Language in Public Life

James E. Alatis
G. Richard Tucker
Editors
Bibliographic Notice

Since this series has been variously and confusingly cited as: Georgetown University Monographic Series on Languages and Linguistics, Monograph Series on Languages and Linguistics, Reports of the Annual Round Table Meetings on Linguistics and Language Study, etc., beginning with the 1973 volume, the title of the series was changed.

The new title of the series includes the year of a Round Table and omits both the monograph number and the meeting number, thus: Georgetown University Round Table on Languages and Linguistics 1979, with the regular abbreviation GURT 1979. Full bibliographical references should show the form:


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In Memoriam
Kenneth W. Mildenberger
1921 - 1979
KENNETH W. MILDENBERGER
1921 - 1979

Kenneth W. Mildenberger died of cancer on March 22 in Huntington, New York. He was 57 years old. We in the field of languages and linguistics have lost a good friend and an outstanding leader.

On the night when he died, we were beginning the Georgetown University Round Table on Languages and Linguistics 1979, under the joint sponsorship of the Center for Applied Linguistics and the School of Languages and Linguistics. The news of Kenneth Mildenberger's death gave us a sad occasion to note our long association with him both as friend and as colleague.

Dr. Mildenberger had served as a member of the Advisory Council of the Georgetown University School of Languages and Linguistics. He had spoken at two of the annual Georgetown University Round Table meetings. At such meetings he called himself a 'linguistics watcher', constantly reminding linguists and language teachers of their opportunity and responsibility to enlist government support for the furtherance of foreign language studies and linguistics.

He was a member of the Steering Committee which organized the 1957 Michigan Conference at Ann Arbor, at which the concept of a Center for Applied Linguistics was first introduced. When the Center was established, he served first as a consultant to the Advisory Committee and later as a member of the Board of Trustees (1969-1974), as a member of the Executive Committee and Chairman of the Nominating Committee (1971-1974), and as a member of the Committee on Administration (1972-1974).

Kenneth Mildenberger's friend and mentor, William Riley Parker, spoke of him as a person who could do anything he set his mind to. A review of his life's work proves the truth of that statement, for his interests and accomplishments were many and varied.

With William Riley Parker, he was one of the chief architects of the Modern Language Association's Foreign Language Program. That program, begun with the help of the Rockefeller Foundation,
aimed at improving the effectiveness of the teaching of modern foreign languages at all levels of education, and became one of the permanent functions of the MLA.

In 1958, Dr. Mildenberger accompanied Dr. Parker to Washington to set up the administrative machinery for the implementation of the National Defense Education Act. He served first as Assistant Chief (1958–1959) and then as Chief (1959–1961) of the Language Development Section in the United States Office of Education. He was responsible for the administration of the Language Development Program (Title VI) which funded institutes for school teachers, university centers for critical languages and related area studies, and National Defense language fellowships, research, and studies.

The widespread enthusiasm for foreign language studies generated during this period was in no small measure the result of Kenneth Mildenberger's dedication to the profession.

After seven years of government service, he returned to the Modern Language Association, serving as Deputy Executive Secretary and Treasurer until 1974. He was in 'semi-retirement' until his death.

Dr. Mildenberger was the author of many articles dealing with the status of the teaching of modern foreign languages. He was instrumental in the establishment of the American Council on the Teaching of Foreign Languages and was editor of Foreign Language Annals (1967–1968).

The high esteem with which his colleagues regarded him is indicated by this partial list of professional honors: Honorary Life Member of the American Association of Teachers of French, Honorary Life Member of the Modern Language Association, citation from the American Association of Teachers of Spanish and Portuguese (1961), Superior Service Award from the United States Department of Health, Education and Welfare (1962), Honorary Doctor of Law from Middlebury College (1963), Alumnus of the Year from Queens College (1965), Distinguished Service Award of the New York State Association of Foreign Language Teachers (1973), and the Award for Outstanding Service and Leadership given by the Northeast Conference on the Teaching of Foreign Languages (1977).

Those of us who had the honor and pleasure of working closely with Kenneth Mildenberger remember him most for his personal warmth and his characteristic traits—his diligence, honesty, creativity, and above all, his sense of humor. All of us will remember him for the positive, discernible influence he has left on language in American life.

Kenneth Mildenberger was a man who devoted his entire life to language and to public service. It is therefore fitting that we dedicate to his memory these proceedings of the Georgetown University Round Table 1979 on Language in Public Life.
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PREFACE

This year marks the 20th anniversary of the founding of the Center for Applied Linguistics (CAL). To help celebrate the occasion, James E. Alatis, Dean of the Georgetown University School of Languages and Linguistics, invited me as the current Director of CAL to be co-Chairman with him of the Georgetown University Round Table on Languages and Linguistics 1979. It was hoped that this invitation to co-sponsor the 30th Annual Georgetown University Round Table would serve to underscore the contribution which the Center for Applied Linguistics has made during the past 20 years.

Thus, during the 1978 Summer Institute of the Linguistic Society of America, held at the University of Illinois, Urbana-Champaign, a group of us (Dean Alatis, Charles A. Ferguson, Melvin J. Fox, Shirley Brice Heath, Rae H. Tucker, G. Richard Tucker) met to discuss possible topics for the proposed Round Table. Heath and Ferguson were then teaching a seminar on 'Language in Professional Contexts' at the Institute; Dean Alatis had recently convened a conference at Georgetown University on 'Language in American Life', and the Center for Applied Linguistics had just announced the formation of a new programmatic division concerned with Language and Public Policy.

We all agreed that the time was right to convene a truly interdisciplinary group of scholars to examine diverse facets of 'Language in Public Life'. The role of language in education, occupation, and society is complex and sophisticated, and often little understood; however, the steps toward 'Plain English' in document design, truth in advertising, bilingual education, and voter registration, have all served to highlight the centrality of language issues in daily life.

And so it was decided that the theme of the Georgetown University Round Table on Languages and Linguistics 1979 would be 'Language in Public Life'. The planning and execution of the conference were truly joint efforts and continued the long-standing tradition of collaboration between Georgetown University and the CAL described by Dean Alatis in his opening remarks.
As chairmen, we wish to thank not only the participants, but especially Elizabeth Johansen, Debbie Hatfield, and Barbara DeMarco for the invaluable assistance that they provided at every step along the way.

G. Richard Tucker
WELCOMING REMARKS

James E. Alatis
Dean, School of Languages and Linguistics
Georgetown University

Good evening, ladies and gentlemen. Welcome to the Georgetown University Round Table on Languages and Linguistics 1979, the 30th annual Round Table. Our theme is 'Language in Public Life'. The conference this year is co-sponsored by the Center for Applied Linguistics and the Georgetown University School of Languages and Linguistics. We wanted to celebrate jointly the 20th anniversary of the establishment of the Center. The Center began operation in the spring of 1959 with support from the Ford Foundation, and continued under the auspices of the Modern Language Association of America. Throughout these 20 years, the Center and Georgetown University have had a close and amicable working relationship. The first Director of the Center, Charles Ferguson, introduced a course on sociolinguistics when he was adjunct professor at Georgetown University. Out of this course developed the excellent program in sociolinguistics that we have at present under the directorship of Professor Roger Shuy, who also serves as Associate Director of the Center's Administrative Division.

The Center has always had a rather enlightened fringe benefits policy, and many of its staff have studied and taken degrees at Georgetown University. Sirarpi Ohanessian, when she was Director of the Center's English Language Program, did graduate work here. Dorothy Pedtke, well known for her work on ESL bibliographies, was also a student at Georgetown University. Many of our students have worked at the Center as part of Georgetown's Internship Program. Many of our staff have provided and continue to provide consultant services to the Center. Among others who have served both on the Center's staff and on the faculty of the School of Languages and Linguistics are Carol Kreidler, Muriel Saville-Troike, and Peter Eddy. At the present time, Tracy Gray and Richard
Tucker both teach courses in linguistics at Georgetown. Dr. Robert Lado, my predecessor as Dean of the SLL, served on the National Advisory Council on Teaching English as a Foreign Language (NACTEFL), which is a branch of the Center. The Center was one of the five founding organizations of Teachers of English to Speakers of Other Languages (TESOL), which is now headquartered here at Georgetown University and which likewise continues to cooperate with the Center in various activities.

There are many other interconnections and I am sure that I have omitted some—for which I apologize. I did not mean the list to be exhaustive. Suffice to say that we at Georgetown University have always considered the Center for Applied Linguistics to be an indispensable organization in the furtherance of the field of languages and linguistics, a field to which we ourselves are equally dedicated.

The most recent manifestation of the cooperation between us was the University's acquisition from the Center of more than 10,000 linguistics books, journals, research reports, conference proceedings, and other materials assembled by the Center from throughout the world. The collection is especially rich in dictionaries, glossaries, and linguistics atlases of the many languages of Asia, Europe, and Africa. There is a very significant group of textbooks, audiovisual aids, research and methodological materials in the teaching of English as a second language, teaching materials published in many foreign countries, and an extensive collection of research papers, manuscripts, unpublished reports of linguistic studies, and other important linguistics materials not available elsewhere.

I want to take this opportunity to express Georgetown University's gratitude and appreciation to the Center, and to make a public announcement of the gift. The growth and development of an outstanding linguistics research library at Georgetown University will continue to be enhanced by the participation of the Center in transferring additional books and journals to the University in the future. A very important contributor to the development of the Center's collection has been Ms. Alice Eppink. Joseph Jeffs, Georgetown University Librarian, and his colleague, Herbert Fockler, also played major roles in the transfer of the collection to Georgetown.

I would like formally to congratulate the Center on its 20th anniversary. We at Georgetown University commend the Center for its outstanding and dedicated service to the field of applied linguistics. Because of our mutual concern for interdisciplinary studies in languages and linguistics, Georgetown University looks forward to many years of continued friendship and productive collaboration. We would like to think of our relationship as a model of professional unity and of the spirit of collegiality. It was said in the Georgetown University/Modern Language Association Conference on Language in American Life, held in October,
1977, that we are at an open moment in American history with regard to the fields of language and international studies. Especially in view of the activities of the President's Commission on Foreign Languages and International Studies, never has it been more important that there be a planned integration of interrelated language groups, each with its specialized language interests, all directed to a common purpose. Our greatest desideratum is a unified language profession.

I am happy to introduce and to welcome G. Richard Tucker, new Director of the Center for Applied Linguistics.
WELCOMING REMARKS

G. Richard Tucker
Director
Center for Applied Linguistics

It is a distinct pleasure to return to the Washington area to assume the directorship of the Center for Applied Linguistics, and to further an already congenial personal and professional relationship with Dean Alatis and with the School of Languages and Linguistics of Georgetown University. Furthermore, it is very much a pleasure to co-sponsor the Georgetown University Round Table on Languages and Linguistics 1979. The occasion of this year's 30th Annual Round Table, which is coincidental with our 20th anniversary, serves to commemorate the long-standing rapport and close relationship that have existed over the years between the Center for Applied Linguistics and Georgetown University's School of Languages and Linguistics. I would like formally to thank the SLL for extending to me an adjunct professorship in the Department of Linguistics. I enjoy the work and the challenge of the diverse activities at the Center, but I also appreciate the opportunity to teach at Georgetown University.

I am particularly delighted to have been invited by Dean Alatis to co-sponsor this year's Round Table because of its theme, which focuses on the role of language in public life. It is especially appropriate for us at the Center inasmuch as we—in collaboration with our Board of Trustees, and after a long period of internal reevaluation and of talking with friends and colleagues in the field—have taken the firm decision that the major and perhaps the unique contribution which we at the Center can make is to increase our involvement in the domain of language and public policy. We have the strong feeling that because of the multidisciplinary training and diverse interests of our staff, because of our ability to draw upon an international network of consultants and resource bases, and because of the fact that we are located in the Washington metropolitan area.
area, we can participate in and contribute to the process of policy formation and policy implementation.

We hope that we can effectively act as a catalytic agent, in much the same way that the President's Commission is doing at this very time, to raise the level of awareness of policy-makers and other individuals concerning the very subtle, sophisticated, and diverse ways in which language affects a myriad of educational and social issues. So it is fortuitous that the theme chosen for the Georgetown University Round Table on Languages and Linguistics 1979 also happens to coincide with a major new thrust of the Center. I am delighted that this is so; I am delighted, as Director of the Center for Applied Linguistics, to have the opportunity to co-sponsor the Georgetown University Round Table 1979 with Dean Alatis of the SLL; and I am delighted that this is a further instance of the collaboration that has existed over the past 20 years between the Center and the School of Languages and Linguistics.

We welcome you all to this opening session of the Georgetown University Round Table on Languages and Linguistics 1979, and we look forward to an exciting three days.
A PROGRESS REPORT ON THE
PRESIDENT'S COMMISSION ON FOREIGN
LANGUAGES AND INTERNATIONAL STUDIES

Timothy S. Healy, S.J.
President, Georgetown University

There are sharp limits to my posture as a reporter on the
President's Commission on Foreign Language and International
Studies. The reason for this informality is that we are in early
days yet, none of my opinions are set in concrete (other than
my head), and I should very much like to benefit from the re-
ports that other members of the Commission are giving and from
our discussions. Let me first give some general comments.

When the appointment to the Commission came, I began think-
ing about what limits it would have as well as about its prob-
lems. It seems to me that we will be working under three
major limitations. I doubt very much that there will be any
large amount of federal money to spend on anything, and I am
certain that in appointing the Commission the President was not
looking for a new way to distribute earnings. As one of the
lobbyists in its behalf, I know how heavily we had to work to
restore something close to the authorized student loan funds for
this year. Whatever the Commission comes up with had better
not cost too much. A second limitation that appears certain is
that we will not be expected to come up with any kind of perma-
nent body, or standing commission. This administration wants
to reduce, not increase, the number of such bodies. Finally,
we do not want the federal government setting curricula, re-
arranging them, or in any way 'telling us what we have to
teach'. Of course, it does that in a dozen indirect and subtle
ways, and we have learned to live with these. We will have to
separate out the established right of the government to make
certain demands upon outcomes, and the autonomy we need to
make and keep our promises.

With all that by way of prologue, it seems to me that we will
have to begin our report with as powerful a statement as we
can. Statements are easy, but there would be some very real impact if a statement about foreign languages and international studies, their importance, their relevance to our nation's life and future, and the deep dependence the nation has upon them, were made by the President himself. In addition, we should be able to garner for our statement endorsements from major associations, and this would help. We have the facts on our side, after all, and we ought to be logical enough to persuade some of our fellow citizens. It furthermore appears to me that in this as in so much else in American life we do not achieve our results in one blow but our best clout will be, non vi sed saepe cadendo.

There can indeed be a second result of our making a formal statement. It arms our professional colleagues in education to challenge bureaucrats and to demand implementation. Thus all of us will have another entitlement to beg, if not immediately to receive. A good solid statement can serve as a base for everything else we will do in the work of the Commission.

There is an area which I do not feel competent to discuss and which seems outside the Commission's ambit. That is the area of bilingual education. I do, of course, have a personal position, which has behind it whatever logic I am capable of. The United States has dealt with immigrants for well over a hundred years now. For the older immigrants (all except the Irish), learning English was a given of their situation. In the process they suppressed their native language, either because we forced them or because they wanted to, and along with language went many of their customs, and much of the wisdom and memory of their distant homes. I would not want to see us approach this part of the twentieth century, with possibly the largest single in-migration the United States has ever seen, and say to our fellow citizens of Spanish origin that they must suffer the same loss. On the other hand, it seems to me that there could be as great a loss for this republic if we do not take the 'bi' in 'bilingual' seriously. No language can substitute for English, even though learning English need not preclude the keeping of another language and all the cultural heritage that is tied to it.

One final note: I cannot speak about primary education simply because I do not have the beginning of the right to address it. My comments about secondary education will be based upon three years' teaching as a high school teacher, and membership in a corporation which after all does run 47 American high schools and talks to itself. But when it comes to the primary school world, I am completely out of my depth, and terrified.

Having said all those negative things let me now address three areas.

(A) I would like to see the Commission talk about what America needs to guarantee itself an 'informed citizenry', conscious
of foreign worlds around us, capable of relating to them sig-
nificantly, and understanding that just as they have problems
to which American solutions may not be the best answers, they
may well do some things better than we do.

(B) I would like to see us look at the mix of high school and
college language teaching as one of the principal introductions
to foreign area studies, and because we are in a significant
bind. The colleges do not require so the high schools do not
prepare. Under this heading our business connections should
enter, because in this eight-year span we prepare those citi-
zens who will exercise leadership positions in the world of
business at home and abroad.

(C) I would like to hear us speak about our research centers
as national resources, needed by the State Department, the
Defense Department, and by all of us to avoid repeating our
recent troubles in Korea and Vietnam. If this Commission
achieved nothing other than help render impossible an Ameri-
can military approach to anybody known as 'slopes' or 'gooks',
it will have more than justified the little it costs. The great-
est power vacuum in East Asia has been our blindness to its
people and our misreading of their history, their politics, and
their very souls.

My understanding of the problem leads me first to the general
consciousness of 'interdependence' among Americans and what
the academic world can do to develop it. The limit is important.
We are certainly not the only ones who need to go to work, and
we may not be the most effective.

No matter what the Commission says, it can be effective only
if there is some mechanism for following up. We cannot set up
any permanent body, but if a Secretary of Education is created
and a new department established, there should be someone at
the level of Assistant Secretary whose charge could be lan-
guages, international and area studies, and allied subject areas.
If this is not possible, I hope we will recommend now that in
the Commissioner's office a deputy commissioner for the same
areas be established. It would be the responsibility of this
individual to make certain that follow-up steps are taken.

The first of these steps must be to ask the major associations
to get behind the Commission and to push. If all of the uni-
versity associations--public as well as private--decided to join
us, we could change the curricula in many institutions. If the
President himself asked us to do so, I suspect we would. In
addition, it ought to be possible to reorder some priorities in
the National Endowment for the Humanities and other federal
agencies which deal directly with international affairs or which
could deal with them. If the federal agencies took this tack,
those private foundations sensible enough to realize that their
major function was to condition the spending of the federal
dollar would follow suit. If all the associations were in agree-
ment, we might even approach some of the major testing
agencies (LSAT, SAT) to see if an accent on foreign language and on knowledge of international affairs could not be raised in the nation's consciousness through the rather mundane device of making it necessary to get good scores. I take it for granted that if all this happened, public television--sensitive as it is both to the National Endowment for the Humanities and to the foundations--would follow suit. Obviously, television is the major weapon of anyone who wants to reach the American people, but (quite properly), it is not a weapon that it is easy to get a handle on.

I think somewhere in its recommendations the Commission ought to ask for serious federal support for linguistic research. In a sense these might be the only new dollars we should ask for, but they are new dollars in a key and neglected area, and they are new dollars in an area which could have enormous impact on secondary and on primary education. The more we know about language, the better we are likely to be at teaching it. Very small amounts of money here (something in the order of $5,000,000 a year for five years) could generate a body of new knowledge that might make us grow by a cubit or two.

There are some other minor financial things which might be done. For instance, for elementary and high school teachers who study abroad, a modest (two to three hundred dollars) tax deduction might be offered. Obviously, I do not mean to subsidize vacation travel and thus verifiable certificates would be required. The same kind of deduction might well be offered for college or high school students (or their parents) who complete a semester's work abroad on a recognized program for degree or diploma credit. Once again I am excluding the summers, not because I feel they are unimportant, but because they are impossible to police. Any encouragement we can offer for Americans to study abroad, or for that matter, for foreigners to study in the United States, will help enormously.

I would now like to turn to the college and high school mix in language studies. As I noted earlier, we are in a considerable muddle, each side pointing its finger at the other. The high schools claim that since the colleges do not require languages it is difficult to persuade students to take them. The colleges are now claiming that since the high schools do not teach languages, it is not profitable for students to spend two years learning the rudiments before they can move on to what are appropriately college- or university-level courses. It ought to be noted that both parts of this system suffer enormously from the gross weakening and general inadequacy of training in the English language. It is hard to believe the two weaknesses are unconnected.

A further problem is the difference between politics and academe. Political power works upward. The best way to generate support for an educational program is to put it in the nation's primary schools. The lines of academic force work
in the opposite direction. The best way to bring the nation's high schools back into language and international area teaching is to require both in the college curriculum. Thus we might well reflect that reintroducing some level of 'requirement' could be a useful way for us to go.

Obviously, much of what I said about major associations and the funding agencies will have a bearing on us here. The National Endowment for the Humanities can also within its current appropriations be a great help. In addition, if testing agencies become sensitive to our problem and it thus finds its way into student consciousness we will have achieved a great deal. Finally, the Commission should not overlook the impact a direct intervention by the President himself would have were he, for example, to invite the presidents of 50 or so universities and colleges to a breakfast and ask their help.

The implementing steps which the Commission might like to recommend seem to me to be double. If we start off with the assumption that we can neither create bureaucracies nor spend much money, then we have to ask ourselves a basic set of questions. Do we want to put some sort of teeth in the recommendation that we must make and so enforce the President's and our own conviction that the nation's schools need to spend more time, more resources on, and give greater emphasis to, the study of languages and international affairs? If the answer to that question is 'yes', then we have a second question: how many teeth? If we desire to help high schools and colleges put more accent on languages and international studies, we can make such an accent a condition of various forms of federal help.

