The Importance Of The English Language

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NEWS RELEASE:
Supreme Court Decision Is Opportunity to Overturn Clinton's Midnight Order and Regs / 5-07-01

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The Supreme Court's decision in the seatbelt/handcuff case grabbed the headlines, but the ruling the same day about Alabama's English-only law was every bit as important. The high Court barred a private right of action to challenge this first-to-reach-the-Court of the 25 state laws designating English as the state's official language.
The case called Alexander v. Sandoval involved a Spanish-speaking woman, Martha Sandoval, who demanded that Alabama give her the state driver's license test in Spanish. Alabama refused, based on the section added to Alabama's Constitution in 1990 declaring English "the official language of the state of Alabama."

Sandoval mounted a class-action lawsuit, citing Title VI of the Civil Rights Act of 1964 and claiming that "language" should come under the statute's prohibition of discrimination on the basis of "national origin." She won in the District Court and the Eleventh Circuit Court of Appeals, but the Supreme Court reversed.

The Supreme Court's ruling was on the single issue of an individual's right to sue under the Civil Rights Act based on "disparate impact" rather than on intentional discrimination, and did not reach any of the issues involved in the importance of the English language. However, the effect of this decision is that laws that require the English language do NOT violate anybody's civil rights, and no one can claim he is discriminated against because federal and state governments and public schools exclusively use the English language.

Bill Clinton attempted to elevate the inability to speak English to a protected civil right under the Civil Rights Act with his Executive Order (EO) 13166 issued last August 11, followed by Janet Reno's 15 pages of "guidance" published in the Federal Register four days before they left office. This EO requiring federal agencies to provide "programs and activities normally provided in English" to non- English speaking residents was based on the lower court decision in the Sandoval case, which the Supreme Court has now reversed.

Congress should immediately rescind Clinton's unconstitutional attempt to create new law and the regulations that followed, and defund the busybody bureaucrats in the various departmental civil rights divisions who are trying to enforce what the Supreme Court has now invalidated.

It is so encouraging to read Justice Scalia's rejection of judicial activism: if Congress didn't write an individual's cause of action to challenge a state law, then the courts "may not create one, no matter how desirable that might be as a policy matter." Five cheers for the five Justices who participated in that important pronouncement, rejecting Justice Stevens' complaint that it has been "normal practice for the courts to infer" what Congress intended.

The Sandoval decision is completely consistent with a recent line of Supreme Court decisions. In Scalia's refreshing rhetoric, "Having sworn off the habit of venturing beyond Congress's intent, we will not accept respondents' invitation to have one last drink."

Driving home this point (in the hope that activist judges will catch on), Justice Scalia continued: "It is most certainly incorrect to say that language in a regulation can conjure up a private cause of action that has not been authorized by Congress. Agencies can play the sorcerer's apprentice but not the sorcerer itself."

The time is now ripe for Congress and state legislatures to cut off the funding from all government agencies and public schools that are relying on Clinton's Executive Order. Our federal and state governments and taxpayer-financed schools should speak to us only in the language of the U.S. Constitution and the Declaration of Independence.

Congress can get the new money it needs for the education budget by eliminating the billion-dollar boondoggle called bilingual education. It's a costly fraud because, contrary to the "bi" in bilingual, it doesn't teach two languages; instead it keeps immigrant children languishing in Spanish-speaking classes for six years or more.

The voters in statewide initiatives in California and Arizona decisively rejected bilingual education, but federal dollars continue to sustain this bureaucracy. Test scores last year proved that children are progressing faster in California schools since they started English immersion.

Foreign language ballots for U.S. elections are provided in more than 375 voting districts. There's no good rationale for this unless the Democrats are trying to enable non-citizens to vote.

To become a naturalized citizen of the United States, our laws require the applicant to demonstrate the ability to read, write and speak simple words in ordinary usage in the English language. Since only citizens can legally vote, there is no need for foreign language ballots.

The Equal Employment Opportunity Commission is starting to label it workplace "discrimination" for employees to be required to speak English on the job and to customers. Nobody has yet calculated the horrendous litigation costs this will impose on small businesses.

Winston Churchill observed that "The gift of a common tongue is a priceless inheritance." It's our task to safeguard that inheritance.