Introduction

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Unsurprisingly, there have been many political, cultural, economic, and social changes in Canada and the United States over the past two decades that have impacted – directly and indirectly – language practices, and in some cases have resulted in calls for changes in policies in many aspects of social life; some constituencies have sought to modify immigration policy (an especially divisive issue in the United States today), reflecting nationalist, nativist, or business-driven interests; and, while some US states have legislated restrictions on the use of non-English languages in programs for English language learners (ELL), other states and local jurisdictions have promoted dual language bilingual education programs to benefit both ELL and native English speakers. In Canada, the need for skilled labor has led to an increase of immigrants, many of whom lack proficiency in one of the official languages sufficient to resume their professional careers. In some cases, policies to provide exemptions to accommodate the use of non-official languages in the workplace have been opposed, while simultaneously raising concerns about the viability of official bilingualism as a workable framework to cope with the increasing linguistic diversity in Canada.

Tensions and conflicts related to linguistic identity and security have not gone away in either country, and won't for the foreseeable future; such tensions are inevitable in liberal democratic states that accept large numbers of immigrants from diverse linguistic and cultural backgrounds, and that have, in addition, incorporated (usually without their consent) groups that have been "domesticated," marginalized, and even pathologized (Haque, 2012), based on perceived and/or ascribed differences reflecting hierarchies based on purported racial, ethnic, linguistic, and/or national origin criteria. Thus, beyond contemporary history are the ongoing effects of "living history," that is, the long past that lives in the present moment that does not go away with the passage of a bill or the striking of a commission to "investigate" past wrongs, etc. The never-ending re-litigation of conflicted and conflictual histories occurs because hegemony (or "consent") by the polity is never permanent or invariant; the effectiveness, indeed the legitimacy, of institutions and systems of power in liberal democracies, always depends in large measure on the degree to which

citizens identify with, support, and have faith in those institutions; if conflicts related to language and identity negatively impact democratic participation, and lead to social fragmentation, civic withdrawal, and lack of trust in societal institutions, then the political system itself may become suspect and even unstable.

An important goal of this edited volume is to address the following challenge: What can scholars of language politics and policy contribute to our understanding of things as they are (the *Why*? Question) while also providing concrete suggestions and proposals that could defuse tensions, with the ultimate goal of enhancing democratic participation and inclusion (the *What* Answer)? It is not enough simply to analyze and critique language policies, practices, attitudes, and their consequences, important as this may be; scholars and activists should also consider how alternative policies (or policy approaches) at the local/community level can influence policies and practices in institutions, and how those changes can influence policymakers at the meso and macro political levels. It is also incumbent upon scholars who write on matters of language and politics to acknowledge that their views reflect their own, and, it is hoped, considered moral beliefs and political agendas, which may encompass their views on the nature and role of the democratic state with regard to language policy, and, in particular, their views on the roles that language(s) play(s) in society, and their views on how to best evaluate the "fairness" and "inclusiveness" of language policies. The contributors to this volume fully embrace the challenge of being transparent about their moral and ethical positions on these important matters, and their analyses and recommendations clearly reflect their understanding and acceptance of what Schmidt, Sr. (2014, p. 396) terms ". . . *ontological multilingualism* – the fundamental reality that virtually all contemporary nation-states have multiple language groups among their citizens . . ." (emphasis in the original) and that this reality ". . . should be a foundational assumption of participatory democratic theory." Furthermore, coming to terms in a positive and pro-active way with a society's linguistic diversity, Schmidt argues, may actually enhance the political advantages of participatory democracy, particularly those concerning legitimation, the common good, and human flourishing. While acknowledging the fact that linguistic diversity poses obstacles to citizen participation and self-governance, Schmidt, nevertheless, maintains that those obstacles are not insurmountable, nor should they forestall our advocacy of a more inclusive *demos*. The contributors to this book view diversity of language(s) as not only a fact of all human societies, but a fact whose acceptance and legitimation is beneficial for societal well-being, and not just beneficial for minority/minoritized language communities. In exploring and explaining language politics and policies in diverse contexts in Canada and the United States, and using a variety of data sources and disciplinary perspectives, the authors describe the challenges and

set-backs, along with the many positive steps taken in recent years to advance the interests and aspirations of speakers of marginalized/minoritized languages. Most of the authors remain hopeful that positive change is possible, while acknowledging that ideologies about language and the role of language in national development and identity remain potent forces that are often difficult to challenge, let alone dislodge, when they become embedded in the daily lives and common sense views of citizens.