It is my hope that the Commission will not make too hard a recommendation. If we do not put some teeth into our statement, it is going to be a toothless tiger. If we put too many into it, we will ruin our case at the very beginning. There is only one recommendation in this high school-college matrix which I would make very strongly, as far as languages are concerned. I hope the Commission will oppose, as strongly as proper language allows, the educational syndrome which puts process ahead of product. We should talk about 'language proficiency' or 'language competence', not about language courses or the number of hours, months, years, or eons spent studying them. My sympathies are all with the teachers in this. They do what the schools of education taught them and what parent boards ask of them--pass kids for time served, not competence gained. It is unfair to criticize them for only doing what we ask them to do.

One area where it seems to me the Commission can call for new dollars is in the area of the 'major centers' which have been eloquently discussed and described in Professor Robert Ward's paper, 'National Needs for International Education'. It seems to me that when we are talking about new money, several agencies should be responsible for generating it. HEW springs
to mind immediately, as do the Departments of Defense, State, and Commerce.

America ought to build its language and area records centers both on already acquired strength and on commitment plus solid bases (especially library holdings) where the strength is not yet fully present. Our strategy ought to be that the institutions to which centers go should be strong enough to carry them, but that all the centers ought not to be limited to institutions conveniently clustered on the East Coast. We should encourage a fair race among universities and other kinds of centers, but not a race judged exclusively on extant expertise.

Whenever we talk about research centers, the problem is not what to do with the chiefs but what to do with the Indians. There is no difficulty in both university and federal support combining to keep a small cadre of professors working busily on an area—for example, southeast Asia. The difficulty is what to do with the young Ph.D.s whom the professors will by necessity generate. It seems to me that there can be federal sharing on two levels. The first of these is direct help to the center by agreement with the parent university. The second kind of federal aid would involve the personnel of the center. If every center were authorized to appoint one 'associate' or 'fellow' every year or every other year, this might turn the trick. The fellow or associate would be a degree-holder from the center, could seek his livelihood at another institution, could reasonably expect appointment to the center when and if an opening became vacant, and could have his academic salary subsidized by one-third or one-quarter or one-fifth during his time of waiting. The number of such appointments would have to be limited. But the very existence of this possibility would draw a modest number of students to each center, and would put the best of them into competition for this kind of associate support. If this system were joined to an effort to draw M.A., certificate, and 'retraining' students (e.g. teachers) to each center, its professors would have the students necessary to continue their expertise in a growing and viable form.

One of the points I hope we will consider is the possibility that we might turn to foreign governments for help in precisely these areas. Obviously, the strings attached to such gifts would have to be carefully untangled. But if the gifts went not to the federal government but to the individual institutions, our very diversity could be a guarantor of integrity.

In all that I have said here I hope the Commission will not exclude other university centers. I have spent time on the latter because they bring a kind of richness that we need. By relying on its universities, America can be sure that open discussion, easy access to professional journals, and the free and at times violent interchange of ideas take place. Research institutes in any other social context seem to opt more toward safety and conformism. God knows the universities are
conformist enough. They are still not a patch on some of their more isolated brethren—even Chicago is not as predictable as Brookings.

I recognize that none of these remarks is particularly earth-shattering, but I give them in the hope that they may be of some use and because I think the Commission will move in these general directions.

I am very glad I do not have to write the final report since I am pretty sure it is going to be a complicated one. I was lucky. I picked up my languages the hard way. I got dumped into them and somebody said 'speak or starve'. As is obvious, I do not like to starve. On the other hand, effective as my system may have been, it is hardly recommendable to two hundred million people.

Like everyone else on the Commission, the more I see, the more I worry. Americans fall farther and farther behind as our international obligations intensify in sophistication and importance. More and more we are looked to for leadership, not for empire; for the kind of presence which calls for more understanding than power. Burke's axiom that 'great empires and little minds go ill together' was spoken of an empire, largely black, ruled by aristocrats, largely blues. In our day, an ignorant nation, an insensitive nation, above all a nation of international mutes, will never serve for its world, as it so proudly wants to serve, as the keeper of freedom.
A manager, whether of a store, a corporation, or a state, cannot operate without policy any more than nature can tolerate a vacuum. The very art of governance, at whatever level or sector of society, must take on the semblance of policy, even if only to justify the effects of inaction.

There is no aspect of the organizing and management of social groups of which this is truer than language. If laws have not been promulgated to govern its use, rules will be set and enforced by taboos, myths, religions, mullahs, writers, lexicographers, the media, the relentless pressure of practice. Despite agitation in the early years in the United States by such determined leaders as John Adams (and several short-lived efforts, such as the American Academy of Language and Belles Lettres organized in 1820), an Academy of English or American has never been established (as it has been in France, Israel, Egypt, Sweden, Tanzania) because, as Samuel Johnson eloquently stated, 'sounds are too volatile and subtile for legal restraints; to enchain syllables and to lash wind are equally the undertakings of pride'. In the early days as a new nation, 'support of a standardized official English language norm conflicted not only with democratic ideals, but also the realities of language change' (Heath 1978:58). The rationale offered by Thomas Jefferson for not imposing the constraints of an academy on American English could pertain to the international role of English today: 'certainly so greatly growing a population, spread over such an extent of country, must enlarge their language. The new circumstances under which we are placed call for new words, new phrases, and for the transfer of old words to new objects'.

Language policies, nonetheless, have in fact emerged from time to time to determine the ways in which both the English and American languages should conduct themselves at home and
abroad. English has been aggressively expanding as an international language since the Pilgrims first put their feet on this continent and began what many Englishmen have continued to regard for three centuries as a barbarous assault on their language. The use of English as an international language has grown at an exponential rate since World War II, with profound consequences for American English phonologically, lexically, and even structurally, and for the relation of American English to other languages. Lacking an academy, a decisive influence on this process has come directly from language specialists and educators and their scholarly and professional organizations—made possible, in part, by American foundations concerned about the development of Third and Fourth World countries, and assuring effective access by minorities in the United States to education and to equal treatment.

Limitations of time prevent detailed comment in this presentation on the organizations and programs that played decisive roles in shaping post-World War II language policies in the United States relating to English as a second language, to which I refer in this paper as ESL.

However, both the institutions and the principal actors have been reviewed elsewhere (Parker 1966, Allen 1978), and are well known to most of this audience: the Committee on Language Programs of the American Council of Learned Societies; the Committee on International Exchange of Persons of the Conference Board of Associated Research Councils (now called Council for the International Exchange of Scholars), and its seminal activities relating to scholarly exchanges under the Fulbright Program; the annual Summer Linguistic Institutes carried out under the joint sponsorship of the Linguistic Society of America, the ACLS Committee on Language Programs, and the host university; the Foreign Language Program of the Modern Language Association, under the creative leadership of William Riley Parker and his dedicated disciple, Kenneth Mildenberger; the National Council of Teachers of English, under Harold B. Allen; the work under J. Milton Cowan, during his long directorship, starting in 1946, of the Division of Modern Languages at Cornell University (with Rockefeller Foundation funding); and the seminal program at the English Language Institute at Michigan University, under Charles W. Fries and later under Robert Lado. The establishment by the Modern Language Association in June, 1952, of its Foreign Language Program with Rockefeller Foundation support is significant to this historical summary for three reasons. (1) Under the leadership of William Riley Parker, who served as Secretary of MLA from 1947 to 1956, the Foreign Language Program greatly increased national concern about teaching of languages. (2) The work of the Foreign Language Program, under the direction of Donald Walsh, laid the groundwork for the National Defense Education Act, approved in September, 1958, which was a national response to Sputnik. (3) In February, 1959, the
MLA became the parent body of the Center for Applied Linguistics (CAL), thus establishing a symbiotic relationship that was beginning to affect the perspective of MLA about the teaching of languages just about when the CAL moved out and became an independent organization in late 1964.

An additional factor that affected the national language teaching scene in the 1950s, and significantly influenced international aspects of United States national postures and policy about ESL, was the increasing involvement of certain universities in technical assistance in training linguists and ESL teachers in countries like the Philippines, India, Turkey, Taiwan, Thailand, Egypt, Afghanistan, and also in training foreign ESL teachers in the United States. Georgetown, Michigan, Texas, Columbia Teachers College, Cornell, UCLA, and Indiana were among the universities which led in these efforts, and all except Georgetown were represented at the Ann Arbor Conference (although that link was made when Robert Lado moved from the English Language Institute at Michigan to become director of the Georgetown Institute of Languages and Linguistics in 1960). In 1960 about eight universities offered M.A. or M.S. degrees in ESL; currently, about 70 do so. In 1961, Georgetown University, with Ford Foundation support, established the first three-pronged Ph.D. program combining work in linguistics, foreign languages, and ESL.

A key event in the process was the historic Ann Arbor Conference in July, 1957, which coincidentally took place at about the time that Sputnik was creating a firestorm of concern about the teaching of mathematics, sciences, and foreign languages in American schools. As with many key growth points in the record, the emergence of this conference and the follow-up to it were due to the persistent efforts of one person, Truxten W. (Trux) Russell, and funding by the Ford Foundation. The conference was convened ostensibly to explore general questions relating to the role of linguistics in the teaching of ESL, as well as the relationship of linguists to ESL teachers, but with two more pragmatic purposes: (a) to explore ways to increase the supply of teachers of ESL urgently needed to meet demands for academically qualified teachers by countries in the Fulbright Program; and (b) to improve understanding and communication between the linguists and ESL teachers (Fox 1975). It was a 'pioneering conference' because it was the first recognition that many linguists gave to the fact 'that the teaching of English is a serious profession, differing both from teaching English to native speakers, and from theoretical and historical linguistics'. It also was the first national conference to examine the requirements for M.A. training in ESL from both linguistic and pedagogical standpoints. One remarkable achievement of the conference was agreement on the need for 'the creation of some central clearinghouse which would serve as a depository and distributing agent for teaching materials and information about them'. That is the seed from which the

The contributions of several foundations to ESL work by CAL and other research and academic organizations in the United States and abroad was vital, particularly Ford, Rockefeller, John D. Rockefeller III, and Rockefeller Brothers Fund in relation to ESL in Japan, and the Asia Foundation. Though the Rockefeller Foundation had largely discontinued grants in this field by the early 1960s, it made a decisively important contribution in the 1950s to the capacity of United States institutions and scholars to work in linguistics and the teaching of second languages and to extend those resources to certain developing countries, notably India, the Philippines, and Egypt. The Ford Foundation, with what a recent author described as 'remarkable persistence' (Magat 1979), funded research, training, and institution-building in the field of language development for over 25 years in the United States and in 38 countries of Western and Eastern Europe, South and Southeast Asia, the Middle East, Africa, and Latin America. It helped strengthen the capacity of many United States universities, and certain scholarly and professional organizations, to respond to the challenge posed by the demand for English in developing countries, and to the building of institutional and individual resources in those countries.

Despite the fact that an adequate and sustained national response requires government subsidy of the magnitude received by the British Council, foundation funding has proven indispensable in the United States for at least six reasons: the foundations had maximum program flexibility in responding to needs both in developing countries and in the United States; they had knowledge of the sensitivities, complexities, and constraints surrounding language planning; their decision-making procedures permitted relatively quick response to requests for help; they had capacity for sustained involvement and relatively long-term commitments; they did not require—at least this was true of the Ford Foundation—the use of American personnel, equipment, textbooks, but could provide the aid that most suited the client, including on occasion the local writing of new textbooks relevant to the culture and the country; finally, there were countries, and subject-matter fields, for which foundation funding was more acceptable by developing countries than that of government agencies.

However, the prime movers in the process of nurturing concepts, shaping methods, developing manpower and institutional resources, that were a prerequisite to formulation of national language policies, were the scholar/educators, their disciplines, their institutions, and their national associations. Of the relatively few private institutions that were concerned with ESL overseas during the 1960s, the CAL had the greatest impact because of its capacity for sustained focus on the problem, and for bringing outstanding American competence to bear.
The CAL was established to serve as a clearinghouse of information about the application of linguistic sciences to practical language problems of learning and usage, and to act as a catalytic agent to facilitate communication both nationally and internationally between government agencies and private institutions about those problems. From almost the day of its founding, the CAL achieved acceptance nationally and internationally as an authoritative middleman and broker, due in no small part to its director for the first six years, Charles A. Ferguson. The CAL had a continuous and quite remarkable impact on the national policies toward ESL in the United States for at least a decade. Indeed, its activities permanently altered both perceptions of national responsibility toward the growing overseas demands for building ESL teaching resources, and conceptions of how to deal with them. It is beyond the scope of this paper to trace all of these developments, but for my purpose it will be sufficient to suggest six examples, each representing ways in which CAL influenced formulation of language policies.

1. As its initial study, undertaken with Ford Foundation support, the CAL mounted a World Survey of English and French as Second Languages in collaboration with the British Council. This was the first attempt to obtain quantitative data as well as descriptive information on the major developing countries where both English and French were used as major languages of instruction in schools, and where, therefore, teaching them as a second language was a matter of the greatest educational importance to newly independent countries. The survey also represented a first attempt at an inventory of the many native languages that comprised the communication setting for English and French in those countries. Though incomplete, the massive inventory revealed the enormous spread of American English as an international language, and some sense of the dimensions of the expanding future demand. This survey was the first time that either the United States or Britain rubbed elbows with the French in relation to this problem, despite the fact that the French had become skilled and experienced at teaching English as well as French as a second language; indeed, France was one of the world's largest exporters of English teachers, largely to North Africa. This was the kind of information that was indispensable for planning by United States government agencies concerned with the growing overseas demand for English language teaching.

2. The Advisory Committee for the World Survey became the nucleus for a cooperative American-British-French International Conference on Second Language Problems (ICSLP) that was convened annually under the leadership of the CAL, and with the collaboration of the British Council and the Bureau d'Etude et de Liaison pour l'Enseignement du Français dans le
Monde. Nine meetings—six in Europe, one in Canada, and two in Africa (the last one in 1969 in Dakar)—brought together language scholars, educators, and government administrators to examine practical problems of the burgeoning demand by countries in the developing world for assistance in expanding and strengthening their second language teaching resources, and in the training of teachers of second languages. It was at the second ICSLP conference, held in Nijmegen, Holland, in 1962, that the recommendation was first made to undertake a sociolinguistic survey to test and demonstrate the value of such surveys for formulation of language policies for the newly independent countries which then, as now, relied on either English or French as the medium of instruction in schools; such surveys were needed if those countries were to have the data necessary to evolve language policies that were responsive to the cultural heritage of people as well as to the imperatives of national development.

3. In a variety of ways, the CAL provided leadership in conceptualizing and exploring the role of sociolinguistics for countries trying to deal with and relate these two factors. Starting with the eight-week seminar on sociolinguistics organized by Charles Ferguson at the Summer Linguistic Institute at Indiana University in 1963, the CAL played an important role in defining the role of sociolinguistics, particularly in nation-building, and in testing models for surveys, for example, the Survey of English Language Teaching in Nigeria in 1966, and the Survey of Language Use and Language Teaching in Eastern Africa, starting in 1967, for the latter of which Charles Ferguson was a principal architect, and for which the CAL served in an advisory role; the current director of the CAL was a co-author of a survey (Harrison, Prator, and Tucker 1975) of English language teaching in Jordan in 1972. Most important for the recognition of the vital role of sociolinguistics in language planning by developing countries was the concept, first delineated by the CAL, that sound and acceptable policies governing the use of English cannot be formulated except in relation to the realities and dynamics of the total language situation (Ferguson 1962). In its Urban Language Study in 1965, the CAL first demonstrated the relevance of this principle to United States communities.

4. Collaboration with the CAL on the World Survey and ICSLP had an important impact on the policies of the British Council. Prior to 1960, the Council's links with the academic world in England were extremely limited, as were its contacts with linguistics in relation to teaching English as a second language (Cawson 1975). As a result of increasing contacts with United States scholars and institutions, in part through its association with CAL, the Council began to develop academic connections with linguistics and language scholars, and academic
centers in Britain that have become one of its major strengths. The Survey also stimulated a first effort in France to assess university resources for training and research relating to teaching English and French as second languages.

5. Starting with the establishment of an Interagency Committee on English Language Teaching in 1955, the Bureau of Educational and Cultural Affairs of the State Department (CU) tried to keep track of the overseas ESL activities of United States government agencies. It did a remarkable job for many years, largely as a result of the persistent and continuing commitment of Jane Alden. However, it had no basis to try to encourage interaction with agencies which were heavily involved with the teaching of ESL in the United States to nonnative speakers such as the Bureau of Indian Affairs, or the extensive activities of the Department of Defense. Furthermore, some of the newer agencies, such as the Peace Corps, that were beginning massive initiatives in ESL overseas with powerful White House support, saw no reason to subject themselves to coordination by the State Department. There were times when hostility was more characteristic than cooperation between some government agencies, and for good reasons government agencies did not always find members of the academic community congenial consultants, in part because of the confusing controversies between linguists and language teachers. The National Advisory Council on the Teaching of English as a Second Language (NACTEFL) was an effort to establish a national forum to overcome these communication difficulties. It was established by the CAL in February, 1962, in response to a resolution of a meeting sponsored by the International Cooperation Administration, the forerunner of AID, and convened by CAL in March, 1961. The resolution, which could stand today as the framework for a national language center, stated:

The teaching of English as a second language is a problem of such critical international importance that it calls for a sustained national effort, governmental and nongovernmental, on a greatly increased scale; therefore:

(1) It is imperative that the government take the necessary steps to formulate long-term strategy and policy in regard to all governmental programs for the teaching of English as a second language;

(2) It is most urgent, in order to make effective use of nongovernmental resources as well as to assure a proper relationship among various governmental programs, that a policy-level Inter-Agency Committee on Government English Teaching Activities be established at the initiative of the Assistant Secretary of State for Educational and Cultural Affairs; and

(3) It is strongly recommended, in order to relate university and other private resources to the national effort, that
the Director of the Center for Applied Linguistics confer with the Assistant Secretary of State for Edu-
cational and Cultural Affairs on the immediate establish-
ment of a nongovernmental council to serve the Inter-
Agency Committee in an advisory capacity with respect
to policy and plans. 6

NACTEFL was a private, independent body of 10 scholars in
the language/linguistics fields who could represent the knowl-
edge and experience of the academic community, and scholarly
and professional associations, in relating university and other
private resources to the national effort in this field; it estab-
lished an advisory relationship with government agencies,
foundations, and other concerned institutions on priority
matters relating to ESL policy and planning. At the least,
nine government agencies regularly participated in its meeting.
Professor Al Marckwardt, in a remarkable review of a decade
of the teaching of English as a second language overseas (a
review that no one else could have written so comprehensively),
wrote: 'Communication between government and the profession
has been markedly improved as a result of NACTEFL...'
(Linguistic Reporter 1967).

The background papers that were prepared for these meet-
ings and the resolutions, called Decisions, that were formulated
by the members from the deliberations, provide an overview of
the policy issues with which administrators were grappling in
relation to the burgeoning demand for ESL in developing coun-
tries; they also suggest the relative vigor of the United States
response. For example, the founding of TESOL resulted from
a concern, first aired at a NACTEFL meeting, for the need for
a national roster of ESL teachers and specialists—a need of
priority importance at that time to government agencies. Con-
vened originally in 1964 through the initiative of the CAL,
with the cooperation of the National Council of Teachers of
English, the National Association for Foreign Student Affairs,
the Speech Association of America, and the MLA, with an
initial principal objective of establishing a roster of specialists
and relevant teaching resources, it has become a major leader
in the international ESL network. Its 8,000 members, 25 per-
cent of whom are overseas, and its 32 affiliates in the United
States and 10 abroad, make it far and away the largest, most
dynamic, and most influential professional organization of its
kind in the world, and it has accomplished this entirely with-
out outside subsidies.

A major weakness of NACTEFL, and probably the reason for
its demise in the 1970s, was that twice yearly meetings did not
enable the small group of academic members to give enough time
to the changing complex problems faced by government agencies
in this field or to get deeper than other advisory committees
attached to CU, the U.S. Information Agency, and the Ful-
bright program. However, the credibility and effectiveness
that NACTEFL did achieve for a critical period were due to the sense of priority issues, the staff work, the painstaking preparations and follow-up of Sirarpi Ohannessian. Her work over 15 years with NACTEFL and nine with ICSLP, illustrated that a vital key to the making of policy is the sustained effort of a person who cares. This characteristic exemplified the CAL in that period, and was a prime reason for its acceptance in the United States and, indeed, worldwide as a major national language center.

