 65).

Between 1981 and 1995, 14 Official English bills were introduced in Congress (Chen, 2001, pp. 61–62). To date, none has been approved. Although still working at the national level, English-Only supporters have taken their message—and their dollars—to the state level. In 1986, with financial support from U.S. English, California—the state with the fastest growing "minority majority," primarily Latinos—declared English the state's official language. Within 2 years, nine additional states adopted official English statutes (Piatt, 1990, p. 22; for more on the English-Only movement, see Adams & Brink 1990; Crawford, 1992; Fishman, 1988; González & Melis, 2001a, 2001b). How is it that citizens feel compelled to safeguard a language that, without official safeguards, has become the most power-linked language in the world?

If we look closely at the recent history of immigration to the United States, we see certain striking parallels. In 1965, following proposals by President Kennedy, Congress abolished national origin quotas on immigration. As indicated earlier in this chapter, the vast majority of recent immigrants have come from Latin America, the Caribbean, and Southeast Asia. As the racial and ethnic background of newly arrived immigrants has shifted, Congress and some states (e.g., California) have imposed tighter immigration laws. In 1986—the same year as California's official language referendum—Congress passed the Immigration Reform and Control Act, the first legislation to impose sanctions on employers who hire undocumented workers, and to require English proficiency as a condition of permanent residence and citizenship (Piatt, 1990, p. 20).

Difference in the United States has taken on not only new languages, but new colors. In an increasingly conservative and nativist sociopolitical environment, the new colors of diversity are perceived by many in the dominant White mainstream as dangerous indeed.

REPRODUCING THE GREAT DIVIDE

With the passage of twin English-for-the-Children statutes in California (1998) and Arizona (2000), the movement to officialize English has been

taken to the classroom. Initiated and financed by California software millionaire Ron Unz, both statutes require public schools to replace multi-year bilingual education programs with 1-year English immersion for English language learners. In California, Proposition 227 was followed by the adoption of an English-Only school accountability program (Gutiérrez et al., 2002). In Arizona, exceptions to the statute may be granted if parents request a waiver, subject to approval by the school superintendent and "under guidelines established by ... the local governing body and ... state board of education" (A.R.S. Title 15, Chapter 7, Article 3.1, Section 15–753). The waiver requires that parents provide "written documentation of no less than 250 words," demonstrating their child's "special needs." This document must then be placed in the child's permanent file.

Arizona's Proposition 203 makes clear that its authors understand perfectly the distinction between safe and dangerous. In Section 15–753, B.1, parental waivers are unproblematic for children who already know English and score at or above grade level on standardized tests—that is, enrichment bilingual and foreign language instruction is not to be denied to middle- and upper-class (White) students. On the other hand, non-English-speaking children-those who already possess native fluency in the languages their middle- and upper-class peers will acquire less well through enrichment and foreign language programs—are constructed in the statute as deficient, abnormal, and underachieving. Worse, they are permanently ensnared in this construction, as the documentation of it—penned in their parents' hands—will follow them for the remainder of their school careers. The hegemonic entrapment could not be more complete.

There is nothing neutral or impartial about these media-of-instruction policies. Furthermore, they are not disconnected from more widespread standardizing regimes and scripted reading programs. The latter constitute what Gutiérrez (2001) calls the New Literacy Movement: "reductive literacy practices [that] are bolstered by English-only legislation" (p. 565). In school districts across the country, phonics-based reading programs have become the panacea for "dismal test scores, high student mobility, and the growing demographic of English language learners" (Gutiérrez, 2001, p. 565). Affluent and middle-class White students elude these pedagogies by virtue of their social position and access to private and gifted education (see, e.g., Gee, in press). Those most disadvantaged by these pedagogies, Lankshear (1998) points out, "are those already most marginal within educational, economic, and social life" (p. 368).