Part I   Theoretical Orientations

The four chapters in this part deal with foundational issues and controversies of broad significance that are also applicable to the Canadian and US contexts. Selma K. Sonntag (Chapter 1) describes the historical-institutionalist approach used by comparative political scientists to analyze public policymaking. She notes that much of the research undertaken by historical institutionalists has been on political economy, for example, by exploring the nature and effects of the change from Fordism to neoliberalism in the twentieth century. The task for historical institutionalists is to offer a causal explanation for how and why policies reflecting the entrenchment of such political-economy projects change at critical historical junctures. She enriches the historical-institutionalist approach with the addition of two key concepts: state traditions and language regimes. Language regimes are defined as "... language practices as well as conceptions of language and language use as projected through state policies and as acted upon by language users" (Sonntag and Cardinal, 2015, p. 6). The "acting upon" or agency by language users most often conforms to the established norms of language practices and representations, but not always. In her historical analysis of language policy in the United States, Sonntag notes that state traditions that inform language policy choices include not only liberalism, but also federalism, and, in the twentieth century, world-power status. Most political entities have more than one tradition; in the United States, federalism is an important state tradition in addition to liberalism. For example, local politics may result in seemingly different language practices and representations from those of the state (Cardinal, 2017). However, local practices and representations institutionalized at the local level would still be considered conceptually as a component of the language regime, albeit one that exhibits contradictions. In her examples in Chapter 1, Sonntag shows how institutionalized norms stemming from the liberal tradition in the United States have informed the language regime by tracing the path dependency of US language policy and the critical junctures when institutionalized norms are challenged and modified, leading to a shift in the policy pathway. In summarizing the evolution of language policy throughout American history, Sonntag argues quite convincingly that the liberal tradition, given its "historical

circumstances" (Ricento, 1998, p. 89) in the United States, has resulted in individual conformity as the constant that has informed language policy choices from the American founding up through present-day politics.

Yael Peled (Chapter 2) writes that her main goal is ". . . to propose and defend the argument that different linguistic experiences of the world are linked to differing clusters of convictions, assumptions, and expectations concerning the political life of language." She proposes that ". . . bridging this experiential difference is best achieved by cultivating a greater sense of language awareness in both institutional and civic life, through a more reflective adaptation of historically monolingual conceptions of democratic life to ones that are more suitable for accommodating multilingual individuals' experience of 'linguistic in-betweenness'." The challenge, of course, is how to achieve this greater sense of language awareness; Peled argues that ". . . a common set of communicative norms shared by all members of the political community, and drawing on a higher-order capacity for language awareness, seems to be a necessary (if not sufficient) condition for a political communication that is more and better informed." While her goal in Chapter 2 is to provide ". . . a more promising path for a fuller and more informed understanding of the Canadian politics and policy of language," her central argument and accompanying examples from the Canadian context are relevant for other polities globally.

In Chapter 3, John E. Petrovic offers a textured and nuanced analysis and critique of what has become a popular construct in the applied and sociolinguistic literatures over the past couple of decades: "language as a commodity." Petrovic argues that, from a Marxian perspective, language cannot properly be understood as a commodity and that ". . . *if* language and language practices must be analyzed through the language of commodification, then it is more productive to understand language as a fictitious commodity: something that is not produced or that does not exist for consumption through the market." (emphasis added.) Petrovic provides examples from the work of Heller (2010), Boutet (2012), and Ricento (2005) to illustrate the ways in which language is at times variously referred to as a commodity, resource, instrument, and product, often in an inconsistent manner. For example, Petrovic notes that Heller (2010) mentions translation, speech recognition, and language teaching as examples of products, which is problematic, according to Petrovic, because ". . . while a translation might result in a material product (e.g., a translated document or transcript), it is not at all clear how the act of translation or language teaching are not processes as opposed to products/commodities." Petrovic argues that language can never be a commodity in the way that other material goods are commodities; this is because (referring to Marx' analysis of labor power) "unlike real commodities in which our labor is embodied, language is part and parcel of our labor. We are alienated from our labor