For a variety of reasons, the initiatives of the CAL to improve communication, focus, planning, and policy in the United States response to the international demand for assistance in ESL, and to identify and marshal national resources, began to phase down by 1970. Not surprisingly, this was due in part to the decline of programs funded by the State Department, AID, Peace Corps, and USIA—a decline which Allen (1978) has characterized as an 'extraordinary holocaust'—and to the worldwide dwindling of activity by the Ford Foundation, both in relation to overseas projects and to strengthening of resource bases in the United States and other countries. This precipitous decline in funds and effort came at a time of increasing recognition by developing countries of the need for English in education, in national development, in general efforts toward modernization, and in their growing intraregional and international activities. This decline of United States resources became so widespread nationally between 1970 and 1975 as to seem almost to be a policy of withdrawal. I was closely involved with language development activities of the International Division in the Ford Foundation during that period, and though I can describe in detail the process of withdrawal of support for ESL and other language projects, I cannot wholly explain it. It is urgent, in my view, for someone to try to identify the causes of this across-the-board American retrenchment to determine whether it is reversible as a national trend.

There is a worldwide demand for English, and probably American English is in the most expansive process of use as an international language of any language in history, despite the negative prognosis by S. Frederick Starr (in Change, May, 1978) in an article entitled 'English Dethroned'. A recent study of the spread of English in 102 countries (Fishman et al. 1977) found that '...never before has so much of the world been so accessible via a single language'. This is happening despite the upsurge of active concern and effort on the part of developing countries to establish local languages as the medium of instruction in early primary grades and, in some countries like Tanzania, at secondary and higher levels as well. This expansive process continues despite intense cultural and political pressures for promotion of national languages by the greatest number of nation-states in history; despite increasing efforts by certain countries to confine the use of
English as a medium of instruction in schools to certain subjects like science (Fishman et al. 1977); despite the deep—and in some cases growing—antagonism toward English stirred by the imperatives of nationalism, by the determination to sustain the cultural heritage of groups for which language often is the deepest and strongest mark of identification, and by the antipathy of many non-Western religions; and despite the continuing systematic efforts of many countries, ranging from Russia, Sweden, and Japan to Tanzania and Pakistan, to increase the lexical corpus of their major official languages sufficiently to be able to carry the rapidly expanding load of modern concepts and technologies.

I would like to suggest several reasons why, in my opinion, this trend for English to be 'the language most used as a second language (or third or fourth), for communication throughout the world' (Ferguson 1978) is irreversible for the foreseeable future, and why, therefore, I consider Frederick Starr's dethronement of English premature.

(a) English has proven to have almost infinite flexibility lexically, phonologically, and even structurally. Though non-standard dialects have steadily multiplied with the variety of Englishes that have developed in countries like India, Nigeria, Kenya, Indonesia, the Sudan, and Japan, with the considerable interaction between those countries English is increasingly achieving international intercomprehensibility, as happened in the development of usage in the first century of the United States, and for the same reason: the pressure and determination to communicate. Lexical links with other languages seem to grow exponentially: where other languages cannot devise a word for a particular concept or function, they borrow an English term; and American English has reciprocated by an eclectic capacity of liberally adding words from most languages to its corpus.

(b) Massive expansion at the base of the educational pyramid in developing countries, most particularly at post-primary levels, has greatly increased the need for English, particularly since that expansion in most countries during the past 20 years has been accompanied by a determination to modernize subjects for which texts have not been available in local languages.

(c) In many multilingual countries, such as those in anglophone West Africa, English is so far the only language that can bridge deep-rooted and intractable tribal differences and provide the means of communication that is essential for working toward national political unification.

(d) The use of English as the language of government, of intragovernmental and intergovernmental business nationally and regionally, of the courts, of trade and business, of higher education, has made English the language of upward mobility in many countries, even in some like Tanzania and Israel with strong ideological (and, in the case of Israel, religious) endorsement and enforcement of the official national language.
(e) English is the principal language of modern technology, computer science, and electronic communication, including TV and satellite transmission of information.

(f) Perhaps the most important factor militating toward the continued expansion of the use of English is the extent to which it has become necessary at the tertiary level that has been relentlessly expanding in all developing countries. This is obviously true for many millions of foreign students who have studied, and are continuing to study in increasing numbers (currently exceeding 500,000, or approximately 40 percent of the non-English-speaking world's foreign students (Fishman et al. 1977)) in U.S., Canadian, British, Australian, and New Zealand universities. A vast and growing worldwide network of some 2 million have studied in the United States since 1949. However, English has also become essential for the study of certain undergraduate subjects, such as the natural and social sciences, at universities in many non-English-speaking countries. Perhaps most important is a phenomenon that is not generally realized: as graduate studies have increased, reading and research in many subjects, such as certain social sciences, can be pursued toward an M.A., Ph.D. or the equivalent, only in English. This is a worldwide phenomenon, as true at Stellenbosch University in the heartland of Afrikaandom as it is in Cairo, the scholarly center of the Arab-speaking world, as well as in Damascus, Tanzania, Tunis, Sudan, Kinshasa, Israel, and India.

Furthermore, even in francophone countries in which French has until recently been vigorously encouraged as the only second language, English is being increasingly sought by African academics, as well as by their students, as a means of access to certain fields, such as the green revolution in agriculture, the North American approach to business management, or, in Algeria, the means of getting command of oil technology. As a result, in many such countries English is replacing French as the foreign language of principal interest in the lycées as well as in the universities: Fishman and his colleagues found that English has become the foreign language in which children were first taught in 56 countries, replacing French in many countries in Asia, the Middle East, and North Africa.

(g) A related area that provides significant evidence of the increased expansion of English can be found in publishing. Comparing English to French, Fishman and his collaborators found 'that English book production is nearly double that of French in non-mother tongue countries in Europe, Latin America, and even in Africa', and though French constitutes a negligible part of book publishing in Asia, 'English continues to constitute a substantial portion', and thus to be 'the most viable language through which ideas may be presented to a worldwide audience' (Fishman et al. 1977) through books. There are countries and regions where English must be used by writers who want to reach more than a provincial audience.
Referring to Nigeria, Chinua Achebe has written '...the national literature...is the literature written in English and the ethnic literatures are in Hausa, Ibo, Effik, Edo, Ijaw...' (quoted in Mazrui 1975).

In the face of evidence of so unprecedented a need for English, and for increasing resources for teaching it and training teachers to teach it—a need that is quite devoid of imperialistic motivations by the United States—the capacity of U.S. government and private institutions to respond to that demand has declined to a staggering extent. Though the centers established by the USIA for teaching English to adults, and occasionally for providing special seminars for teachers, have continued, most other government-supported agencies have reduced activity in this field precipitously and drastically. By contrast, the annual budget of the British Council for work in ESL throughout the world has been steadily increasing and is massively greater than the allocation currently available for this purpose in the new International Communication Agency, or indeed the annual budget for overseas work in ESL of all United States government agencies. As a result of the steady retrenchment by government agencies, and the comparably precipitous decline in engagement with the problem by the foundations, the once strong links between American universities with distinctive resources in applied linguistics, and the universities or institutes of education or school systems in need of advisory assistance in developing countries, has dwindled—although certain of the oil-rich countries have negotiated direct contracts with a few universities and specialized organizations like the Education Development Center.

Can what appears to be a policy of American retreat or retrenchment be stemmed? Can a policy of positive response be reinstituted? Only if those institutions with a scholarly or professional stake in the problem are sufficiently concerned to make the case: this obviously would mean organizations like TESOL, the Center for Applied Linguistics, NAFSA, the newly established American Association of Applied Linguistics, the American Council of Learned Societies, the MLS, the LSA, NCET, the National Association for Bilingual Education; and possibly several universities with major on-campus programs and a long history of work overseas in this field (like UCLA, Georgetown, Michigan, Texas, and Pittsburgh Universities), and certain of the foundations need to put their heads and experience together as a task force. And since the teaching and learning of nonnative languages involve common linguistic, pedagogical, and educational policy problems, the relevant experience of organizations like ACTEFL, the AATs, the National Information Center for Languages, and the Joint National Committee on Language should also be represented. The resultant language task force should examine three questions:
(1) What are the causes of the decline in American support for work in ESL and other language problems as they relate to development in the Third and Fourth World?

(2) Could the trend be reversed if there were an acceptable clearinghouse to provide special information and advisory services to government and private organizations, at home and abroad, with an interest and stake in the demand for ESL?

(3) What type of national language center can feasibly be set up and sustained: a National Language Foundation, as recommended by William Riley Parker in 1966, or an American Council for Teaching English Abroad, as suggested by Dean James E. Alatis (Alatis 1978:145-155) at the Georgetown-MLA Conference on Language in American Life last year? A center would have to be able to pursue four vitally important tasks: (a) provide information on the variety of overseas demands for ESL assistance, and sort out and help to mobilize the types of response needed; (b) serve as a communication center, to link private, academic, business, foundation, and voluntary organizations and government agencies in both the resource and client countries with active professional interests in the problem; (c) spearhead a national effort in the United States to establish research and action strategies and priorities, and to assure the necessary support of expertise; and (d) of most critical importance, determine what is a feasible budget for such a center and how it can and should be funded and sustained.

If government agencies or Congress take the position that the foundations should do it, or if the foundations should say 'We have done it, it is now someone else's turn', then one will have to do what TESOL has shown us how to do successfully: go to the constituency. The evidence is that the worldwide constituency for ESL and for the learning of other second (or third and fourth) languages is massive and is increasing with the steady pressure to expand educational opportunity and broaden access to the benefits of modernization for which language is a key. It is in the interest of all those concerned with problems of language development--whether in government, or foundations, or universities, or school systems, or professional and scholarly organizations--to join forces to find the answer.

NOTES

2. The leadership of the ACLS in the 1950s was a decisive factor in laying the groundwork for national language policies subsequently promulgated under the National Defense Education
Act because, in the words of Professor Martin Joos (1965:190), Mortimer Graves, director of the ACLS, 'had foreseen it...and began to work on the roof before the storm began'.

3. The proceedings are reported in full in Language, June, 1958.


5. Although Ferguson was Director from February, 1959, until December, 1967, he took off an academic year, 1964-1965, during which Martin Joos was Visiting Director.


REFERENCES


The slowness of change in the structure and use of language creates an illusion of permanence, no less marmoreal and imposing than New York's Pennsylvania Station. The proposed demolition of that building was as shocking as the proposition that the English of our descendants might be unintelligible to us or that they, in fact, might not speak English at all. Of course, we knew that Pennsylvania Station could not stand forever. And we know that changes in the structure and use of language are as inexorable as changes in the physical features of a city. Like cities, language structure and use are subject to planning and, like cities, they change whether planned or not. This paper discusses language planning in terms of its intersection with those changing patterns of language use and language structure which are represented by language spread and the spread of linguistic innovations.

Language spread. Language spread has been defined as an increase, over time, in the proportion of a communications network that adopts a given language variety for a given communicative function (Cooper in press a). More simply stated, language spread refers to the expansion of a language variety's users or uses. (For a collection of papers on language spread in historical and cross-cultural perspective, see Cooper in press c.) There are many such examples, the most famous perhaps being the spread of Greek, Latin, and Arabic in the empires associated with those languages (Brosnahan 1963). But there are much earlier instances, as for example, those of Akkadian and Aramaic (Paper in press), as well as instances occurring today, as, for example, Russian in the Soviet Union (Lewis 1972), Swahili in eastern Africa (Whiteley 1969; Mazrui and Zirimu 1978), Amharic in Ethiopia (Cooper 1978),
Neomelanesian in Papua New Guinea (Wurm 1971), Malay in southeast Asia (Alisjahbana 1971, Asmah in press), and English globally (Fishman, Cooper, and Conrad 1977). Indeed, since stability is an illusion, it can be argued that all languages are either waxing or waning within the communications networks that employ them.

Inasmuch as there is a substantial literature on language maintenance and language shift, one might ask why language spread deserves separate attention. Fishman (1972a) has defined language shift as a change in the language usage patterns of a population that employs more than one language variety. Whereas language shift is an outcome, language spread is a process. While language shift is always the outcome of language spread, language shift can also occur without language spread. When a population abandons the communicative function associated with one of the languages in its repertoire, that language need not be replaced by another. For example, when the Axumite Empire crumbled and its trade routes with the outside world dissolved, the language it employed for international trade, most probably Greek, vanished from the Abyssinian highlands without a replacement. Language shift occurred but not language spread.

Most studies of language maintenance and language shift describe situations in which one language is advancing or threatening to advance at the expense of another. Furthermore, most such studies focus upon the threatened language. When one language advances at the expense of another, studies of language spread focus upon the waxing language (Fishman 1977a). However, studies of language spread need not take place in such contexts because a language can spread without necessarily threatening another. When a population adds a new function—e.g. literacy, liturgy, or contact with a given group—it can add a language to its repertoire without the new language necessarily replacing another. Swahili's spread as a lingua franca for trade throughout eastern Africa appears not to have replaced existing lingua francas. Indeed, nothing serves to stop the spread of a lingua franca more surely than the existence of a rival lingua franca (Greenberg 1965).

Rather, the increased trading opportunities between linguistically distinct groups, promoted by improved transport and communication, made the use of a trade lingua franca necessary among some groups who had previously needed none. Similarly, monolingual rural migrants to linguistically diverse towns acquire the town's lingua franca, along with the need for between-group communication, without necessarily abandoning their mother tongue for purposes of within-group communication (Greenberg 1965).

In sum, while language spread and language shift are overlapping topics, they are not identical. The former is a process, the latter is an outcome. Although language shift is always the outcome of language spread, language shift can
occur without language spread. Language spread deserves separate treatment because it draws our attention to the social mechanisms that promote diffusion, whether or not diffusion is accompanied by the declining fortunes of another language.

The questions which researchers ask with respect to language spread include the following:

1. What variables are related to differences in the extent and rate of language spread?

2. With what variables are differences in the shape of language diffusion curves, which plot changes in the proportion of a population or network to adopt a language as a function of time, associated?

3. What characteristics distinguish early adopters, late adopters, and nonadopters of a spreading language?

4. To what extent do the mechanisms underlying language spread correspond to those underlying the diffusion of innovations more generally and the diffusion of linguistic (e.g. phonological, syntactic, lexical) innovations in particular?

These questions can be collapsed into a single summarizing question that can serve as a framework for the study of language spread: who adopts what, when, where, why, and how? (Cooper in press a,b).

Language change as the diffusion of innovation. Whether or not one subscribes to the notion of 'language drift' (Sapir 1921), whereby a language changes in accordance with speakers' unconscious selections of those random variations that follow a direction predetermined by the structure of the language and its history of development and change, all language change can be viewed as the outcome of diffusion. In some cases, the innovations may arise from language borrowing, which Haugen (1950:230) defines as 'the process that takes place when bilinguals reproduce a pattern from one language in another'. In other cases the innovations may arise in the speech of monolinguals. Whether or not the innovations arise from languages in contact, innovations introduced by some speakers (or writers) are adopted by others. We know little about the social circumstances which promote or retard the spread of linguistic innovations.

Although there are notable exceptions (e.g. Labov 1963, 1965), most students of language change have focused upon linguistic properties as sources and mediators of change. Relatively few have studied the social contexts in which language change occurs, which may explain why students of diffusion have ignored the vast literature on language change. However, most students of language change have returned the compliment and have ignored the equally vast literature on the diffusion of innovation. One exception is Afendras (1969), who proposed that mathematical models of diffusion, based on density of communication, be used to describe the diffusion of
linguistic items and to predict the relative influence that the structure of one language will have on another.

Without prejudging the issue as to whether the diffusion of linguistic innovations proceeds in the same fashion as language spread, it seems reasonable to employ for the study of the diffusion of linguistic innovations the same framework that has been proposed for the study of language spread: who adopts what, when, where, why, and how? Indeed, we should be able to use this framework for the study of the diffusion of any innovation, whether a language, a phonological variant, a political philosophy, or a toothpaste. By using a common framework, we are better able to determine similarities and differences for different classes of innovation. Both language spread and the diffusion of linguistic items are likely to influence one another, of course, which provides another incentive for treating them within the same framework. For example, when a language spreads for a new function, it often requires lexical elaboration to equip it for use in that function. Acceptance of the resulting neologisms in turn may accelerate the language's acceptance for use in that function. Similarly, when a language spreads by gaining new users, it creates language contact which is itself a rich source of language change (Weinreich 1953). Changes which occur as a result of language contact may lead to between-language similarity, a condition which may in turn promote adoption of the one language by speakers of the other.

I refer to the spread of 'communicative innovations' as including both language spread and the spread of linguistic innovations. I include, under the rubric linguistic innovation, orthographic, phonological, morphological, syntactic, and lexical variants or items, as well as systematic linkages among these in conventions of style.

Language planning and the diffusion of innovation. Inasmuch as language planning can promote or retard language spread and the spread of linguistic innovations, it is clear that our understanding of the diffusion of communicative innovations depends in part on our understanding of the role of language planning. (For collections of theoretical and empirical papers on language planning, see Fishman 1974, 1977b; Fishman, Ferguson, Das Gupta 1968; Rubin and Jernudd 1971; Rubin and Shuy 1973; and Rubin et al. 1977.) Conversely, since language planning can be viewed as an attempt to win or block acceptance for changes in language structure or use, an understanding of the diffusion of innovation in general and of communicative innovation in particular should be useful to language planners.

At first blush, the notion of language planning as the promotion of innovation or as a set of marketing strategies for behavioral change may seem strange. We are not accustomed to viewing language structure or use as 'products' whose
acceptance can be planned, implemented, and evaluated. But language structure and language use are in fact planned, and while some planners may not view their activities as analogous to those performed by the product managers of a new toothpaste, detergent, or automobile, there is much to recommend the analogy.

Language planning has been defined as the organized pursuit of solutions to language problems, usually at the national level (Jernudd and Das Gupta 1971; Fishman 1973). Fishman (1973), following Neustupný, identifies four types of language problem, each associated with a particular language planning process. When the problem is code selection, i.e. choice among competing languages or language varieties for various national roles, language planners engage in official policy formation. The imperial Ethiopian regime's restriction of publishing to Amharic and Tigrinya among indigenous Ethiopian languages, the Government of Malaysia's decision to make Malay the medium of instruction in all government schools (Asmah in press), the state laws or regulations in the United States which require bilingual education for students of limited English ability, and India's specification of Hindi as the official language, are all examples of language policy formation.

When the problem is regional or social linguistic variability for which stabilization is sought, planning decisions refer to codification or standardization. Two routes have been followed in arriving at a standard: (1) elevating one variety among several competing varieties and (2) creating a composite of the main dialects (Whiteley 1957). An example of the former is the choice of the Zanzibari dialect as against that of Mombasa as the standard variety of Swahili; an example of the latter is unified Shona, consciously constructed from Zezuru, Karanga, Korekore, Manyika, and Ndau elements, and which has become the standard literary form (Ansre 1971). The choice or creation of a standard variety requires the production of dictionaries, spellers, grammars, and guides to pronunciation, and such codification consumes an important share of the work of many language academies.

When the problem is one of adding new functions for a code, as when a language begins to be used for given technological or scientific pursuits, the planning process refers to elaboration. Here the most common language planning activities are the production and dissemination of new terms. Such work occupies the attention of many language planning agencies, as, for example, for Arabic (Altoma 1970), Hebrew (Fellman 1974), Indonesian (Alisjahbana 1971), Pilipino (Sibayan 1971), and Swahili (Whiteley 1969), to name but a new. The amount of labor involved has sometimes been phenomenal. In India, for example, the Council of Scientific and Technical Terminology has prepared more than 200,000 technical terms for Hindi (Misra in press).
Finally, when the problem is one of functional differentiation among registers and determining matters of 'correctness' and 'style', language planning refers to cultivation. Here, planners prepare style manuals and promote literary creativity in a variety of genres for various purposes and audiences (Fishman 1973). Czech (Havránek 1964) and Japanese (Neustupný 1970) provide examples of cultivation in language planning.

All of these types of language planning—policy formation, codification, elaboration, and cultivation—involve the management of change. The success of planning, therefore, can be evaluated according to the extent to which the planned change has occurred (or been prevented). With respect to policy formation, for example, to what extent are the language or language varieties which have been designated for particular purposes actually known and used for those purposes? With respect to planning for codification, elaboration, and cultivation, what percentage of the target population knows and uses the orthographic, phonological, morphological, syntactic, or lexical variants or stylistic conventions which have been created, chosen, or prescribed for given communicative functions? It is reasonable that decisions about the design of the 'product', as well as decisions about the strategies used to market and promote it, will depend in part on the planners' assumptions vis-à-vis the rubrics in our summarizing question: who adopts what, when, where, why, and how? That such decisions are not wholly determined by such assumptions is due not only to the planners' lack of confidence in the assumptions (because of incomplete knowledge), and not only to the often inexplicit, unstated nature of the assumptions, but also to the fact that language planning, like any national planning, rarely operates on the basis of rational considerations alone. Planning is likely to be more effective, however, to the extent that these assumptions are based on relevant evidence and to the extent that they can be made explicit.