Elsewhere I argue that these dynamics represent a 21st century "Great Divide" (McCarty, in press). Great Divide arguments can be traced to the distinction first made by Goody and Watt (1963) between oral and written language and, by extension, between those with and without literacy (Collins, 1995). It is not far from this distinction to related claims for single, standard, or "pure"

forms of language and literacy. When these claims intersect with ideologies of meritocracy and privilege—as they inevitably do—the result is the naturalization of existing power hierarchies, "whereby deviations from the norms are defined as deficiencies and disabilities" (Collins, 1995, p. 83).

Great Divide ideologies are implicit and explicit in current U.S. media of instruction policies, and they are constructing two kinds of people: those with and without access to opportunity and resources. Despite the calls of conservative politicians to "leave no child behind"—codified in Federal education policy under President George W. Bush—an unconscionable number of English language learners, students of color, and working-class children are, in fact, being left behind (see, e.g., Cummins, in press). When we examine the policies underwriting English for the Children and the New Literacy Movement, we must ask whether that is not exactly what those policies are intended to do.

CONCLUDING THOUGHTS

This analysis would be incomplete without highlighting real possibilities for positive change. For example, in the summer of 1988, Native American educators from throughout the United States came together to draft the resolution that would become the 1990/1992 Native American Languages Act. NALA is the only federal legislation that explicitly vows to protect and promote Indigenous/minoritized languages. It might be argued that, given more than two centuries of federally sponsored linguicidal policies and the attendant decline of Native languages, NALA is a relatively innocuous and symbolic act. Nevertheless, this legislation has spurred some of the boldest efforts in heritage language recovery to date (see, e.g., Hinton & Hale, 2001; McCarty, Watahomigie, & Yamamoto, 1999). These initiatives, and similar ones among other minoritized communities, are fundamental to cultural survival and self-determination.

There is no question, however, that the United States is in the midst of a national language panic, where language has become a proxy for social class and race (Hill, 2001). Spanish speakers, in particular, have been singled out as the targets of national language hysteria. The horrific events of September 11, 2001 have exacerbated these xenophobic trends, placing Arabic speakers—indeed, all those who "look Middle Eastern" (see, e.g., Noonan, 2001)—in great jeopardy as well. In the current sociopolitical environment, racial and linguistic profiling, antibilingual measures, and the New Literacy Movement can be seen as all of the same cloth. Enacted in official decrees, in government rhetoric and media disinformation, and informally in everyday practice, these policies serve to discipline minoritized groups, reminding them "that they can be defined as illegitimate members of the larger population" (González, 2001, p. xxviii).

Can these truly dangerous forces be resisted and transformed? During his first year as head of the bureau of education in Sao Paulo, Paulo Freire (1993) observed that education "is not a lever for the transformation of society, but ... it could be" (p. 48; emphasis added). Medium-of-instruction policies are at the heart of the challenge—and the possibilities—of what education could be. Although these policies can be instruments of linguistic and cultural imperialism, they also can be tools for strengthening the rich diversity that is the nation's heritage and its future. This vision of education has the power to lead the United States out of the either-or politics and pedagogies of English-for-the-Children and the New Literacy Movement, toward a more democratic, just, and equitable educational system for all.

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ENDNOTES

- I am indebted to my colleague, K. Tsianina Lomawaima, for first pointing out to me the policy implications of "safe" versus "dangerous" difference in American Indian education (Lomawaima & McCarty, 2002).
- 2. I prefer the term minoritized to minority, as the latter term can be stigmatizing and is often numerically inaccurate. Minoritized more accurately conveys the power relations by which certain groups are socially, economically, and politically marginalized. It also implies human agency and the power to effect positive change.
 - 3. The notable exceptions were federal policies toward American Indians, state policies toward enslaved Africans, and policies toward deaf students. With the passage of the Civilization Fund Act in 1819, federal policy became increasingly oriented toward the eradication of Indigenous languages. At the same historical moment, "Every Southern state except Tennessee had laws expressly forbidding instruction for African Americans" (Smith, 1998, p. 191). And, throughout much of the 19th and 20th centuries, audism and oral methods emphasizing speech competency over the use and development of American Sign Language have been the rule in schools serving deaf students (Nover, 1995).
 - According to Krauss (1998), there are now 175 Indigenous languages still spoken in the United States, only 20 of which are being naturally acquired by children.

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