and, ultimately, the *species essence*" (a phrase used by Marx; emphasis added). Petrovic sees the "'commodification of language" construct as not just a technical error in which Marx' description of labor power is misunderstood or inappropriately applied to contemporary society, but rather something altogether more serious as it distracts us from a more basic problem of capitalist social relations: the alienation incurred in being forced to sell one's labor and time toward the profit of the capitalist. Thus, Petrovic argues, workers working in call centers are alienated from their labor, not their language, per se. He argues that "... reframing language as a fictitious commodity and understanding language work through alienation as a process can change how we engage with language phenomena and language policy in differently productive ways." Language is something that all humans acquire, and humans can also acquire particular language skills (including the learning of other languages) that might enhance their opportunities in the labor market. Thus, language (including acquired language skills) can be properly under-stood as a resource, as an *embodied* instrument of labor. Marx considered the "general intellect" as something non-commodifiable as it is not amenable to appropriation or valorization; in this regard, Petrovic argues, language *exceeds* the process of commodification. The fact that workers in Call Centers are required to learn and adhere to formulaic scripts (whether in their native or an additional language) in their interactions with customers, and are allowed little room to deviate from such scripts, may result in some workers being alienated from their *labor*, not from their language, per se. The most significant problem with the "language as commodity" construct, according to Petrovic, is that it "... reinforces a market rationality in language policy, leading to liberal tinkering with language policies in the workplace or notions of linguistic human rights. Such approaches do not address the basic problem of capitalistic societies in which speakers of all languages are essentially unfree."

In Chapter 4, Peter Ives questions the degree to which Canadian Official Bilingualism in English and French fosters a truly multilingual and egalitarian multicultural society. Two prominent representatives and promoters of this position are Canada's Commissioner of Official Languages from 2006–16, Graham Fraser, and the Chief Justice of the Supreme Court of Canada from 2000–17, Beverly McLachlin. Fraser understands Official Bilingualism as a policy framework that not only supports bilingualism in English and French, but that also facilitates (non-official) multilingualism, despite that fact that Fraser goes to great lengths to argue that Canada's policy of bilingualism is not one of personal bilingualism trying to make Canadians, as individuals, bilin-gual. Rather, as Fraser's analysis of the Royal Commission on Bilingualism and Biculturalism and the *Official Languages Act* shows, Canada's official bilingualism is a policy of *social* bilingualism whereby Canada as a society and a government operates in two languages and allows its citizens to be

educated in and use either English or French. Official bilingualism allows individuals to remain unilingual as long as it is unilingual French or English (Fraser, 2006, pp. 65–66), and the arguments Fraser makes to suggest that fluency in both English and French supports the learning of other languages do not hold water, according to Ives. Canada is already a country in which bilingualism in an official language and another, non-official, language is widespread, with 20 percent of the population non-native users of English or French. Moreover, this population has been increasing both in raw numbers and as a percentage of the population of Canada (Statistics Canada, 2012, p. 11). Canada's urban population is especially multilingual, with 90 percent of those reporting using a language *other than* English or French at home living in metropolitan areas (Statistics Canada, 2012, p. 6). Literal bilingualism (i.e., using any two languages, not solely French and English) is also on the rise, with the number of people reporting speaking more than one language at home up to 17.5 percent in 2011 from 14.2 percent in 2006. In contrast, the number of English/French bilinguals has remained relatively consistent, at around 20 percent, despite significant government funding and efforts to increase it (Hayday, 2015, p. 5). These demographic facts undermine Fraser's picture of Canada as being constituted most fundamentally by English and French native speakers, since there are now more speakers of other languages combined than French. Indeed, it is the focus on the English and French language speaking collectives that characterizes Fraser's approach, to the detriment of other immigrants and Indigenous Canadians. This is evident when he lists Ujjal Dosanjh (a Liberal MP) among the "largely unilingual" group of senior cabinet members because he couldn't answer questions in French in the House of Commons (Fraser, 2006, p. 271), ignoring that speaking English and Punjabi would make Dosanjh bilingual.

Similar to Fraser, the former Chief Justice of the Supreme Court of Canada, Beverley McLachlin, argues that the Official Languages policy and the Charter of Rights and Freedoms are the core of progressive multiculturalism and the reason why Canada is best situated to address the largest challenge the world faces today: the existence of diversity. McLachlin agrees with Fraser's logic that because "it is easier to learn a third language than it is to learn a second language, learning French is not a barrier but a bridge to the rest of the world" (Fraser, 2015, p. xiii). Thus, Canadians who speak English and Canadians who speak French should first learn the "other" official language before learning another language, even though that "other" non-official language might be their home/first language. Ives concludes:

. . . to continue to believe, as the former Commissioner Graham Fraser and former Chief Justice Beverley McLachlin do, that official English–French bilingualism and the Canadian focus on English/French tensions and relations is the foundation and key to a more egalitarian, inclusive, and progressive multicultural society is to misunderstand

the underlying dynamics of the importance of language to power relations. Not only does two (languages or cultures) not necessarily lead to many (languages and cultures), but to keep insisting that it does will further entrench current hierarchies which can only defend themselves by insisting they do not exist.