Who? In our summarizing question, who refers to the individual adopters themselves as well as to the communications network within which they are found. With respect to individual adopters, we want to know the characteristics which distinguish adopters from nonadopters and early adopters from late adopters. Variables such as socioeconomic status (e.g. occupation, education, income), sociocultural status (e.g. age, sex, ritual purity), physical location (e.g. distance from a road, distance from a town) may be important here, as well as the adopters' position within the communications network to which they belong (e.g. the number of subnetworks of which they are members and the extent to which they serve as communicative links between subnetworks). With respect to language spread, these variables are likely to be important because they reflect differences in the opportunity and incentive to learn (Cooper in press b). In contrast, psychosocial
variables (e.g. loyalty to group values, openness to change, need achievement) are likely to be important when the incentive to learn is relatively small.

With respect to the spread of linguistic innovations, it is not at all clear what the relevant personal characteristics are. In any case, few studies have been undertaken to find out. Among these is one by Allony-Fainberg (1977), whose results suggest that neologisms produced by the Hebrew Language Academy are more likely to be known by women than by men, regardless of age or educational level. Two studies by Hofman suggest that background variables such as language history and claimed language proficiency are helpful in predicting the extent to which terms approved by the Hebrew Language Academy are used by chemists (1974a) and psychologists (1974b), with attitudinal variables also serving as useful predictors for the latter group. Hofman found that psychologists who viewed language as a symbol of national solidarity and prestige tended to produce a greater proportion of Academy-approved terms than did those who viewed language as an instrument for pleasure or utility. Findings from studies such as Allony-Fainberg's and Hofman's can help language planners direct their campaigns to those most receptive to them and, conversely, they can help language planners identify those segments of the population for whom their strategies have been relatively unsuccessful.

With respect to the characteristics of the communications networks through which communicative innovations flow, we are interested in variables such as the network's size, complexity, linguistic homogeneity, and openness. Such information would help us understand why an innovation spreads more rapidly through one network than another. There is, however, virtually no research explicitly directed toward determining what types of communicative network facilitate or retard the spread of communicative innovation.

Adopts. Adoption refers to the degree to which the communicative innovation has been accepted. Rogers and Shoemaker (1971) propose five stages of acceptance of an innovation: awareness (knowledge that the innovation exists), interest (gaining knowledge about the innovation), evaluation (gaining a favorable or unfavorable attitude toward the innovation), small-scale trial, and decision to adopt or reject the innovation. There seems to be no single set of stages widely accepted by researchers in the diffusion of innovation. I propose the following types of adoption with respect to communicative innovations.

1. Awareness. Potential adopters can identify the innovation, whether or not they can explain the basis of their perception. Potential adopters may tell us, for example, that a given language can or must be used for a given purpose; that
they can identify a speech sample as belonging to a given language without necessarily being able to understand it; that they have encountered a given word before but that they do not know what it means; or that two speech samples, which differ only in the frequency of a given phonological variant, are different, without necessarily being able to identify the basis of their perception that the samples differ. Here we find different manifestations of awareness. In general, awareness of an innovation can be said to exist if potential adopters respond to it differently than to other members of the same class (e.g. language X as distinguished from other languages, word Y as distinguished from other words, phonological variant Z as distinguished from other realizations of the same phoneme).

2. Evaluation. The potential adopter forms a favorable or unfavorable attitude toward the personal usefulness of the innovation. Evaluation here is not equivalent to favorable or unfavorable attitudes towards the group with whom the innovation originated. English, for example, spread throughout Ireland in spite of Irish antipathy toward the English (Macnamara 1973), and speakers sometimes adopt items associated with groups with whom they do not identify and whose overall speech patterns they reject, one example being the adoption, by American whites, of idioms coined by American blacks. Evaluation, in the sense used here, refers not to attitudes regarding given groups but rather to the view, held by potential adopters, that knowledge or use of a given communicative innovation will or will not help them attain valued goals.

The usefulness of an essentially means-end approach (McGuire 1969) to evaluation can be seen in a study of language attitudes among Israeli high school students (Cooper and Fishman 1977). Of 32 goals presented to the respondents, most of whom were native speakers of Hebrew, the ones for which they thought a knowledge of English was most helpful were having interesting work to do, being cultured and sophisticated, having a good standard of living, and having a steady income. All four of these goals received above-average ratings as to their personal importance. There were positive correlations between, on the one hand, the students' ratings of the usefulness of a knowledge of English for attaining such goals and, on the other, the students' English proficiency as measured independently. Students who saw English as more useful personally also tended to know it better than students who did not view English as particularly useful to them. In fact, of a battery of attitude scales, including various direct and indirect affective, cognitive, and conative measures, the means-end items were the only ones to be consistently correlated to the respondents' proficiency. 'It is worth remembering', as Whiteley (1969:13) pointed out, 'that the desire to learn another's language springs only very rarely from a disinterested wish to communicate with one's fellow humans'.
With respect to the spread of linguistic innovations, judgments of personal usefulness might possibly be inferred from responses to scales such as those used by Labov (1966) in connection with the social evaluation of phonological variants. That members of the same speech community agree on the social status of a given linguistic variant does not mean, however, that the usage of that item is uniform throughout the community. Indeed, Labov has shown that some speakers continue to use variants which they recognize as stigmatized and reject variants which they recognize as socially valued. Thus a judgment of the personal usefulness of speaking or writing 'like that' in a given context (elicited in response to samples of speech or writing), would imply more than the raters' judgment about the social status of the variant involved. Rather, it would involve the raters' judgment about what difference, if any, their use of the variant (whether or not the variant is explicitly recognized) in given contexts would make in the view of them held by given important others (e.g. peers, parents, teachers, colleagues) whose esteem or good will is necessary for the potential adopter to attain valued goals.

3. Knowledge. The adopter can use the innovation appropriately. In the case of language spread, this would mean that the adopter is able to use the language for a given communicative function. The criterion of language proficiency here is defined not in terms of grammatical or phonetic accuracy but rather in terms of the extent to which the adopter can use the language for a given purpose. In the case of linguistic innovations, knowledge implies the ability to use them with the right person at the right time and at the right place, as defined by norms of communicative appropriateness.

4. Usage. Whereas knowledge refers to the ability to use the innovation, the fourth and last form of adoption refers to the actual frequency with which the innovation is used. One can describe usage in terms of absolute as well as relative frequencies, i.e. how often the innovation is used for a given purpose in a given context as well as how frequently it is used compared to other alternatives available to the adopter.

Not all who become aware of an innovation form favorable evaluations of its personal usefulness, not all who form positive evaluations learn it, and not all who learn it use it. Thus Allony-Fainberg (1977) found that with respect to each of 25 neologisms approved by the Hebrew Language Academy, more respondents had encountered it (i.e. were aware of it, recognized it) than knew its meaning, and more knew its meaning than used it. Similarly, in a survey of Ethiopian bilingualism (Cooper, Singh, and Abraha 1976), a substantial proportion of Amharic mother-tongue speakers mentioned English as a language they would like to know, although the opportunity to learn it was small and the opportunity to use it smaller still.
To cite another example, it is not possible to do without knowledge of written French in France but 'it is possible to have only a few opportunities for its practice' (Tabouret-Keller 1968: 109).

These four indices of adoption normally represent stages, with awareness preceding evaluation, evaluation preceding knowledge, and knowledge preceding usage. But is this necessarily so? Perhaps some proceed simultaneously. Thus, for example, proficiency may sometimes grow only as a function of usage. Perhaps there are even reversals in what would appear to be the usual order, so that people use a language for a given purpose before they know it well enough to use it adequately for that purpose. In any event, it seems reasonable that behaviors 'higher' on the scale can reinforce those preceding them. Thus among the Israeli high school students whose language attitudes were studied in the survey cited earlier, success in English probably improved evaluations of the personal usefulness of that language. It is plausible that a mutually reinforcing relationship existed between evaluation and proficiency: those with more positive evaluations learned more and those who learned more formed more positive evaluations. It is therefore useful in the study of the spread of communicative innovations to employ different indices of adoption, not only because they may show different rates and extents of spread, but also because the spread of one may influence the spread of others. In any case, it is useful to specify the forms of adoption involved so that diffusion in one context can be compared with diffusion in another.

While language planners are interested in knowledge and usage as the outcomes of ultimate interest, they may want to encourage awareness and positive evaluations in order to promote the higher levels of adoption, just as manufacturers employ advertising campaigns to increase public recognition and positive attitudes towards new products in order to promote sales. In fact, language planning campaigns abound. Israel provides several examples. Posters with the (Hebrew) injunction 'Hebrew, speak Hebrew' appeared in the early part of the twentieth century, long before the establishment of the State. The Hebrew Language Academy publishes and distributes lists of approved terms for various specialized fields. For many years the Israeli radio broadcasted a one-minute skit, twice daily, in which one speaker criticized another for using a given expression (in many cases used by everyone in everyday speech) and then supplied a normative alternative (in many cases used only in writing or in the most formal public occasions, if at all), sometimes justifying the preferred variant by citing its appearance in the Bible. While it can be argued that these examples reflect instructional as well as promotional goals, the desire to sharpen awareness and to shape the public's attitude appears to be the fundamental goal of such activities. Whether language planners engage in promotional campaigns or not, however, it
is likely that they can improve the effectiveness of their activities by sharpening their own awareness about what type of behavior—awareness, evaluation, knowledge, or usage—they are trying to implement by what activity.

What? What does the adopter adopt? Both language planners and students of the diffusion of communicative innovations can approach this question from two points of view: form and function.

'Form' refers to the structure of the innovation. The characteristics of most concern to students of language spread are perhaps (1) the extent to which the spreading language is similar to languages already known by the potential adopter and (2) the extent to which the spreading language has few stylistic varieties. With respect to structural similarity, it seems safe to assume that all things being equal (which, of course, is rarely the case), potential adopters will adopt a language more readily if it is similar to those they already know. Thus, one reason commonly offered for the rapid spread of Swahili is that it advanced initially among speakers of other Bantu languages. With respect to structural homogeneity, a reasonable first assumption seems to be that adopters learn relatively less elaborated or differentiated languages more easily than more elaborated languages. Thus one explanation suggested for the spread of Malay rather than Javanese as a lingua franca in Indonesia (where the number of native speakers of Javanese is far greater than that of Malay) is that Javanese is composed of several sociostylistic dialects which are lexically quite distinct (Alisjahbana 1971, Asmah in press). If one is to communicate like a Javanese, one needs to learn not only these different sets of lexical alternatives but also the socially complex rules for their appropriate use. Whether or not elaboration really discouraged the spread of Javanese as a lingua franca (after all, people could have learned as lingua franca only the base dialect; nonnative speakers, when using Javanese as a lingua franca, need not have communicated like the Javanese), one can argue that the fewer the lexical, syntactic, or stylistic alternatives that must be learned, the easier and thus the quicker the learning will be.

If structural similarity and homogeneity are important characteristics with respect to language spread, their relevance can perhaps be explained on the grounds that they are related to the simplicity or complexity of the innovation to be acquired. Certainly, complexity is one of the characteristics examined by investigators of the diffusion of innovation generally. The problem with simplicity or complexity as a characteristic of the communicative innovation is that it is sometimes hard to know in advance what will be simple to learn. This is especially true with respect to the spread of linguistic innovations. On what grounds do we judge that something will be easy to learn? It is commonly thought, for example, that short words
are preferable to long ones when coining new terms, on the assumption that shorter words are easier to learn than longer ones. Allony-Fainberg (1977), however, found that for the 25 Hebrew neologisms she studied, there was no relationship between the length of the term and the number of respondents who knew or used it. Instead, she found that acceptance of a neologism was related to the number of other words that were based on the same root. Neologisms formed from roots on which relatively few or relatively many other words were built tended to be accepted less than innovations formed from roots on which an intermediate number of other words (four or five) were built. She suggested that neologisms based on roots with relatively few words are less conspicuous and thus less readily learned, whereas neologisms based on roots with relatively more words may tend to become confused with their cognates. While this explanation may be correct, it is clearly ex post facto with respect to simplicity. In any case, her study is a pioneering effort to investigate the structural properties of successful neologisms. If language planners are to construct or choose items which have maximum opportunity for acceptance, they would do well to conduct such research themselves and to heed its results.

'Function' refers to the purpose for which the innovation is spreading. Because a communicative innovation is likely to spread for different functions via different channels at different rates and to different extents, it is useful to examine the function of the innovation as an aspect of what is spreading.

On what basis do we determine the function the innovation is playing? The problem is to group together interactions which share enough features to make it reasonable to treat them as 'the same' with respect to their communicative function, so as to permit the comparison of spread in one context with spread in another. One basis for classifying function might be the skills required (listening, speaking, reading, writing). Another basis might be the communicative intent of the speakers (Scotton in press). In Kampala (Scotton 1972), for example, the most important lingua francas are Swahili and English. Almost everyone knows some Swahili, which is learned outside school. English, on the other hand, is learned mainly at school and is a marker of educated status. Persons who choose to use Swahili with a stranger from a different group can be pretty sure of being understood but they give up the opportunity to demonstrate their educated status. Speakers who choose English, on the other hand, identify themselves as educated but they run the risk of offending the stranger if the latter turns out not to know English.

From one point of view, both languages are used for the same purpose, i.e. lingua franca. From another point of view, however, they serve different functions because they embody differing communicative intents. Swahili tends to be used in situations in which the speaker wishes to emphasize solidarity,
and English in situations in which the speaker wishes to stress status differentials. Both language skill and communicative intent (e.g. intimacy vs. distance, solidarity vs. nonsolidarity, deference vs. equality vs. condescension) could be used to classify the functions for which spreading languages as well as spreading linguistic innovations are being used. Other bases for classifying functions might be proposed, e.g. whether the innovation is spreading for between-group as distinguished from within-group communication. The particular classificatory scheme we adopt may not be as important as the use of the same bases of comparison for describing different instances of the diffusion of communicative innovation.

Language planners engaged in policy formation necessarily direct their attention to language functions. Similarly, the processes of elaboration and cultivation imply an awareness of language function inasmuch as the former is frequently directed toward the creation of specialized vocabularies and the latter to the creation and stabilization of specialized genres. It is in the domain of codification and standardization that language planners are most apt to miss the importance of specifying the contexts in which the innovation is to be used. The Israeli radio program described earlier, which insisted on the normative variant as the only permissible alternative, ignored the fact that such variants, when used at all, are often suitable for a very limited range of contexts. The pervasiveness of such a monolithic view of Hebrew, seen in this program—and, until recently, in the schools—has been one reason that even highly educated native Hebrew speakers feel insecure in their usage (Rabin 1977). A recent curriculum reform, however, undertaken by the Israeli Ministry of Education, seeks to repair and prevent this damage by encouraging the recognition that different spoken and written styles are appropriate for different purposes. This reform, an example of language cultivation, is being studied by Zina Regev at the Hebrew University of Jerusalem.

In sum, what is spreading and what is planned can be specified in terms of structural and functional properties. While differences in these properties are presumably related to differences in the rate and extent of spread, our ability to identify the relevant properties is at this stage limited indeed.

When? Katz, Levin, and Hamilton (1963) point out that, strictly speaking, it is time of adoption rather than adoption itself which is the dependent variable of interest to researchers in the diffusion of innovation. If time of adoption can be determined, then the characteristics of early and late adopters can be compared and diffusion curves, showing the number of adopters as a function of time of adoption, can be drawn. Many diffusion studies report S-shaped curves (Warner 1974), i.e. the percentage of potential adopters to accept an innovation.
rises slowly at first, then gathers speed, and then slackens off until it reaches a ceiling, with the proportion that has adopted the innovation remaining stable thereafter.

It is likely that the spread of lingua francas in particular exhibits an S-shaped curve. The more people who learn the language, the more useful it becomes as a lingua franca, encouraging a rapid increase in the number of people who know it (Lieberson in press). The increase then slackens off either as the proportion of additional speakers requiring a lingua franca approaches zero or as the language encroaches upon the boundaries of another lingua franca.

While data on the time of adoption is crucial for the study of language spread and the spread of linguistic innovations, it is rarely gathered. This seems to be the case for studies of diffusion generally (Katz et al. 1963), probably because of difficulty in obtaining the data. Longitudinal studies are expensive. Furthermore, the time that can be devoted to a single longitudinal study often represents a very small segment of the period in which the communicative innovation spreads. To secure data gathered over longer periods than can usually be covered by a single longitudinal study, one can sometimes examine age cohorts for successive censuses, as Lieberson (1970) has done with Canadian census data. This procedure would permit the drawing of time-based diffusion curves but it would be based on assumptions that are often difficult to justify, e.g. that the demographic composition of the age cohorts has not been substantially altered by immigration or emigration and that neither the language questions in successive censuses nor respondents' willingness to answer them honestly have changed. Another problem with basing diffusion curves on successive censuses is that the interval between censuses is likely to be so long that only a few time-points on the diffusion curve can be plotted. Also, censuses rarely ask more than one language question and that question is often not the question in which we are most interested. Thus successive censuses may ask about languages that the respondent knows, whereas we may be interested in the language(s) the respondent first knew or the languages the respondent currently uses for given purposes. And, of course, censuses do not deal with knowledge or use of individual linguistic items.

If neither longitudinal surveys nor successive censuses are used, we can ask respondents, in a single survey, when they adopted the innovation. This is difficult to remember, however, particularly in the case of linguistic innovations, which would have had to be explicitly recognized by the respondent at the time of adoption. Further, an individual adopter's acquisition is often gradual. In the case of a language, for example, at what point can it be said that the adopter has learned it?

Because of such logistical and methodological difficulties, we typically employ surveys conducted at only one point in time and compare those who have accepted the innovation with those
who have not. But this procedure does not permit us to compare early adopters with late adopters nor does it permit us to draw diffusion curves as a function of time.

Although determining the time of adoption is an important problem in the study of the diffusion of innovation generally and in the study of communicative innovations in particular, language planners cannot ignore the time-dependent nature of change in language use and language structure. Plans often specify the date at which a given change is to be accomplished. If interim dates are specified for which successive proportions of the target population are to have accepted the innovation, then the success of the plan's implementation can be monitored, and the data obtained can be used if necessary to revise either the interim or the final goals, or the manner of their implementation. Such interim evaluations, which should be routine in any organized planning, are particularly important in language planning inasmuch as we usually do not know how much time is necessary, under given conditions, to accomplish given language-planning ends. Changes occur not only in response to planning but also in response to factors over which the planners may have no control. But even if planners did not have to take such factors into account, they often have little information as to how much time is required for a given communicative innovation to be accepted for a given purpose under given conditions. Thus periodic interim evaluations can help planners not only to monitor and revise their plans but also to gain experience as to the amount of time that is required to accomplish given ends. Such information will be useful, of course, not only to language planners but also to all students of the diffusion of innovation.

Where? The question of where the innovation is adopted refers not to the location of the adopter (answered by the question 'who?') but rather to the socially defined location of the interactions through which the innovation spreads. Thus location here is not defined in physical or geographical space but in social space.

Fishman's (1972a) work on language maintenance and language shift has emphasized the societal domain as a crucial locus for the study of societal bilingualism. A domain, according to Fishman, represents a constellation of social situations, defined by the intersection of role-relationship, locale, and time, which are constrained by the same set of behavioral norms. Participant observation as well as experimental studies have demonstrated the usefulness of this approach. Thus, for example, one study (Cooper 1969) found that in a test of oral fluency, measured by a word-naming test that was individually administered to Puerto Rican bilinguals on the mainland, respondents' scores varied as a function of the interaction between the particular domain represented by the subtest (family, neighborhood, religion, school, work) and the language employed
While the sample's total English and Spanish scores were the same, averaged across all subtests, there were differences between the average Spanish and English scores according to the domain involved. A global, uncontextualized test would have portrayed these speakers as 'balanced bilinguals', thus masking those differences in fluency that were associated with the different domains of social interaction in which the languages were used.

Societal domain, therefore, may be a useful construct for both language planners and students of the diffusion of communicative innovations. In what role-relationship (e.g., customer-salesclerk, student-teacher, citizen-government functionary, enlisted soldier-officer), in what locales (e.g., shop, school, government office, parade ground), and at what times is the innovation encountered and accepted? Gumperz (1958), for example, suggested that innovations in the subdialects spoken in a north Indian village spread via friendship networks. It was not simple frequency of interaction that determined who adopted an innovation but rather the relationship between innovators and adopters or between earlier and later adopters. Thus verbal interactions between employers and employees, while very frequent, did not appear to lead one to adopt the speech patterns of the other, whereas informal interactions among friends did seem to lead to such adoptions.

From one point of view, social interactions form the channels through which an innovation flows. From what persons and in what social contexts does the potential adopter hear about or encounter the innovation? What persons influence, deliberately or not, the potential adopter's evaluation of the innovation? From what persons and in what social contexts does the potential adopter learn the innovation and with whom and in what contexts does he or she use it? With respect to the spread of awareness, evaluation, knowledge, and usage, we want to specify the characteristics of those persons who influence the potential adopter to change and we want to specify the potential adopter's role relationships and the frequency, duration, and purpose of his or her interactions with these agents of change. Once the potential adopter has accepted the innovation, who are the persons that he or she will influence in turn?