Part II   The USA Context

The chapters by Nelson Flores, Jennifer Leeman, and Terrence Wiley explore how historical power relations, imbued with hierarchies based on (ascribed) racial categories, inform attitudes about language(s) and underlie the rationales – and actual effects – of language policies, especially in education. Reflecting on his experiences as a teacher in the early years of the current century, Nelson Flores (Chapter 5) finds ". . . the original hopes that bilingual education would address high rates of poverty and segregation of the Latinx community [to be] naïve at best and dangerously misguided at worst." He concludes that ". . . much of the scholarly literature on bilingual education continues to frame bilingual education as socially transformative in ways that obscure the racialized experiences of Latinx communities and ensures the continued poverty of the majority of Latinxs regardless of the language of instruction of their educational program." Flores uses critical race theory to argue that scholarly debates on bilingual education divorce bilingual education from political and economic struggles as part of its emergence as a legitimate scholarly pursuit (Grinberg & Saavedra, 2000). He argues that, while some might object that engaging these broader political and economic processes may serve to distract from the core focus of bilingual education advocacy, it was precisely broader political struggles associated with the Civil Rights movement that paved the way for bilingual education to become a reality in US public schools (Nieto, 2000). Flores argues that it is necessary ". . . to undiscipline bilingual education in ways that allow new understandings of bilingual education to emerge that bring attention to the structural barriers confronting Latinxs and other language-minoritized students."

In Chapter 6, Jennifer Leeman notes that censuses are inherently political in that ". . . the enumeration and classification of the populace undergirds the administration of public policy, including the distribution of resources and political power. In addition, censuses are a symbolic imagining of the nation, with the power to define individual, group, and national identities and draw boundaries both between and within nations; thus, they constitute a particular discourse regarding the constructs they purport to measure (Anderson, 1991; Kertzer & Arel, 2002; Urla, 1993)." Her chapter examines how the two different linguistic cultures of Canada and the United States are officialized in the census, showing how language questions, language policy, and language

ideology are intertwined in the measurement of multilingualism in the two nations. She demonstrates how similar questions can be tied to different language ideologies and policies, demonstrating the importance of taking the specific sociopolitical context into account in the analysis of census language questions. Leeman conducts an historical comparison of census questions on language in Canada and the United States, and concludes that superficially similar census language questions can embody very different orientations towards individual and societal multilingualism and can be tied to very different language policies:

Whereas the US language questions belie a monolingual ideology that is interested in non-English languages only to the extent that they threaten English, the Canadian questions reveal a national focus on language and a more pluralist approach to language, but one that establishes a two-tier hierarchy of languages and multilingualism. What is clear in both cases is that census language statistics are not simply "facts" reflecting an objective reality or serving a specific policy, but instead are particular representations of linguistic diversity and, thus, constitute official discourses on multilingualism.

In Chapter 7, Terrence Wiley asks the question: When does language policy become a surrogate for marked statuses such as race, class, or creed? As with the chapters by Flores and Leeman, Wiley finds that, in the United States context, language policies are often best understood in the context of power relations that involve hierarchies based on racially-based criteria, among other types of invidious categories. For example, the underlying motive for the imposition of literacy requirements for voting, dating back to at least the nineteenth century, was to prevent African Americans from gaining political power. Literacy requirements were also invoked in the early decades of the twentieth century to restrict immigration from "undesirable" countries whose citizens were considered to be inferior to the "Anglo Saxons" who wrote these laws. Wiley's analysis of the changes in language policy in the United States, focusing on the twentieth century and the first part of the current century, fits within Sonntag's state traditions and language regimes analysis in Chapter 1; at various critical junctures, historical moments of social, economic, and political tension and upheaval, there have been significant changes in the ways institutions have responded to such pressures; for example, the Voting Rights Act of 1965 nullified the use of English literacy tests that were being administered to individuals who had attained a sixth-grade education in US schools where English was not the language of instruction. However, the pendulum often swings in an opposite direction, as can be seen in a recent US Supreme Court decision that severely weakened a provision of the Voting Rights Act (VRA) (see *Shelby County v. Holder*, 570 U.S. 2 2013) in which the majority argued that "the coverage formula is based on data over 40 years old, making it no longer responsive to current needs and therefore an