The notion of societal domain can help us to group together the innumerable interactions through which communicative innovations spread. These clusters can then be contrasted and compared with respect to their permeability to change. If we can learn to what extent different rates of acceptance are associated with different types of social interaction, language planners will be helped in setting and implementing their goals and students of the diffusion of innovation will increase their understanding of the channels through which innovations advance.
Why? Why do people adopt a communicative innovation? One way to answer this question would be to describe the incentives of planners and agents of change to promote the innovation as well as the incentives of potential adopters to adopt it. In each case, we would want to know the importance of the goals, for both promoters and adopters, to which the innovation is relevant, and the viewed importance of the innovation as a facilitator of such goals. This is the means-end approach, described earlier in connection with evaluation by potential adopters, but which could be applied to conscious promoters of change as well. With respect to promoters of change, we may need to distinguish the national goals which are served by language planning from the planners' personal goals. Thus, for example, national goals of universal education might be served by language standardization, but the planners' personal goals might be served if their own variety is used as the model of standardization or if they become the sole guardians of the standardized variety. Similarly, language has often served as a rallying point for the formation of national consciousness but those who promote the language also promote themselves as a proto-elite who will come to power with the political apparatus they create through mass mobilization (Fishman 1972b).

Another way to answer the question is to describe the reasons for the facilitating value of a communicative innovation. Lieberman (in press) has made the important point that we cannot necessarily adduce the reasons for change by examining the present situation. A language may be maintained long after the forces which have promoted its spread have dissipated or disappeared. Once a language has spread as a second language, its learners have an investment in it which they are unlikely to abandon for another language without pressing reasons of self-interest. Further, their knowledge of the language makes it more attractive for still others to learn it because that language not only can be used with native speakers but also with those 'third parties' who have learned it as an additional language. Thus, for example, Israeli exporters are likely to use English not only with their customers in the United States and in the United Kingdom but also with their customers in Costa Rica, Kenya, Japan, and Sweden, with whom they are more likely to share English than any other language. The importance of third-party investments in English promotes the learning of English as a second language and reduces the need for Americans to learn second languages at home.

We can perhaps understand the reasons for the facilitating value of the innovation if we can examine the behavioral changes that occur after adoption. Foster (1971) has pointed out that little is known about the relationship between the development of literacy, on the one hand, and political or economic development, on the other. He has asked what
really happens to people once they become literate. Demand for literacy, according to Foster, appears to follow the creation of conditions under which literacy has immediate cash benefits. In rural areas, the introduction of profitable cash crops, the improvement of transportation, and access to credit stimulate a swing from a subsistence to a cash-crop economy. Once such a movement is under way, people begin to see that literacy is worthwhile. It enables farmers to calculate crop yields and returns, and to read material designed to help improve productivity. The development of an exchange economy creates, in the towns, modern jobs for which literacy is a prerequisite. According to Foster, the development of literacy does not itself generate the movement to an exchange economy, but once that movement has begun, literacy can help promote further growth.

The same kinds of questions asked about the development of literacy can be asked about the spread of communicative innovations. What are the behavioral consequences of having adopted it? Conversely, what are the behavioral consequences of not having done so?

How? In the words of Rogers (1962:13-14),

the diffusion process consists of (1) a new idea, (2) individual A who knows about the innovation, and (3) individual B who does not yet know about the innovation. The social relationship of A and B has a great deal to say about the condition under which A will tell B about the innovation and the results of this telling.

This paradigm, the classic one for the diffusion of innovation, emphasizes the flow of information and persuasion and the channels of this flow. Thus the work of Katz and Lazarsfeld (1955) on personal communication has stimulated research on the two-step flow of communication in which mass media messages are followed by word-of-mouth communication (Pool 1973). Rural sociologists have posited a two-step flow from county agent to influential farmer to other farmers in the diffusion of new farm practices (Katz et al. 1963). Students of mass communications have typically found that mass media channels are more important for imparting knowledge about an innovation and interpersonal channels are more important in persuading the potential adopter to accept the innovation (Rao 1971).

The relevance of information and persuasion seems clear for innovations which must be accepted or rejected consciously, e.g. hybrid corn, chemical fertilizer, birth control practices, a brand of toothpaste. Is language such an innovation? Undoubtedly, there are contexts in which a communicative innovation spreads because of the conscious decision of people to adopt it, particularly when adopters must enroll in classes or engage a tutor in order to do so. However, communicative
innovations often spread without conscious attention on the part of adopters, particularly in the case of linguistic items. But even languages can spread in a relatively unconscious way. When Swahili was penetrating the African interior, carried along trading routes by Swahili-speaking traders, it is likely that many who learned it simply 'picked it up' without conscious attention. The degree of proficiency required by its use in trade was probably not great, the language was related to others that the learners knew, and learners could probably speak it poorly without embarrassment. The learning could have been so gradual that learners may not have been particularly aware of their own accomplishment. If it is wrong to characterize the spread of Swahili for trade as operating below the level of consciousness (and this suggestion is obviously not made for its spread as a medium of instruction or political administration), it is probably also wrong to characterize it as the result of a deliberate decision, made in response to a flow of information and persuasion, analogous to a Colombian coffee farmer's adoption of chemical fertilizer. Thus the classical model for the diffusion of innovation seems inappropriate for the spread of communicative innovation, which often operates unconsciously, representing a gradual adaptation to the demands of complex sociopolitical conditions, in which no deliberate attempts are made to induce potential adopters to learn and use the innovation.

However, the classical paradigm can be modified to encompass the spread of communicative (as well as other) innovations, as follows: the diffusion process consists of (1) an innovation, (2) individual A, who is a potential source of influence with respect to the innovation, and (3) individual B, who has not yet adopted the innovation. The social conditions under which B encounters A have a great deal to say about the likelihood of B's adopting the innovation.

In this scheme, A is a potential source of influence concerning B's awareness, evaluation, knowledge, or usage. The encounter between A and B can be through the mass media, as when B hears A on the radio, or through personal contact. A can intend to communicate with B (or to an audience of which B is a member), or A's communication with B may be incidental or unintentional, as when A communicates with C in B's presence. Further, A need not necessarily use the communicative innovation in B's presence but can merely talk about it, as when a parent or teacher encourages a child to study a given language. In this model, B may encounter many different A's, and encounters with different A's may lead to different levels of adoption.

Some individuals are more important than others as sources of influence, depending in part upon the nature and frequency of their interactions with the potential adopter. It is, of course, one of the primary goals of diffusion research to determine the characteristics of those interactions which are related
to differences in time and degree of adoption, and these we have discussed under the rubric 'where'.

The A's in our paradigm, who act as the direct agents of change, do not, of course, operate in a social vacuum but are themselves influenced by those social processes which contribute to social equilibrium and social change. Language planning, like all national planning, is both a creature of and a contributor to these processes. Thus an explanation of the process of diffusion should not only include the interactions and relationships between potential adopters and direct agents of change, but also the processes which influence these interactions and relationships.

Let us take the spread of English in Israel as an example. One factor that contributes to Israelis' incentive to learn English is the importance of foreign trade to the economy. English is most likely to be needed by Israelis for international trade because English-speaking nations constitute the most significant world market as measured by the value of their imports (Lieberson in press) and because English can also be used with third parties in trade, i.e. those who have learned English as an additional language. Moreover, the use of English by the manufacturing, banking, agricultural marketing cooperative, and trading concerns directly involved in world trade creates the need for English in some of the companies and agencies which serve them. Thus the use of English in international trade has a multiplier effect.

The economic incentives for Israelis to learn English can be seen from a survey of help-wanted advertisements in the Israeli press (Cooper and Seckbach 1977). English was mentioned as a requirement in about 10 percent of all jobs listed and in 17 percent of all jobs listed in framed, i.e. nonclassified advertisements. One of the categories most often requiring English was that of white-collar worker (26 percent). Thus it is not only the university-trained worker who needs English in Israel. (A similar search of American want ads would reveal the relatively trivial economic importance attached to foreign-language knowledge in the United States.)

Now it is likely that changes in such factors as the attractiveness of Israeli exports, the volume of international trade, and the amount of the gross national product will play a part in creating and sustaining a demand for English. National planning contributes to such economic factors but, of course, cannot control them. National planning also contributes to the opportunity to learn English insofar as it determines the proportion of the national budget devoted to education.

Language planning also affects the demand for English. On the one hand, promotion of Hebrew as the national language has minimized the need for any other internal lingua franca. Moreover, the elaboration and modernization of Hebrew has made it easier to translate technical material into Hebrew and has thus reduced the need for technicians to use English for
reading technical material. On the other hand, compulsory instruction in English from the fourth or fifth grade through high school and the setting of English as a subject on the high school matriculation examination have both provided opportunity and created incentive to learn English.

Both language planners and students of diffusion are, of course, interested in describing and predicting the influence of language planning activities on the adoption of communicative innovations. In the paradigm of the diffusion process which is represented in Figure 1, we can see that language planning, other national planning, and social, political, and economic change all influence each other as well as the direct agents of change who, in turn, influence potential adopters. We can also see that not all processes, including language planning, influence all direct agents. Similarly, it can be seen that different direct agents can influence different levels of adoption, some contributing to adoption at one level only and others contributing to adoption at several levels. We can also see the mutually reinforcing influence of the different levels of adoption on one another. Finally, the paradigm shows us that changes in levels of adoption affect the social processes which impinge upon the direct agents of change. Thus the paradigm is a dynamic one, whereby social processes both affect and are affected by language spread. If language planners were to use this paradigm, they would ask themselves what activities were designed to reach what potential adopters through what direct agents of change and to what effect.

Figure 1. Potential sources of influence upon the adoption of a communicative innovation.
Summary and conclusions. This paper represents an attempt to view the relationship between language planning, language spread, and language change within a framework initially designed for the study of language spread. Our discussion leads to the following propositions.

1. Both language spread and language change are instances of the diffusion of innovation.

2. The classical paradigm for the diffusion process should be modified so as to account for the spread of communicative innovations, which sometimes operate unconsciously and without explicit attempts to persuade the potential adopter.

3. One view of language planning is as the organized promotion (or prevention) of communicative innovation.

Our discussion also suggests several research topics of interest to both language planners and students of diffusion. These can be enumerated under the rubrics provided by our summarizing question.

1. Who

(a) What characteristics distinguish adopters from nonadopters and early adopters from late adopters?

(b) What characteristics distinguish communication networks through which a communicative innovation travels rapidly from networks in which the innovation travels slowly or not at all?

2. Adopts

(a) Do different levels of adoption spread at different rates and to different extents?

(b) Do the levels of adoption necessarily form a scale whereby awareness serves as a prerequisite for evaluation, evaluation for knowledge, and knowledge for usage?

3. What

(a) What structural and functional characteristics of the innovation are associated with differences in the extent and rate of its adoption?

(b) Do the structural and functional characteristics which promote adoption vary as a function of the type of communicative innovation?

4. When

(a) How much time is required for a given communicative innovation to be adopted by given target populations under given conditions?

(b) What characteristics are associated with differences in the shape of diffusion curves?
5. Where

(a) What kinds of social interaction within what types of societal domain promote or retard the acceptance of innovation?

(b) What are the characteristics of those direct agents of change who are likely to be most influential for what types of innovation, at what levels of adoption, and for what types of adopter?

6. Why

(a) What national and personal incentives for planners to promote (or hinder) the diffusion of innovation are related to differences in the extent and rate of spread?

(b) What incentives for potential adopters to accept (or reject) an innovation are related to differences in the extent and rate of spread?

(c) What are the behavioral changes which occur after a potential adopter becomes an adopter?

7. How

(a) What language planning activities are most likely to be successful for different types of innovation, different levels of adoption, different types of adopter, through different types of direct agent, and under different sociopolitical and economic conditions?

Now that we have raised these questions, our next task is to figure out ways to answer them.

NOTE

The framework for the study of communicative innovation which is presented here was preceded by two earlier versions. The first, which was proposed for the study of language spread, was delivered in a paper (Cooper in press a) at the Conference on Language Spread, convened by the Center for Applied Linguistics, with financial support contributed by the Ford Foundation and the International Development Research Centre (Ottawa). That conference was held in Aberystwyth, Wales, in September, 1978. The framework presented in Aberystwyth was modified on the basis of discussion there, and then the revised version was prepared for a small meeting, convened by the Center for Applied Linguistics and held at the Ford Foundation in November, 1978. The version given in the present paper is a modification of the version presented in New York. The author wishes to thank the Center for Applied Linguistics, the Ford Foundation, the International Development Research Centre, and the participants at both meetings for the opportunity to develop many of the ideas presented here. He also wants to thank the Hebrew University
of Jerusalem for granting him the sabbatical (1978-1979) during which this paper was written, and Teachers College, Columbia University, for giving him the working space and library facilities without which the writing would have proceeded more slowly and less enjoyably. In addition, he wishes to thank Joan Rubin for her valuable comments on an earlier draft.

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'Language is in decline...Something drastic is needed'. So Edwin Newman, in his best-selling book, *Strictly Speaking*, characterizes the language situation in America in the 1970s (Newman 1974:4-5). In making this pronouncement, Newman is expressing a widely held belief about the state of American English. The purpose of this paper is to explore such beliefs about language which are current in our nation, compare them with beliefs of other times and places, and try to understand where they come from and what social functions they serve. As a starting point, let us make two general assumptions about speech communities. First, it is reasonable to assume that the members of a speech community share a set of attitudes and beliefs about language, such as beliefs about the languages of the community, other peoples' languages, and the ways languages are learned. This assumption was formulated in a paper given at the Georgetown University Round Table on Languages and Linguistics exactly 20 years ago, in which I attempted to describe some of the beliefs about language found in the Arab world (Ferguson 1959). Second, it is reasonable to assume that the members of a speech community *do something* about their language(s), i.e. from time to time as they perceive a language problem they may make more or less conscious changes in the structure or use of their language(s) to cope with the problem. This assumption is essentially that of Neustupny, who argues the universality of what he calls 'language treatment' (Neustupny 1970). In recent years there has been a growing amount of research based on each of these assumptions. Laura Nader in 1962 could still say 'Research which deals specifically with attitudes and beliefs that native speakers have about their languages is scarce' (Nader 1962:24), but ten years later an interest group on
language attitudes at another Georgetown University Round Table on Languages and Linguistics was well attended and the resultant volume (Shuy and Fasold 1973) is one of an impressive number of articles and works now available on the subject. Similarly, Rubin and Jernudd, in publishing the papers from a 1969 conference on language planning, offered the book in part 'as a stimulus to research in language planning' (Rubin and Jernudd 1970:x) because they felt that sociolinguistic research on language planning was almost nonexistent. They must be gratified to see the succession of conferences and publications which followed. Again a Georgetown University Round Table interest group played a role (Rubin and Shuy 1973).

In spite of the increased research on language attitudes and on language planning, there is still very little on differing attitudes about language planning in different speech communities. This is exactly the question to be examined here: what are American beliefs about the possibility or desirability of planning for needed changes in language, or for the maintenance of the status quo against new trends, or even the restoration of a situation which has already changed?

Newman's dismay at the deterioration of English is shared by many opinion leaders and is frequently expressed in print. Even a casual look through the periodical literature will quickly turn up editorial comment in the Newman vein in such widely read sources as the New York Times and Time magazine, to say nothing of more academically oriented publications such as The Chronicle of Higher Education. In any year dozens, possibly hundreds, of such complaints appear, and it is rare to see a comment that points to any improvement in the nature of current English. There can be no doubt that the belief in the decline of English is widely held and constitutes a significant element in the total set of shared beliefs about language in our society. What do people mean when they speak of 'decline' or 'deterioration' and, of more interest for our paper, what do they mean when they say 'something should be done about it'?

In this paper I will use Newman's statements as representative of the views held by many Americans and as the dominant attitudes about the state of English among a large segment of the reading and writing public. Possible opposing views—such as that American English is staying about the same or getting better or that nothing should be done about the state of American English—are rarely expressed by editorial writers, political leaders, academic figures, columnists, or social critics. Even in the ordinary conversation of educated people when the topic of language comes up, the opinions expressed seem usually to agree with Newman's. Without careful studies of language attitudes made at different places on different occasions with different methods, it is not possible to assert the prevalence of the handwringing attitudes, but the sales of Newman's books and generally favorable reviews of them may be taken as some evidence, although other factors are doubtlessly at work, including his
prominence as a news commentator and his witty anecdotal style of presentation.

The deterioration in English is apparently in at least four different areas: correctness of grammar, clarity and precision of expression, logic, and vividness or originality. I say 'apparently' because Newman nowhere gives a reasoned analysis of his views. He chooses rather to give one illustration after another, page after page, with occasional clarifying comments or catchy keywords. Even an outline of major types of errors, along with an indication of which are more serious, would have helped, so that whoever is supposed to do something about them would know where the greatest efforts should be placed. Let it be understood, however, that I am not really criticizing Newman at all. His purpose was not to present a precise, logical account of the problem but merely to call attention to it and, in doing so, to entertain and possibly to inspire to action.

The other attitude, that 'something should be done about it', is even less clear. Apart from a few references to the role of the news media and his own profession, Newman gives no indication at all of what steps should be taken. Should people study the problem, collect data, and explore possible means of coping with it? Should Congress pass some laws? Newman completely omits any such discussion. His call to action is completely in the realm of pious exhortation to virtue, with no trace of the otherwise quite widespread attitude in America that problems can be dealt with by investment in responsible study, the use of good management techniques, and the natural rewards for the successful. If Newman really wanted something done, he would make some concrete suggestions.

It is my view that the two attitudes expressed by Newman are culturally transmitted language attitudes which have persisted for centuries in the English-speaking world, along with a few peculiarly American touches. At least as far back as the seventeenth century, social commentators have pointed to the deterioration of English, have said something should be done about it, but have been opposed to any concrete actions proposed. Every so often, a wave of agitation arises for the establishment of a Language Academy, for the reform of English spelling, or for the enunciation of a national language policy. But always such movements fail, reflecting the deeper attitude that steps of this sort are government interference endangering our personal and social freedoms.

The function of expressing beliefs in deterioration and the need for action seems to be to provide an accepted channel of reaction to social stratification. It is sometimes a nice way of pointing out that other people do not have the benefits of one's own education. Newman, for example, never explains or justifies the correct forms but merely implies that the misuser of the language should know better, should be aware of the etymology or original metaphor, or ambiguity, or correct construction, or whatever. But he does not point out ways for the
ignorant to find out, or analyze, or be taught. The expression of these attitudes occasionally serves the opposite purpose of ridiculing those who care about such niceties of grammar and rhetoric, especially if they devote time to scholarly research on them. Newman, for example, and other commentators even more so, shows no respect for the professional grammarian, philologist, linguist, or sociolinguist; they are all assumed to be pedantically over-concerned with things that one should simply know.

A society's beliefs about languages and what should be done about language may continue over a long period of time and become deeply engrained in a particular culture, and in illustration I would like to use a favorite example of how long continued such attitudes can be: the attitudes to language planning and the national use of language current in India and China.

In the third century B.C., the Indian emperor Ashoka took actions which reflected a set of beliefs (at least of a national elite) about language planning. In order to unify a linguistically diverse empire, Ashoka established a policy of imperial communication in the languages of the various parts of the empire or even in dialect variations of major languages of the empire. The emperor's inscriptions, cut into stone stelae in many parts of India, are in different languages, different writing systems, and sometimes in different dialects of the same language. In A.D. 1947, when India became independent, the constitution, in order to achieve greater unity in a linguistically diverse country, provided that 14 languages should be used throughout India. The local languages in various parts of the country would be appropriate for use in state assemblies, education, and so forth. Each would use whatever writing system was traditional for it, and government publications would be put out in 14 languages. It strikes me that the basic attitudes toward national unity and language planning had not changed for over two thousand years.

In the third century B.C., in China, an emperor wishing to unify a linguistically diverse empire took actions which reflected a set of language attitudes (at least of a national elite) about language planning. He established the policy that one language should be chosen as the national language and that people should learn that in addition to whatever other language they spoke. Also, within that one language, one particular variety should be propagated as appropriate for government publications and for widespread national use. Finally, as an important step to improve communications in the empire, the Chinese characters should be simplified, the number of strokes in some of them should be reduced, and parallel or synonymous ones eliminated. In 1949, when the present regime of the People's Republic of China came to power, or shortly thereafter, Chairman Mao, in order to achieve greater unity in a linguistically diverse nation, established a policy about language
planning, reflecting the beliefs and attitudes expressed in several national conferences. It was decided that although there should be rights for minority languages, one language should be declared the national language for the whole country and people should learn it in addition to whatever other language they spoke. Also, one particular variety of that language should be spread as the appropriate form of expression for government documents and for national communication. Finally, in order to improve communication, the characters should be simplified, the number of strokes in them should be reduced, and variant forms of similar characters should be eliminated. Although the political ideology that was represented there was quite different from that of the ancient emperor, it seems to me that there has been an impressive continuity of attitudes toward language planning in that society for over two thousand years.