impermissible burden on the constitutional principles of federalism and equal sovereignty of the states" (Liptak, June 25, 2013). Under the banner of "states' rights" (federalism) there has been a sustained effort to reassert the sovereignty of states in several significant contexts, including in the areas of voting, civil, and educational rights, in order to restrict access to services and benefits that had previously been extended to racial and national origin minorities through federal legislation and/or judicial court decisions and policies that derived from those decisions. However, as Wiley notes, states have also at times rescinded policies and practices that restricted the civil rights and educational opportunities for racial minorities by approving initiatives or passing legislation that have expanded opportunities for minorities and speakers of languages other than English. A recent example, described by Wiley, is the passage of a state-wide initiative in California (Proposition 58, approved by voters in 2016) that appears to support a movement that embraces multilingualism. Yet, some have argued that this Proposition was popular and approved mainly because it was marketed away from a focus on equity and social justice for language minority children and bilingual education, to one of multilingual language education as a means to economic advantage for all (Katznelson & Bernstein, 2017). This interpretation is consistent with Sonntag's (Chapter 1) view that, despite changes that may occur at the local level (in this case, by the voters of California), language policies that are enacted are still conceptually a component of the language regime, although such policies exhibit contradictions.

In Chapter 8, Kate Menken and Sharon Avni focus on the implementation of a Hebrew–English Dual Language Bilingual Education Program (DLBE) in New York City. They suggest that, in many contexts around the world, schools face the arduous task of negotiating and ultimately implementing language education policies that actually undermine one another. Based on their research, Menken and Avni found that state and city policies in New York regarding the provision of bilingual education are not properly enforced, while testing and accountability mandates promoting English-only approaches are enforced. This finding comports with the findings of King and Bigelow (Chapter 10) in Minnesota and also the outcomes described by Flores (Chapter 5) with the "disciplining" of bilingual education. In their analysis of a particular school in New York City, Menken and Avni document how schools "... are placed at the nexus of political, educational, and communal dynamics that simultaneously promote English-only instruction while also encouraging bilingual education. In this example, the efforts of a school principal whose beliefs are consistent with a new wave of bilingual education programs rooted in neoliberal ideologies, and minoritized communities seeking spaces within US public schools for their languages and cultures to be recognized and sustained, confront overlapping and competing policies that serve to restrict

those languages and cultures, even within a context where there are institutional and financial supports for bilingual education programs to grow."

In Chapter 9, Teresa McCarty reminds us (citing the work of Hermes & Kawaiʻaeʻa, 2014, p. 303) that "Efforts to sustain [I]ndigenous languages, as intentional political resistance to dominant colonizing forces, have always existed . . . To write of this idea as if it had recently started is ahistorical." In her chapter she draws on research and practice in Indigenous studies, linguistic and educational anthropology, and critical applied/educational linguistics to examine Indigenous language movements in the settler state known as the United States of America. Key to her analysis is the recognition of the distinct status of Native American peoples whose inherent sovereignty predates but is also enshrined in the US Constitution and numerous treaties, legislation, and case law (Wilkins & Stark, 2011). But, McCarty notes, Indigenous sovereignty is more than a legal–political relationship with the colonizer; it is a deep and abiding connection of people to place and to others in-place over time. Another key concept in McCarty's discussion of reclamation movements is recognition that language practices are situated in particular sociocultural and sociolinguistic ecologies, which means that language reclamation "must be produced in a way that integrates 'non-linguistic' factors" (Leonard, 2017, p. 20). Leonard provides the example of a myaamia language teacher who "defines language as 'how a community connects to each other and how they express . . . themselves and their culture to each other'." The implication of this observation is profound: reclamation movements in the context of settler colonialism is distinct from movements involving non-autochthonous lands (this discussion is taken up in Part III [The Canadian Context] by Donna Patrick and Mark Fettes). Indigenous sovereignty is more than a legal-political relationship with the colonizer; it is a deep and abiding connection of people to place and to others in-place over time, a concept that is at odds with Anglo-Saxon conceptualizations of land as "property" that is "owned" with exchange value (Taylor, 2006). Goodyear-Kaʻōpua (2014) explains this meaning for Kanaka Maōli (Native Hawaiians) with the Hawaiian word *ea*, meaning sovereignty but also life and breath. "Unlike Euro-American . . . notions of sovereignty, ea is based on the experiences of people on the land, relationships forged through the process of remembering and caring for wahi pana, storied places" (Goodyear-Kaʻōpua, 2014, p. 4). Language movements are "passionate, political, and deeply personal, particularly for many Native people who are acutely aware that the federal government's attempted genocide was the direct cause of Indigenous language loss" (Hermes, Bang, & Marin, 2012, p. 383). McCarty exemplifies through case studies diverse Native American sociolinguistic ecologies and a variety of reclamation goals, strategies, and experiences. She describes the many successes achieved by activists in the United States, including the 1972 *Indian Education Act*, the 1975 *Indian Self-Determination*