Now, how about these American attitudes of deterioration of English and the need for something to be done about it? About a century ago, there was a man named Richard Grant White, who was a very articulate, forceful, eloquent proponent of these attitudes. You can compare Newman's books and White's articles, and compare them point for point. They both complained about deterioration: deterioration in correctness, deterioration in vividness, deterioration in precision, and so on. And it looks as though exactly the same set of attitudes is being repeated. Perhaps that is not quite so impressive as third century B.C. to twentieth century of the present era, but it is still impressive evidence for continuity of attitudes towards language and language planning. Anyone who takes the details seriously can be amused to find that many of the constructions which White was complaining about as evidence of deterioration are expressions that are quite accepted by Newman, and Newman is now worried about other 'deteriorations' that are coming in. And even more amusing, perhaps, is that some of the examples of 'deterioration' are the same ones: they are still deteriorating.

The dominant language attitudes of an elite or even the majority of a society may not be shared by all members of the society. There may be special groups of various sorts which have deviant attitudes. One such group in American society are the professional linguists. American linguists have special attitudes which set them apart from the rest of society. Linguists have three attitudes about language planning which are deeply and firmly held by most practitioners. First, languages do not really deteriorate; there is no such thing as linguistic deterioration. You cannot say that one language is worse than some other language or that a language has become worse than it used to be. Second, all languages change anyway; languages have always changed and will always change; our own language is changing. And third, trying to plan or engineer language change is not really possible, but if it were possible,
it would not be desirable; you should just leave language alone. Although these views are often just implicit in the way linguists talk about language, they are sometimes expressed quite clearly. Allen Walker Reed, some years ago, wrote a direct reply to Newman-like statements, a little article called 'Is English Deteriorating?' He said there, in very explicit, clear language, what linguists do believe, that is: languages do not deteriorate, they all change; you cannot plan the change. It is my view that these attitudes of American linguists are also a shared and culturally transmitted set of beliefs about language, and have no more basis in research or fact than the attitudes of the society at large. I will not speculate here about the functions which such attitudes serve, perhaps in setting linguists apart from the rest of society or in justifying certain professional behaviors; but I would like to point out that there are other societies in which the attitude of the society at large toward language and language planning, and the attitudes of linguists within the society, are strikingly different from those in the American scene.

Let us take Sweden, for example, and examine briefly the attitudes related to the issue of language deterioration and the need for something to be done about it. First of all, in Sweden there is a widespread feeling that language is somehow a national resource which should be tended and taken care of, and improved if possible. Second, it is possible to plan and execute change in language. This attitude goes far back in Swedish history. The Swedes were, in a way, the founders of modern language planning. We have all heard of the eighteenth century biologist Linnaeus, who laid the foundation for the modern science of biology. He felt that terminology in biology was in a mess and should be straightened out. He devised a general scheme of biological nomenclature, and in the course of time, the world accepted it. Roughly a century later, a Swedish chemist named Berzelius decided that chemical terminology should be put into order. He drafted a far-reaching and flexible system. At first, the proponents of several different national terminologies resisted the proposed nomenclature, but eventually all of western Europe—and eventually the world—adopted it. There is a long tradition of attitudes in Sweden that language change of various kinds, and not only technical vocabulary for science, can be planned and the planning can be implemented.

Third, there is a widely held belief in Sweden that it is appropriate to have national institutions concerned with language planning. The dominant attitude seems to be that such institutions should not be exclusively or even primarily governmental: there may be some government agencies, but more important, there should be semigovernmental agencies and private organizations—a nice mix.

No one finds it all that strange that the Swedish Academy keeps issuing word lists showing the new spellings of words and changes in grammar. Swedes do not find it at all surprising or
unnatural if school teachers, busdrivers, or linguists pick up these word lists to check their own usage against them and adjust their usage in line with the lists so that there will be national unity on important matters like improving and taking care of the language.

Fourth, people in Sweden typically feel that it is appropriate for someone who has a language problem to go to a national institution and ask for technical help. For example, one of a few firms manufacturing a new kind of product, in a very highly technical field such as computers or jet engines, may go to a particular institution in Sweden and ask for advice: delimit the field and set up an appropriate terminology that can be agreed upon by everybody in the industry and the academic community. This would include not only the correct pronunciation and spelling of the words, but careful definitions of them. The agency responds by bringing experts from industry and from relevant academic disciplines, and they prepare the lists. Swedes feel it is only natural that the industry users would utilize those lists and follow them in order to improve communication in the system.

Finally, a more recent addition to the beliefs about language cultivation in Sweden is the notion that language is changing on its own and the change should be a little bit better. Swedes have a large national computerized corpus of spoken and written Swedish which is supplemented every year. It is possible to check it for changing frequencies and contents of forms and the occurrence of new forms. This means that changes in the textbooks of the early grades of school or in newspapers or elsewhere can be done in accordance with the new trends in the language, but in a rational way, in accordance with generally approved ways of standardization and dissemination. The policy of keeping tabs on what is happening to the language, not trying to push it faster than it will go, but rationalizing the process a little bit, represents a new attitude in Sweden, but we can easily see how it grew out of the others that were there.

A recent writer, the Swedish sociolinguist Dahlstedt, tried to clarify the factors that are involved in language planning from the point of view of the Swedes (Dahlstedt 1976). He identifies six components in the 'total Swedish societal ideology' which constitutes the context for language planning, including nationalism and Nordic regionalism. The most interesting component from the American point of view is probably democratism, which emphasizes, among other goals, the assurance that everyone will have equal access to the language. At any rate, the language attitudes in Sweden are very different from those in the English-speaking world, and in particular the United States of America. Swedish society has certain expectations about language planning, and the linguists feel that they have an important role in it.

As a concluding example of different attitudes toward language planning, let me cite one anecdote about how Tanzanian and
Swedish attitudes differ, even though both nations are strongly committed to language planning. At the end of a conference on language planning at which both Swedes and a Tanzanian were present, a Swede tried to summarize the results. He listed the results, one, two, three, and so forth, and said in concluding his list: 'It is clear that language planning should be kept out of politics'. This unconsciously reflected just the Swedish view, that national language institutions should be largely non-governmental or half-governmental agencies, and should be kept out of the political arena. The Tanzanian could not stand it. It was not really polite to interrupt the ritualistic summary at the end of a conference, but he could not keep quiet. He interrupted with 'No, that's exactly wrong. Language planning must be political, that's what it's all about'. From the Tanzanian point of view, the only effective kind of language planning is by government policy. This represented another set of beliefs from another society on how language should be planned.

Let us return to the topic of American attitudes toward planned language change. Specifically, I would like to comment on three points: the agitation for a national language policy, the need for a language data base, and the possibility of changes in American attitudes on language planning.

In the last several years a number of Americans, upset by one or another of America's language problems, have called for the establishment of a national language policy, whether within the executive branch or by act of Congress. The two issues to which most of these citizens are responding are (a) the rights of language minorities, including access to bilingual education, and (b) the apparent decline in the quality of writing and other uses of language, along with the back to basics movement. Other issues have occasionally been raised in these national policy discussions, such as the poor state of foreign language instruction in American education and the role of the United States in the teaching of English to speakers of other languages around the world. On the basis of our discussion today of deeply ingrained American attitudes towards language planning, it is safe to predict that a movement for a governmental declaration of a national policy is doomed to failure, as were movements for a Language Academy and for spelling reform in the past.

In consolation to my friends and colleagues who strongly urge a national policy, I have two observations. The first is that language rights for minorities, particularly bilingual education and related ventures, have been most successful and unopposed in the United States when they were achieved by local option and pressure from local communities. The second is that it may be possible to move on a number of language issues in a more concerted way without the narrowed focus and probable rancor of a debate on national language policy (cf. Heath 1979).

On the issue of a language data base, I take a stronger position. It is disgraceful that the United States has among the
worst language statistics of any major nation. Our census data on language use is woefully inadequate and, in spite of the recent sample surveys, shows no real signs of improvement. Our dialect atlases have stretched over decades in preparation and publication, and by the time the final volumes appear—if they ever do—the end of the operation will be in a totally different time frame than the beginning. The only sizable archive of American English which is generally available for computerized linguistic research is the Brown University corpus of 1961, which has no spoken counterpart and is not even adequately tagged for grammatical homographs and different parts of speech.

For a relatively small amount of money it would be possible to collect a geographically and socially representative sample of spoken and written English which could serve as a baseline for replication and comparison at appropriate time intervals, such as every ten years. A data base that would include census data and a computerized text archive can be established without special legislation or a national academy, and it would provide a necessary framework for research in sociolinguistics, the ethnography of communication, and aspects of language loyalty.

Finally, there is the issue of making changes in American attitudes toward language planning. As I think I have made clear, I am convinced that attitudes toward language and language planning may be very persistent over time and resistant to change. Yet I also think that the two sets of American attitudes I have discussed are not conducive to improved treatment of language problems in our nation. Neither the complacent, hand-wringing, exhortatory attitudes among us represented by Newman, nor the almost arrogant, head-in-the-sand attitudes of the linguists seem helpful. My feeling is that the linguists' attitudes, being more recent in origin and less widely distributed in the population, are easier to change. Perhaps—although I am probably deluded in this hope—meetings such as the present Georgetown University Round Table on Languages and Linguistics point to the beginnings of change. What is needed from both sides is the notion that language issues, like others in the society, are amenable to rational consideration and scientific investigation. What is further needed is a spreading of American notions about planning from other sectors to the language sector. In accordance with American sociopolitical patterns, the new linguistic attitude would not be one of a blind assumption of the desirability of central planning for language change, but a pragmatic view of mixed means of planning which would respect notions of individual and group freedoms and rights but could see the value of data collection and experimentation with problem-solving mechanisms. I would like to see first linguists and then also nonlinguists move to the position expressed in a recent popular article about urban planning and
urban change: 'We must learn to manage and organize change rather than try to resist it' (Von Ekhardt 1979:97).

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The choice of this particular topic was, for us, a rather easy task. It provided a forum for the intersection of our different perspectives, both international and domestic, on the issues of the role of language in education, educational policy-making, and the function of formal education in national development.

Thus, while one of us lived, worked, and conducted research in a variety of settings overseas where explicit or de jure language policies were being formulated and implemented, the other assisted in the formation of federal educational policy and conducted research in bilingual education within the United States—a country seemingly without a de jure language policy.

And so we approach this issue from two different viewpoints—one from the 'outside', enhanced by exposure to and knowledge of the ways in which such issues are dealt with elsewhere, and one from the 'inside', with knowledge of the nature of the concerns and problems facing the United States.

The extent of public interest and passionate involvement in the discussion of language issues in many countries of the world is accepted as perfectly normal by individuals who see the natural link between language and ethnicity, individual fulfillment, and societal development. The opportunity to observe from 'outside' permitted a chance to view somewhat dispassionately the unfolding of events within the United States. To one who had been abroad for 14 years, it was oftentimes difficult to understand the magnitude or the importance of the social changes that were occurring in the United States or to appreciate the centrality of language as an element in the social debate—particularly in a nation which had no explicit official language policy. The other, who had had only brief
exposure to policy issues overseas, viewed the development of issues from a standpoint immersed in the domestic scene, with all its separate political, social, ethnic, and economic facets.

In this paper, we take the position that policymakers at federal, state, and local levels in the United States are becoming increasingly aware of the role of language in the delivery of social services and are slowly but steadily developing delivery mechanisms which acknowledge the linguistic diversity of their constituencies. We raise the question of whether 'language issues' have already or will become sufficiently salient in the immediate future so that there will be increasing demand for an official language policy for the United States. We allude to the need to examine and to strike some balance between the most effective language(s) for the delivery of social services and the economic feasibility (as well as the possible political costs) of establishing multiple, parallel systems. We comment on the implications and the limitations of de jure vs. de facto policy, and we conclude by examining the linkage between social science research and policy formation.

We have the feeling that it is often easier to understand the intricacies and implications of policy and policy change by means of examining contrasting examples, and so we begin this paper by providing selected illustrations of the role(s) of language in the delivery of social services in Canada and the United States.

Illustrations from Canada. Canada is officially a bilingual country, with English and French as its two official languages. Although the British North America (BNA) Act of 1867 (a document drawn up at the time of confederation which serves a function similar to that of the U.S. constitution) contains no general statement concerning the role of language(s) in Canada, there are a number of specific sections which deal with language use in specific circumstances. Thus, under its terms either English or French may be used in the debates and proceedings of the Canadian Parliament and the Quebec National Assembly (sic, the provincial legislature) and, in addition, either language may be used in courts established under the authority of the act or in any of the courts to be established in Quebec.

Although these general provisions were laid down in the BNA Act, it was not until the 1960s that a systematic attempt was begun on the part of the federal government to formulate and to implement a coherent national language policy. Thus, in 1963, a Royal Commission on Bilingualism and Biculturalism (roughly the equivalent of a presidential commission in the United States) was established to study the status of bilingualism throughout all parts of Canada and to recommend steps to insure the development of a more equal partnership of English and French peoples within the confederation. This report recommended, among other things, that the federal government
institute a program of language planning 'to equalize the status of both languages by bringing about a situation from one end of the country to the other where persons of either official language could educate their children, work or interact with the various levels of government in the official language of their choice' (Lamy 1978).

It may be useful to present some basic demographic information before proceeding. According to McConnell (1977), approximately 61% (or 14,000,000 individuals) claimed English as their mother tongue in the interim census of 1976 versus 25.5% or 5,800,000 who claimed French, with 13.4% or 2,300,000 claiming to be 'other' mother tongue. Because of definitional and other problems there may be an overestimate of the number of English mother tongue speakers and an underestimate of the number of 'other' mother tongue speakers; but the data are certainly accurate enough for illustrative purposes. These national data are particularly illuminating when the data for the province of Quebec are examined. In Quebec, individuals who claim English as their mother tongue comprise only about 12.8% (or 798,000) of the provincial population, while those who claim French as their mother tongue comprise approximately 79.8% or 4,900,000 of the population. In addition, French mother tongue individuals residing in the province of Quebec account for approximately 85% of the total francophone population of Canada. In no other province, except New Brunswick, does the francophone population exceed 5.6%, and even in New Brunswick only 220,000 inhabitants (32.9% of the N.B. population) claim to be French mother tongue.

Within this context, and in response to the recommendation of the Bilingual and Bicultural Commission, the Parliament of Canada enacted in 1969 the Official Languages Act, which proclaimed the equal, legal status of French and English throughout the country. The government subsequently embarked on an ambitious project to make it possible for all federal institutions (e.g. the federal courts, the postal service, the nationally owned and operated railway and airline, immigration service, etc.) to provide services in both languages. As the demographic information indicated, this did not mean that most Canadians were bilingual, but rather that they were now legally entitled to have access to services of the federal government in either of the two languages at their own choosing. The government established a vast and costly program of second language teaching (of dubious value—see Bibeau 1976) in an attempt to provide civil servants with the bilingual skills which were deemed necessary for their respective jobs.

In addition, a Commissioner of Official Languages was designated and charged with investigating complaints concerning violations of the government's programs to promote bilingualism. (The current commissioner, Max Yalden, is to visit Washington for discussions on April 19-20, 1979.)
It is important to realize at this point that the ten Canadian provinces retain a great deal of autonomy—more so than the 50 states—under the system of federalism first defined by the British North America Act. For example, the various provincial governments are alone competent to establish educational policies. In addition, they may (and a number do) establish their own programs for the specification and delivery of health services, welfare services, conditions for the regulation and stimulation of various industries, etc. Thus, it is not particularly surprising that the government of the province of Quebec should have taken an active interest in language planning activities.

Within the context of the so-called Quiet Revolution of the 1960s, a period during which the government intended to promote the rattrapage or catching up of francophone Quebec by providing it with the governmental economic and educational infrastructure necessary to its development, the rumblings of 'nationalist' sentiment began to be heard within the province. In response, the government established its own commission of inquiry, the Gendron Commission on the Position of the French Language and on Language Rights in Quebec. As d'Anglejan (1979:7-8) notes:

As expected, the Commission found that the use of English was widespread and pervasive in all contexts where the French and English populations came into contact. English was the sole language of upper levels of management in large corporations and was widely used in communications with the government and between corporate bodies. The economic power of Quebec was clearly English speaking...French-speaking Quebeckers were frequently unable to be served in business establishments with whom they had dealings...This coincidence of linguistic cleavage with social inequalities did not augur well for the future of the socio-political climate of the province...a sudden decline in the province's birthrate from the highest in the country to the lowest of the ten provinces...and evidence that the English speaking community was still powerfully attracting Quebec's immigrants provided more than sufficient rationale for the government to intervene formally to protect and to enhance the status of the language of the majority.

In 1961, an Office de la Langue Française was established, with the mandate to both prescribe and proscribe norms for the evolution of the French language in Quebec. Its impact has been noticeable in the area of terminology and in the improvement of the quality of French used in signs, labelling, and advertising (one rarely sees today, for example, advertisements such as Char's usagés, Hot Dogs Steamés--55¢, which were very prevalent a few years ago).
Within the educational domain, a provincial act, Bill 63, passed in 1969, had allowed the children of Canadian residents, as well as of newly arrived immigrants, to attend schools within the province in the language of their choice--either English or French.

However, that act was quickly superseded by Bill 22, the Official Language Act, enacted in July, 1974—a far-reaching act which declared French to be the sole official language of the province. Furthermore, the act contained provisions to ensure, among other things: (1) that French would become the ordinary language of communication within the government; (2) that French would be used by the public utilities and the professional corporations (e.g. doctors, lawyers, psychologists) to communicate with the public and with the government; (3) that French would be used at every level of business activity, including advertising; and (4) that the ordinary language of instruction in the schools of the province would be French.

There were provisions, however, for continued instruction in English for those children whose mother tongue is English or for those pupils who 'have a sufficient knowledge' of English. This last stipulation, which applied equally to immigrants who speak neither French nor English and to French-speaking Quebeckers who wish to send their children to English schools, was particularly controversial.

Prior to the passage of the Official Language Act, Quebec was de facto a bilingual province, with businessmen free to utilize English, French, or both languages in their internal and external dealings and with all parents free to choose either English or French schooling for their children. Now, business firms who wished to be eligible for government premiums, subsidies, concessions, contracts, etc., were required to hold 'francization' certificates. Individuals who wished to join professional corporations—a prerequisite to many types of employment—were required to demonstrate their proficiency in French. Children who wished to enroll in English-language schools, but who were not English speaking, were required to take one of a series of tests prepared by the Ministry of Education designed to determine whether they had 'a sufficient knowledge of the language of instruction (English) to receive their instruction in that language'. This portion of the act seems to have aroused a great deal of controversy for there did not exist reliable and valid tests which could be used for this purpose.

One other interesting aspect of the act was the establishment of a 'Régie de la langue française'. The Régie had the responsibility 'to see to the correction and enrichment of the spoken and written (French) language'; to advise the Minister on appropriations for linguistic research; to assist business firms with their francization programs and to issue the francization certificates; and 'to standardize the usage of vocabulary in the province of Quebec...
The law pleased no one. It was vigorously opposed by diverse organizations and individuals on both the English and the French sides. For many, it was a shock to discover that since education is under provincial jurisdiction, English language instruction is not a legal right but a privilege, as is instruction in French in other parts of Canada (recently, for example, the government of Ontario decided not to recognize French as an official language, although it was stated that a policy of providing French-language services would be pursued whenever possible).

One of the early acts of the 'Paris Québécois' upon assuming power following a provincial election was to enact, in August, 1977, Bill 101—the Charter of the French Language—which is designed to make Quebec both institutionally and socially a monolingual French state. It contains explicit measures to limit the growth of the English-speaking community and to diminish its status. With respect to the language of instruction, the law places even greater restrictions on access to English schools than did previous legislation.

Article 73 of Chapter VIII limits the eligibility for English instruction to: (a) children whose father or mother received his/her elementary instruction in English in Quebec; (b) children whose father or mother, domiciled in Quebec at the time the law was passed, received his/her elementary instruction in English outside of Quebec; (c) children already legally enrolled in the English school system and their younger siblings. It is interesting to note that no special provisions are made for English-speaking migrants from other provinces of Canada. Such persons are required to send their children to French schools. While the articles of Bill 101 dealing with the language of instruction do not appear to contravene existing Canadian laws (this and other aspects of the law are now being challenged in the courts), they are clearly at variance with the spirit of the federal language policy which advocates freedom of choice of language of instruction for all Canadian children.

In its provisions regarding the use of French in private enterprise, Bill 101 is more explicit and more rigorous in imposing the use of French at all levels. Whereas Bill 22 relied mainly on good will and incentives to motivate Quebec industry to increase the use of French, Bill 101 spells out specific deadlines and sanctions. By 1983, all business establishments having more than 50 employees must have obtained their 'francization certificates'. In the interim, 'francization committees' including employees or representatives of labor unions must be set up and a plan for the conversion to French worked out in collaboration with the Office de la langue française. Companies which fail to obtain their 'francization certificates' by the deadline set by the Office de la langue française will be liable to three types of sanctions: ineligibility to receive government contracts, subsidies, etc.; substantial fines; and finally, moral
sanctions and public denunciation likely to result in a loss of clientele and revenue.

Chapter V of the law stipulates that an employer will be prohibited from dismissing, demoting, or transferring a member of his staff for the sole reason that he is exclusively French-speaking or that he has insufficient knowledge of a particular language other than French. As a further indication of the shift from bilingualism to a monolingual French regime, the law now requires that signs in public places should be in French only. All visible evidence of the presence of English in Quebec is to be removed. One of the most interesting and subtle aspects of Bill 101 is the absence of any specific reference to English. Throughout the text, references are made to 'languages other than French'. In this way, the nonofficial status of English is emphasized; it is on equal footing with Italian, Greek, or Portuguese, languages spoken by important ethnic minority groups in Montreal. The sole exception to this rule is Chapter VIII of the law dealing with the language of education, where the existence of English schools is recognized.

In the preceding section of this paper, we have tried to identify some of the salient features of the language policies of the federal government of Canada and of one of the provinces, Quebec, insofar as they affect the delivery of social services. We have noted that both Canada and the province of Quebec have an official language policy and that the two conflict in many aspects, both in terms of specific provisions and in terms of their underlying philosophy. Let us turn now to consider illustrative examples from the United States.

Illustrations from the United States. Any discussion of the language policy and the delivery of social services in the United States must be framed within an historical and political context. Numerous social historians have addressed the issue of the 'Melting Pot: Myth or Reality' (Kopan 1974), in an attempt to understand why the United States remains without a definite, de jure language policy (Fishman 1966, 1977; Heath 1977; Paulston 1974). Others have turned to the sociopolitical realities of this country to find the answers to the questions: Should the United States have an official language policy? If so, is it really feasible, given the current federal structure? Should the United States attempt to standardize the English spoken in this country? Should the federal government continue to support bilingual education? (Grant 1978; Schneider 1977).

The development of the social services system has mirrored the development of the United States as a country. While every nation has had its waves of immigration, the one that occurred in the United States is unparalleled elsewhere (Kopan 1974). Since the first settlement in Jamestown more than 350 years ago, over 50 million people have migrated to these shores. The convergence of these speakers of many different
languages from many different lands was aptly described by Whitman as a 'nation of nations'.

Heath (1978) notes that as a new country, the United States had to deal with many of the same problems facing today's developing nations. Confronted with a multilingual population, widespread illiteracy, and the absence of an 'American common school', the United States chose not to dictate language policy or initiate language planning. The debate continued for the first hundred years of this country, resulting in a plethora of language policies and programs which were drafted for national sponsorship; none, however, were accepted by the republic. Rather, the United States fostered a 'permissive' language policy (Dozier 1956), characterized by a recognition of language and cultural diversity among its people. Any plan for standardization of the language was rejected on the grounds that social and geographic mobility would 'preserve an identity of language through the United States' (Heath 1978).

Early evidence of an attempt to preserve ethnic heritage was the development and implementation of bilingual education programs in both the public and private sectors (Andersson and Boyer 1978). There was exceptionally strong support for German, French, and Spanish schools, particularly in areas of high concentration of these language groups. According to Greer (1970), however, while some immigrant groups sought to establish and maintain native language schools for their children, the great majority of language minority students received no special instruction, despite their difficulties in learning through the medium of English. Clearly, the policy and basic intent of public education was that the almost universal use of English would result in a nation of monolingual and monocultural citizens.

Although the height of immigration has passed, the United States continues to be characterized by linguistic and cultural diversity. The most recent figures indicate that approximately 15 million people are considered to be of limited English speaking ability in the nation. Spanish speakers comprise the largest group, with approximately 5.9 million persons. Major metropolitan areas continue to be populated by a wide mix of ethnic and cultural groups. For example, Arlington, Virginia reports over 50 different language groups within its school population. Chicago has identified over 80 such language groups. The total number of school-age children in the United States who have been identified as limited English speakers is estimated to be 3.6 million. While the problems facing these children had been documented for years, it was not until 1970 that a national policy was developed specifically to address their educational and social needs.

The first indication of interest in a national policy in the area of equal educational opportunity directed at language minority children came in 1970. Under the direction of Stanley Pottinger, Director of the Office of Civil Rights (HEW), the
May 25 memorandum was issued which required federally funded school districts to provide assistance for language minority children. The memorandum indicated that failure to comply with such an order would be considered a violation of Title VI of the Civil Rights Act of 1964.

In the subsequent *Lau vs. Nichols* decision (1974), the Supreme Court unanimously affirmed that interpretation of Title VI's scope, stating:

"Basic English skills are at the very core of what these public schools teach. Imposition of a requirement that, before a child can effectively participate in the educational program, he must already have acquired those basic skills, is to make a mockery of public education. We know that those who do not understand English are certain to find their classroom experiences wholly incomprehensive and in no way meaningful."

It is important to note that neither HEW nor the Supreme Court explicitly mandated the specific type of assistance program which would provide the target group with equal benefits in the attainment of an education and hence ensure compliance. The task was left to the local education agencies (LEAs), many of which were hard pressed to determine exactly what constituted equality of educational opportunity. The interpretation of the decision was placed in the hands of a task force to draft the Lau Remedies, which were approved by the Office of Civil Rights and U.S. Office of Education in 1975. In essence, these remedies declare that school districts with 20 or more elementary school students from non-English backgrounds must receive some form of bilingual education. It remains one of the most controversial federal policy decisions related to the issue of language. An extensive language assessment procedure is prescribed by the Lau Remedies:

"...a district must, at a minimum, determine the language most often spoken in the student's home, regardless of the language spoken by the student, the language spoken by the student in the home, and the language spoken by the student in a social setting."

Although the Remedies have been severely criticized because of their clear preference for bilingual education and the inherent difficulties of implementation, they have proven to be one of the few instances where federal policy has been sensitive to the interplay between language, culture, and education. Because of the enormous controversy generated by this document, Secretary Califano has directed that the Remedies be revised and promulgated in the form of Rules and Regulations. This effort has stirred up many of the antibilingual forces in
and out of the government who seek to ensure that the interpretation of the Lau decision remains with the LEAs.

While the Lau decision represents action taken by the judicial branch of the federal government to protect the rights of limited English-speaking children, the 1968 Bilingual Education Act represents the first Congressional effort to meet the needs of this target group. This Title VII provision of the Elementary and Secondary Education Act (ESEA) of 1965, as amended, provides funds to local education agencies to design, develop, and implement programs in bilingual education. In the subsequent 1970 amendments, an array of activities was mandated in response to the resources shortage which hindered implementation of the program. A capacity-building policy was formulated that emphasized teacher training, development of instructional materials, and funding of state education agencies (SEAs).

In the most recent 1978 reauthorization cycle, the program underwent some important changes. The Congress responded to the testimony of experts in the field and widened the focus of programs to include children who have 'sufficient difficulty speaking, reading, writing or understanding the English language'. Prior to this, the target group was defined as those children with limited English speaking ability, emphasizing only oral language skills. In addition, the current legislation recognizes the pedagogical advantages of permitting the participation of English-speaking children in the classroom. Previously, the law specifically prohibited the use of Title VII funds to teach a foreign language, thereby excluding children whose language is English.

The history of the Title VII program has been marked by a degree of turbulence and conflict that is unusual, even considering the generally unsettled conditions of the Office of Education during these years. Because of the paucity of experience in the field, and the inherent controversy over the concept of bilingual education that involves national, political, and social forces, there continues to be considerable debate over: (1) the goals and philosophy of the program, (2) the program's intervention strategy and its relationship with school desegregation legislation, and (3) how best to assess the effectiveness of the program.

Sam Halperin, director of the Institute for Educational Leadership, notes that 'Numerous other social programs have faced the same problems because, in many instances, government itself is the object of popular suspicion, and the prime suspects are those who govern from Washington'. For many, the 'feds' have become Public Enemy Number One. In some degree, this lack of confidence in government grows out of the traditional American distrust of people in politics. It may well be, as some have said, that the United States is a nation of closet politicians, where most people do the same things in private that office holders and their aides must often do in public,
and where a coming-out party for the closet types would re-
quire several thousand Astrodomes to accommodate the attend-
ing legions.

State governments. Unlike the provinces of Canada, the
states in the United States are likely to mirror the policies of
the federal government. With regard to a de jure language
policy, many states have legislation which requires the knowl-
edge and use of the English language (Grant 1977). These
laws pertain to franchise rights, jury service, and instruction
in the public schools. (In contrast, in the province of Quebec,
for example, the law specifically requires the knowledge and
use of the language to participate in elections or to work in
the government.) Several states—New York, California, Maine,
and Alaska—have recognized the inequities of these laws, how-
ever, and have repealed them in recent years.

The most specific example of an explicit language policy at
the state level results directly from the implementation of the
Federal Voting Rights Act of 1965, as amended in 1975. Ac-

The Congress declares that, in order to enforce the guaran-
tees of the fourteenth and fifteenth amendments to the
United States Constitution, it is necessary to eliminate such
discrimination by prohibiting English-only elections, and by
prescribing other remedial devices. No voting qualification
or prerequisite to voting, or standard practices, or proce-
dure shall be imposed or applied by any state or political
subdivision to deny or abridge the right of any citizen of
the U.S. to vote because he is a member of a language
minority group.

The most recent studies of the Voting Rights Act (University
of New Mexico 1978, GAO Report 1978) indicate that numerous
problems exist which have lessened the impact of this legisla-
tion. The two major obstacles are (1) limitations in funding to
devise and disseminate bilingual voting materials and (2) lack
of federal enforcement capabilities to ensure that state and
local governments are in compliance with the mandate of the
law. Resistance remains strong on the part of state and local
municipalities to provide such services to limited English-
speaking groups. It is possible that this will remain a problem
until the political parties seek to exploit the potential voting
power of growing language minority groups.

With regard to the courts, the states tend to follow suit
with the federal government; that is, no state mandates an
English-only policy in court proceedings. Alaska and Maine
specifically do require jurors to know English. The majority
of states, however, make no requirements for civil and criminal
case jurors except that they be registered voters. The obligatory use of interpreters and translators in the court proceedings can be seen as a tacit assumption that English be used as the language of the judicial system (Grant 1978).

Another example of de jure language policy at the state level exists in the area of education. Much has been written about the prevalence of state legislation which specifically prohibited the use of languages other than English in the classroom (see Kloss 1971; Leibowitz 1977). At present, 20 states have legislation authorizing the funding of bilingual education for limited English-speaking students. States such as California, Massachusetts, New York, and Texas have taken the lead in the field and have made a fiscal commitment to the training of bilingual teachers and materials development.

Conclusion. Our purpose in this paper is to focus the attention of language researchers and language planners on the very tenuous relationship in the United States between formal language planning and the delivery of social services. We have noted that in Canada, both at the federal and at the provincial levels, formal official language policies can be and have been articulated and implemented. In the United States, they have not been and probably will not be in the foreseeable future. We conclude that this difference is not because language-related issues are any less important in the United States than in Canada, but rather, because the political pressures and the political systems operating in the two countries are so different.

We observed that in this country, policymakers are slowly becoming aware of the role of language in the delivery of social services and that they are developing delivery mechanisms which acknowledge the linguistic diversity of their constituents; but that this is being done at the 'grass roots' level and not at the 'policy-making' federal or state levels. In a recent small survey of the various agencies and departments in the federal, state, and local bureaucracies, it was evident that the needs of the limited English speaker are generally relegated to Offices of Consumer Affairs, Public Communication, General Information, etc. There is no one office which has been given the responsibility of dealing with the problems of this group. One can predict with a degree of certainty that this situation will continue, precluding the likelihood of anything resembling a national, official, or explicit language policy which would address these issues. Local officials will continue to provide assistance, e.g. translation services to complete government forms, for those who do not speak English, but it seems unlikely that federal or state policy will specifically require that this be done.

Furthermore, although language issues are apparently salient to the present time, it would appear to us that the issues that have been raised during policy formulation are in
a strange sense more legal than linguistic. That is, the concern being voiced today about the difficulties faced by non-English speakers are reminiscent of the public concern voiced over 'why Johnny can't read', and interestingly, at the present time it is not the linguist who is called in to analyze the problems or to suggest possible solutions; rather it is the lawyer or the bureaucrat who is sought. The example of ESEA Title I serves as an illustration of the lack of awareness of language issues on the part of policymakers, as reflected in the legislation. In the recent 1978 reauthorization hearings for ESEA, less than a handful of expert witnesses addressed the importance of language in education.

Finally, we have tried to alert language educators and language researchers to the fact that they do have a critical role to play in helping, first, to raise the level of consciousness of policymakers and others to the subtle and very sophisticated role that language plays in social and educational issues, and second, to provide data or other information to policymakers which will help to inform the decisions that they are called upon to make. We have advanced the argument that policymakers, far from being insensitive to such input, would, on the contrary, welcome it. We look to the various learned societies, professional organizations, and groups such as the Center for Applied Linguistics to help catalyze those involved in the language sciences and to assist them to focus and direct their knowledge to the stimulation and shape of public policy.

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for the freedom of 'access', or use, of the language in particular domains—in any private intercourse, commerce, religion, press, publications of any kind, and public meetings. Nondiscrimination in the courts was provided by allowing speakers of the nonofficial language recourse, verbally or in writing, to their own language in the court proceedings (McDougal et al. 1976:162). The international agreements of the time also provided linguistic minorities the right to establish, manage, and control, at their own expense, organizations and schools in which they could use their languages. States were also obliged to provide adequate mother tongue primary school facilities, where there were significant concentrations of nonofficial language speakers.

Present-day protection of linguistic groups comes primarily from the United Nations Charter and related documents. 'The Charter consistently enumerates "language" along with "race, sex, religion" as an impermissible ground of differentiation' (McDougal et al. 1976:163).

Another document is the Universal Declaration of Human Rights, adopted by the United Nations General Assembly in 1948, which also makes language an impermissible ground of distinction. The Declaration 'makes no explicit reference to freedom of access to languages', but 'such freedom would appear inherent in the policy of fundamental freedom of choice, which pervades the entire Declaration' (McDougal et al. 1976:164). Singled out for particular reference to language would be the following rights: the right to effective remedy (Art. 8); the right to due process of law (Art. 10); the right to privacy, family, home, or correspondence (Art. 12); the right to freedom of religion (Art. 18); the right to freedom of opinion and expression (Art. 19); the right to education; and the right to participate in the cultural life of the community.

Other international instruments involving human rights which afford protection to language minorities include the Convention against Discrimination in Education (1960), the International Covenant on Economic, Social and Cultural Rights (agreed to 1966, in force 1976), and the International Covenant on Civil and Political Rights (agreed to 1966, in force 1976).

In addition to these agreements which expressly mention language, some noted jurists of international law feel that since language is often a prime indicator of a 'national, ethnical, or racial' group, that the various prescriptions designated for the protection of ethnic or racial groups, such as the Genocide Convention and the Convention for the Elimination of Racial Discrimination, might on occasion be invoked to protect groups in the enjoyment of their home language' (McDougal et al. 1976:167).
There are also the regional conventions which include language groups as a class to be protected: the European Convention on Human Rights and the American Convention on Human Rights (McDougal et al. 1976:167).

McDougal, Laswell, and Chen (1976:152-153) indicate the various ways of language discrimination.

Deprivations imposed in relation to language may be manifested in a variety of modes, notably—denial of opportunity to acquire and employ the mother tongue, the language of the elite, or world languages; deprivations imposed upon individuals through group identifications and differentiations effected by language; deprivations resulting from arbitrary requirements of specified languages for access to different value processes (as, for example, employment); the conduct of community processes and enterprises, especially of enlightenment and power, in languages alien to members of the community; and, finally, the coerced learning of specified languages other than the home language.

Before proceeding to discuss the status of international human rights agreements in the United States, the following brief points should be kept in mind. There is much vagueness on the interpretations of these documents and how they should be applied, even though there is general agreement that they reflect an emerging international norm of minimal human rights in relation to government conduct.

These rights are also reflective of the changing nature of international law. International jurisprudence is moving away from only mediating relationships between governments, to mediating relationships, as well, between governments and their citizenry—from an international law to a world law, where the impact of governmental action on the quality of individual and human life is on review.

In reflecting these changes, these international agreements begin to include a greater concern for implementation (and enforcement)—and so governments raise greater cautions about participation in these multilateral agreements, and raise fears of meddling in the domestic affairs of member nations. Human rights agreements have been variously viewed as desirable goals for the world community and as legally binding norms on the parties to the agreements. Selectively, countries have been spotlighted for their violations of human rights. At the same time, individuals are beginning to make inroads in obtaining legal standing before international bodies, thus bypassing their governments. This international legal concern for human rights is relatively new and developmental, and bears watching and shaping.

A second point to be kept in mind is that the notions of 'language rights' must be clarified. There are here two kinds of rights: (1) the right to freedom from discrimination on the
basis of language; and (2) the right to use your language(s) in the activities of communal life. There is no right to choice of language, of governmental service, for example, except as it flows from the two rights just mentioned in combination with other rights, such as due process, equal enforcement of the laws, and so on. But the identifiability and, if you will, legal standing, of a class based on language is recognized throughout the international community.

A third point is the ranking of human rights. While all can be viewed as formally or conceptually 'equal', there are more immediate ones which have been focused on for political and other reasons, such as freedom from racial discrimination (Veenhoven 1975:xvi). Others are ranked according to the resources needed to meet them, such as the right to schooling and to an adequate standard of living. Still other reasons for ranking involve the compatibility of various rights with the legal/political system of a country, or with cultural/social traditions of a society. For example,

while the Western tradition of human rights centered on the individual, it was sometimes forgotten that the vast majority of the world's peoples had not been raised in this tradition ..., and that they therefore viewed human rights issues from a different perspective...Marxism, almost by definition adopted a collective view of human rights. Many Third World leaders felt the extension of civil liberties had to take second place to economic development (Veenhoven 1975:xix).

2. The United States, international treaties, and human rights. The United States government, through the current administration, has recently made much of the human rights situation in the world and has thus focused greater attention on the issue, internationally and domestically. As part of its foreign policy, the U.S. government recognizes three categories in human rights.

First, there is the right to be free from governmental violation of the integrity of the person. Such violations include torture, cruel, inhuman or degrading treatment or punishment, arbitrary arrest or imprisonment, denial of a fair public trial, and invasion of the home.

Second is the right to the fulfillment of such vital human needs as food and shelter, health care and schooling, while recognizing that these depend on a nation's economic development.

The third category of human rights recognized by the U.S. government is the right to enjoy civil and political liberties, including freedom of thought, religion, assembly, expression, and movement (Derian 1978:244; Schacter 1978:75-76).

The status of international human rights within the United States, however, bears upon those international agreements to which the United States is a party. The United States has
signed the United Nations Charter and voted for the Universal Declaration of Human Rights, but only in the fall of 1977 did President Carter sign the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and later the American Convention on Human Rights and the International Convention on the Elimination of All Forms of Racial Discrimination (1979) (Weissbrodt 1978:35-36). These treaties all await ratification by the Senate along with the Genocide Convention (1948), which had been submitted earlier (Commerce Clearing House, Congressional Index, 'Treaties,' July 12, 1979).

These treaties were not ratified earlier, due in part to an administrative policy based on early congressional opposition to the treaties in the 1950s. Some members of Congress feared the treaties might (1) encourage international scrutiny of racial discrimination in the United States, and (2) infringe on prerogatives of the states in the U.S. federal system (Weissbrodt 1978:38-39, note 45).

The enactment of domestic civil rights legislation, the announcement of court decisions to eradicate some of the worst injustices of racial discrimination, the related decrease in concern for states' rights, and the increasing interest in international human rights, have considerably improved the climate for ratification of these multilateral treaties (Weissbrodt 1978:41).

On February 23, 1978, President Carter submitted a letter, with memoranda on the Covenants, that recommended a series of reservations and understandings which, among other things, would take away from these multilateral agreements any legal force they might gain in United States domestic courts (cf. Weissbrodt 1978; Lillich 1978).

Without entering into the complicated vagaries of international and national politics and strategies, the question of human rights—as it stands now—is legally bifurcated between a developing international standard and a national standard. This is still an open question, however, since the Senate has not yet ratified the treaties, and it bears the informed concern, if not the involvement, of this country's citizenry, including its non-English-speaking citizenry.

It is important because treaties and federal law possess 'equal dignity' under the Constitution. If a treaty and a federal law conflict, the one most recently adopted prevails. Further, federal law—including treaties—controls state law if the two conflict (Weissbrodt 1978:54-55). But this holds only if the treaties are considered 'self-executing'—binding on domestic courts without the aid of implementing legislation. President Carter has recommended an understanding they not be self-executing.
Federal courts, in facing other treaty and United Nations issues, have lately been very reluctant to declare them self-executing, citing the judicial lack of jurisdiction due to the separation of powers, which makes the treaties part of the executive branch's responsibility in foreign affairs (cf. Lillich 1978, Weissbrodt 1978).

One can argue that there are sufficient domestic sources to protect human rights in the United States so that Carter's reservation that the covenants are not laws applicable to U.S. courts without implementing legislation, is not so severe. There is a great overlap between those rights derived from the Constitution and civil rights legislation, and those human rights listed in the international agreements. However, there are significant differences in the recognition of a right to education, and the identification of language issues, if not the legal standing of a class based on language.

The Constitution guarantees many things, but does not give language rights nor a right to an education (Foster 1976:158). The right to equal protection of the laws has been the basis for much of the legal pursuit for bilingual schooling, for example. Language issues have been heard when related to discrimination of fundamental rights, such as voting and due process.

The relative success of litigation seeking bilingual services is determined by the nature of the rights involved. Voting, for example, has been traditionally viewed as a fundamental right, and any infringement on its exercise is subjected to exacting judicial scrutiny. Inequality in the criminal justice area is also scrupulously probed. Cases involving the unequal delivery of social services, such as welfare, have received less favorable treatment by the courts (Bilingual Education--Current Perspectives, Vol. 3 - Law, 1977, p. 35, footnotes omitted).

One court has summed up the equal protection doctrine as follows: '...government action which without justification imposes unequal burdens or awards unequal benefits is unconstitutional' (Hobson v. Hansen, 269 F. Supp. 401 (D.D.C. 1967), as quoted in Foster 1976:164). There is and there will be, differences as to 'what government action is, and on what makes an unequal burden. And the application of this rule depends also on the prior identification of a class upon which the inequality falls' (Foster 1976:164). One observer noted a couple of years ago that a class based on language distinctions, such as 'non-English speakers', may be too broad to warrant special attention from the courts; however, a class based on 'national origin' would be distinctively considered (Foster 1976 and Bilingual Education, 1977:38–39).

Consequently, not only must language rights issues be related to 'fundamental rights', but a language group must be
consonant with a national origin or racial group in order to pursue language equality. I further address the problem of classification of language groups later on in this paper.

The courts have generally rejected the Constitutional arguments in bilingual schooling cases (except for the District Court in Serha v. Portales School District, 351 F. Supp. 1279 (D.N.M. 1972), aff'd 499 F. 2d 1147 (10th Cir. 1974), which was upheld by the Circuit Court but not on Constitutional grounds). They have also rejected it in lawsuits seeking bilingual government services and equal employment opportunity. Some federal courts have found the due process clause of the Fourteenth Amendment to the Constitution to apply in criminal trials where the defendant speaks no English and there is no interpreter. 'This Constitutional approach, however, has not prevailed' (Bergenfield 1978:550). State courts have done as well in applying Constitutional doctrine, particularly where the class was defined by the court based on language only and not in terms of national origin (Bilingual Education, 1977:37-39).

There has been greater success in language litigation based on legislative grounds, especially the 1964 Civil Rights Act and administrative interpretive memoranda, and the 1965 Voting Rights Act. The key cases in this area are highlighted by the U.S. Supreme Court decision in Lau v. Nichols, 414 U.S. 563 (1974), where the court did not reach the Constitutional arguments, but held that the San Francisco Unified School District, which received federal financial assistance, violated Section 601 of the 1964 Civil Rights Act, which bans discrimination based on race, color, or national origin in any federally funded program, and Department of Health, Education and Welfare (HEW) regulations which stipulate that nonattention to the language situation of non-English-speaking students was national origin discrimination. The class suit had been brought by non-English-speaking students of Chinese ancestry. Three of the concurring justices, however, indicated that the Civil Rights Act alone may not have sustained the decision, but when regulations are 'reasonably related to the purposes of the enabling legislation' and require (as in this case) affirmative or special attention to a situation or problem, they will be upheld.

It is tempting to say that somehow the Lau decision created some language rights for the plaintiffs, but it did not. The plaintiffs sought no specific remedy by the School District and the Court demanded none. Although federal funds are flung wide among most school districts, the 1964 Civil Rights Act is limited to those districts where federal funds are in use. For at least two of the justices, the magnitude of the numbers of the affected non-English class 'was at the heart of this case'. It is heartening, however, that the interpretation of the HEW regulations (that nonattention to the language needs of students constituted national origin discrimination) has been codified in the Education Code of the United States (20 U.S.C.A.
§ 1703(f)). Whether the concern for numbers would be an issue under the statute is an open question. It is binding, however, as federal law and not dependent on a district receiving federal funds.

The Lau holding has been extended to apply in welfare rights and governmental services as well (Bilingual Education, 1977: 36-37). But here again, we have a language group coinciding with a national origin group and the language argument tied to the latter.

The 1965 Voting Rights Act and its 1975 amendments now provide for determining that an election is in violation of the Act and thus discriminatory if it is exclusively in English, '5 percent of the voting age population within any state or political subdivision are members of a single language minority, and the rate of illiteracy of the particular language minority exceeds the national average of voting age citizens' (Bilingual Education, 1977: citations omitted). The Voting Rights Act, however, applies only in certain parts of the United States. Also, the implementation of the 'remedy', bilingual elections, may be less than satisfactory.

Unfortunately, the Voting Rights Act and the guidelines interpreting the Voting Rights Act's bilingual provisions do not assure a completely bilingual process. The guidelines may encourage election officials to translate selected passages in an election document, which could result in translations being incomplete or misleading. Even if there is a complete bilingual translation, election officials may decide not to translate all election documents and notices.

Also, there is the concept of 'targetting' which involves the extent of bilingual distribution. Although there may be complete bilingual translation, election officials may decide to target or distribute the bilingual materials only in certain areas. Instead of blanketing an entire area, only certain parts of the political subdivision may receive bilingual election materials and oral assistance (MALDEF 1977: 48-49).

There is another language-related law that does not address language rights, but has singularly drawn most of the attention on the language situation in the United States—the Bilingual Education Act of 1968. This law, recognizing a social need, authorizes the expenditure of public funds for the development of model school programs for limited and non-English-speaking students. The Act does not create any language rights nor bilingual schooling rights, but has had the effects of (1) encouraging many states to repeal and remove laws which prohibited the use of non-English languages, or which mandated the exclusive use of English, and (2) focusing national and international attention on the situation of language groups in the United States, especially the Spanish-speaking and the Amerindians. This was not an easy achievement, but went
hand in hand with state ability to apply for these bilingual schooling funds as well as the passage of similar state bilingual schooling legislation.

A possibly related activity is the increase, since 1970, of language related state legislation. California, for example, considered 90 bills between 1971 and 1974, which in some way affected linguistic minorities (Blaine 1974:659). Few of the bills passed, but the concern for language groups has been spreading—although the extent is not known—as the political power of certain language groups increases.

This growth in legislative consideration of language issues is important, even if not always beneficial to language groups, for it pursues the situation on the basis of social policy. The courts are hesitant to form new social policy to meet social needs outside the frameworks of the Constitution, case, legislative, and administrative law. Legislation can generally be drawn up once enough politicians have been convinced of the social need.

The overlap, then, between international human rights and domestic sources of similar rights is great in general, but very limited when it comes explicitly to language. The legislative guarantee of language 'rights' follows that of the Constitution in that (1) language per se is not a sole basis for an affected class in discrimination, but most often is part of a national origin classification, (2) the language discrimination must be made explicit as well as causally tied to the deprivation of a 'fundamental freedom' as defined in domestic law. The Constitution and federal law do not provide for, nor guarantee, language choice or language rights directly or explicitly.

3. Approaching a human rights language choice policy for the United States. In the foregoing brief review, I noted the lack of standing that a language group has as a class before U.S. courts, as well as the association with national origin as a category. It seems very little legal attention has gone into the differentiation of language groups in the United States. What are some of these differences and how do they relate to language rights?

Heinz Kloss (1971, 1977) has shed the most light on this problem. He provides us with a summary of language rights as derived from the status of the groups themselves.

Kloss (1977:22-25) first makes a distinction between tolerance oriented language rights and promotive language rights. The tolerance oriented language rights are based on formal equality of language groups and ensure the right to preservation of one's language in the private, nongovernmental sphere of national life, and are inviolable as rights. The tolerance oriented rights are applied either widely or narrowly. The widest in scope is that based on pursuit of life, liberty, and the 'fundamental rights' of which we spoke earlier, such as voting. Next is the right of using one's mother tongue at home
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or in public; then freedom of assembly, organization, and the right to establish private cultural, economic, and social institutions and to use one's mother tongue in these. Most narrowly, there is the right to cultivate one's own language in private schools. The widest of these rights assumes all citizens have the same needs and treats all the same. In the narrowest sphere of tolerance oriented rights, the state accommodates itself 'to the continued existence of the particular language among future generations', by allowing private mother tongue schools (Kloss 1977:23).

Promotion oriented language rights are based on the material equality of the groups and 'regulate how public institutions may use and cultivate the languages and cultures of the minorities' (Kloss 1977:22). There are simple promotive rights in which the government makes limited use of the mother tongue for the dissemination of public or specific information to the language minority. These documents have no legal authority, nor are they distributed to other groups.

Expanded promotive rights may be granted by the state when it (1) allows for a language minority group 'to care for its internal affairs through its own public organs, which amounts to the state's allowing self-government for the minority group' (Kloss 1977:24); or (2) uses the minority language in governmental relations with the majority group, thus putting them on equal legal footing.

Expediency based promotive rights are a low level promotional form designed to serve state ends rather than those of the linguistic minority (e.g. translation of tax notices; bilingual schooling designed to lure students away from private schools; time limitations on minority language promotion). The state otherwise ignores the minority language.

The major difference Kloss makes among groups is between indigenous or old settler language groups and immigrant language groups. These groups correspond to a scale of language claims, pretensions, or demands (Kloss 1977:18-19).

Kloss indicates that, historically, the United States old settler groups and the late settler groups who singly occupied an area claimed and enjoyed promotive rights. All the language groups enjoyed tolerance oriented rights. Kloss argues:

Such tolerance oriented nationality rights have to be granted whenever an ethnic group is ready to make sacrifices for the necessary private institutions (Kloss 1977:289).

Only when the immigrant generation has succeeded in giving its native languages firm roots among the grandchildren, only when the immigrant generation has made the sacrifices for a private cultivation of the language, only when they have taken root in the new country while retaining their native language, can they demand that the state come to their aid and promote their language. Such claim to
promotion can be considered a natural right only beginning with about the third generation (Kloss 1977:289-290).

Such is the distinction of language groups made by Kloss. If a group first settled an area by itself, at the same time as the Anglo immigrants, or if they are at least third generation with a proven language maintenance track record, then they get promotive rights. Otherwise, tolerance oriented rights should be respected for all groups. Citing a similar conclusion reached by a United Nations sponsored Seminar on the Multi-national Society in 1956, Kloss (1977:300) states that 'it would seem that a worldwide consensus regarding this principle is not entirely beyond reach...'

If this is the case, then we have additional criteria at hand to apply in the formulation of a human rights language choice policy. If one compares the distinction of tolerance oriented and promotive oriented rights with some of the international human rights documents I have discussed, one sees the following. (1) The right to freedom from discrimination on the basis of language can be variously interpreted, and when it is related to a denial of a fundamental right, it can be viewed as tolerance oriented. The right is only explicitly pointed to when it has been violated. (2) The right to use one's language in communal life can also be viewed as tolerance oriented. But, tied to this second right is the right to access to the mother tongue, the elite tongue, and world tongues. Without access, the heart of the right to use one's language is offered as sacrifice at the legal altar of formal equality. It is the denial of access in all spheres that is lifted in promotive oriented rights, and the minimum standard, according to Kloss (1971, 1977) and others, is the three generational commitment to the language made by immigrant groups. But what about non-immigrant groups?

This question leads us into an area of problems and biases I explore only briefly here, and strictly within the context of the United States situation. This country is basically an immigrant country and its view of language and cultural minorities has been affected by this and by its experiences in racial oppression, which have been dominated in the national consciousness by black-white relations.

In an immigrant country, the notions of language and cultural change lead one to assume non-English language loss over time. To speak another language is only a temporary phenomenon. The prototypical example and justification given for this assumption--when it is dealt with explicitly--is the European immigrant experience at the turn of the century. Statistics and the major study on language loyalty (Fishman et al. 1966) bear this out on a broad scale. Consideration of 'maintenance' language policy, then, is often viewed as temporarily delaying the inevitable loss of the non-English language and is unfairly juxtaposed to not learning English. Tolerance oriented laws are then
viewed as appropriate, while expediency based promotive rights may be called upon occasionally to soften the harshness of the change-over—hence we have transitional language policies, especially at the federal level.

When contemporary language groups have sought more beneficial language policies, they have met the obstacle of formal equality as well. The notion of formal or legal equality has been buttressed by major race oriented issues and events—the Civil War, the 1954 Brown decision by the U.S. Supreme Court, the 1964 Civil Rights Act, and related or similar legislation. The equation of formal equality with 'sameness' has generalized to national origin discrimination as well, and thus to language issues. With the national origin classification one sees a further reinforcement of the assumption of non-English language loss by immigrants—and occasionally a judge or a policy-maker dealing with national origin discrimination states the explicit assumption that the persons involved are not citizens; often this assumption is an erroneous one.

This situation—which relates not to policy but to the social context for policy making—has important implications for Mexicans, Puerto Ricans, and Amerindians, the latter two being groups who are occasionally, if not often, excluded from the 'immigrant' category. These groups, along with Asians, are often the ones involved in the current litigation of language issues or for whom social policy, in the form of language legislation, is considered.

Two important sociolinguistic studies should be mentioned here. Fishman et al. (1966) is a study on language loyalty in the United States. The study excluded the Spanish speakers from some of its major conclusions, two of which are the general decline of the number of non-English speakers over time, and the fragmentation of the supportive cultural/social matrix or 'ethnic community' for the non-English languages. Spanish speakers have increased in numbers over time and have maintained cohesive cultural communities.

Kloss' (1977) monograph on language policy and traditions in the United States makes a distinction between nationality law (language/cultural law), racial law, and immigration law, the latter dealing with the regulation of immigration, aliens, and naturalization/citizenship. Neither Indians nor blacks are treated in this study. 'Immigrants constitute a national minority only after having become American citizens' (Kloss 1977:21). Kloss also indicates that 'a tense and double polarity exists where separate ethnic groups differ from Anglo Americans by both language and race, as is the case for Hawaiians among the original settlers and the Mexicans among the late settlers' (Kloss 1977:20). Kloss makes a further distinction among Mexicans: there are those whom he calls late settlers (the Spaniards, especially in New Mexico), who settled an area prior to Anglo colonization, and those whom he calls immigrants, who settled in an area after it had become part of the
United States. This distinction affects the status of the group and thus its 'language rights'. It is a convenient distinction, but a specious one.

Neither Fishman et al. (1966) nor Kloss (1977) explores systematically the reasons for making Mexicans an exception to their conclusions or their evaluations. Nor does either explore the implications of the differences with the basically European immigrant data base or focus they are dealing with. As social science and sociolinguistic sources for legal and legislative proceedings, these two studies thus reinforce the two assumptions of social context I have mentioned earlier. This general state of affairs is further complicated by the general lack of information on Mexicans (and Puerto Ricans), the social stereotypes engendered over the years of group contact with 'Anglos', and the oppressed economic and political status of the Spanish-speaking.

There are significant differences between the Spanish-speaking and the turn-of-the-century European immigrants. (1) The Mexicans and the Puerto Ricans, along with the Amerindians, were integrated into the political jurisdiction of the United States by military conquest. (2) There is a Spanish-speaking historical continuity of 350 years, across political sovereignties, within the primary contemporary areas of these populations. (3) Among Latinos there is a confluence of racial, cultural and linguistic, and immigrant/citizenship status. (4) Unlike the situation in the period between 1880 and 1920, when the linguistic diversity of the United States immigrant and non-immigrant populations was high, the recent influx of Central and South Americans and the greater rate of increase among the Latino population in the United States produce a lower linguistic diversity among the non-English and immigrant populations.

There are other differences, the presentation of which must await another time. These differences between present-day racial/linguistic groups and previous European immigrant groups are indicative of a need to explore more closely and clearly the basis of language rights and policy in the United States.

Conclusion. The review of international activity and thinking on human rights and language, the sources for similar rights in the United States, and an appeal for a more broadly based language policy, constitute this discussion of language choice and human rights in the United States. These are, in effect, policy matters, and they are oftentimes distant from the human needs of the populations just discussed. It is not a question of legality or of rights solely, but of justice and quality of life—in the areas of governmental services, public service institutions, the schools, mass media, and the economy—that motivate these comments.

There is a need to reconceptualize the nature of language and human rights within the United States. Sociolinguists, as
professionals and as members of a committed citizenry, can and must contribute to that work. As policy matters, these concerns are not entirely separated from the work in language census/demography, sociolinguistic interactional analysis, functions of language, pragmatics, ethnography, the structure of languages, and other areas as well.

There is also a need to expand the domestic discussion of language issues by looking at the developing norm of international conduct as a source for human rights. Language issues must be viewed as legitimate concerns in their own right. Language based groups should also enjoy greater legal standing domestically, as well.

With these steps we can contribute to a greater social justice for language groups within the United States.

NOTE

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THE CONTEXT OF PROFESSIONAL LANGUAGES:
AN HISTORICAL OVERVIEW

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In a volume entitled *Language in Public Life*, it is somewhat ironic to include the language of professions, since many professionals are today charged with making special efforts to keep their language apart from the public. The professionals considered here are those involved in human services delivery systems—law, medicine, nursing, social welfare, and allied health fields. The public generally assumes these professionals (unlike architects, engineers, etc.) have a special responsibility to make their knowledge accessible for the benefit of the public. As we shall see, professionals have not necessarily shared this view of their communicative duty.

The development of the 'special language' of the professions of human services delivery systems in the United States is the central problem of this paper. Anthropologists and linguists, working in cultures other than our own, have described the secret and/or special languages of those members of societies who hold access to restricted information, and we have learned much about the role linguistic competence plays in socialization into these privileged positions. It is reasonable to attempt to gain corresponding knowledge about the communicative habits of those who serve somewhat similar purposes in today's modern and complex societies. Throughout their history, members of the medical and legal professions have evaluated their uses of language, and suggested how their language uses reflected both the state of their field and their attitudes toward patients and clients. Such social history becomes a valuable source for the student of language and culture who wishes to know more about mechanisms of social boundary maintenance, efforts at amplification (as opposed to simplification) of language, and ways of transmitting metalinguistic knowledge in institutions.
In a broad sense, an historical perspective on the development of the special language of professionals provides a context for examining these languages in use today. In the interpretation of 'context' used here, the language used by professionals depends on the conscious efforts of medical, legal, and social service educators to teach specific methods of communicating and to provide future professionals with a generalized frame of reference in which to view themselves in their communicative interactions with patients and clients. Both lawyers and doctors have reported that their training stresses loss of contact with the common speech (Mellinkoff 1963:11), 'emotional neutrality' in communication (Reiser 1973:298), and conversational styles which limit patients' comprehension of doctors' explanations and recommendations (Bain 1977). The concept of clients and patients portrayed in the training of professionals has had definite and identifiable linguistic consequences for their communicative habits. In this paper, three major questions focus attention on the historical context of the identification and development of the language of professionals: (1) what factors in the evolution of 'the professional' might have contributed to the development of specialness in language? (2) what characteristics of language between professionals and clients/patients developed in the past century? (3) how can linguists contribute to the study of the language of professional contexts?

1. The evolution of the profession. In the United States, the development of a special language for professionals is intimately related to the development of a middle class. During the colonial period, this term meant moderate or middle-of-the-road, but by the mid-nineteenth century, the term had come to mean 'middle rank', somewhere between aristocratic and laboring class. Members of this group had inherited neither titles nor wealth, but had worked their way into professional roles through formal educational institutions. Their membership in occupational groups substituted for traditional methods of achieving upper class status. Because amateurism and a belief in advancement outside the formal educational system were still highly valued by some portions of society, professionals felt the need to introduce order into certain areas of their professional life. They established formal associations, rules of conduct, criteria for recruitment and training, and generally developed means of protecting their positions from challenge by amateurs. Professionals purposefully designed methods of becoming closed groups of intimates engaged in science-based crafts—a positive goal in that period, viewed as a negative state of affairs by the public today. Bledstein (1976), in a history of the development of professionalism, has identified several characteristics which came to distinguish professionals.
1.1 They had access to knowledge of abstract theories and working definitions of concepts basic to their fields, because of the formal educational requirements of their professions. By the 1870s, there were in the United States more medical and law schools (as well as institutions awarding bachelor's degrees) than in all of Europe. Corollary to this growth of educational institutions was a spurt in the number of specialized services: between 1870 and 1900, the number of trained nurses increased eleven times, veterinarians eight times, and dentists four. Thus, both standardization and specialization marked the early development of professionalism: knowledge and services were fragmented into specialized units while institutions attempted to establish standards for transmitting and advancing both instruction and research (American Academy of Arts and Sciences 1980).

1.2 Each specialization within the professions of human delivery systems developed a high degree of internal organization through professional associations. For example, the American Medical Association was organized in 1847; by 1879, one observer noted that a special organization for every part of the body could be found in the United States.

1.3 The task of these professional societies was to keep the public reminded that they should have special expectations of the services professionals could render. Professionals urged on the public the notion that as professionals they had a special concern for the public interest, particularly in their attempt to rid society of quacks, amateurs, and charlatans (e.g. King 1891, Chapters 16, 20). In 1867, one doctor told his colleagues that their success in removing quackery had entitled them to say: 'In this country, there is no post of honor or emolument, and no situation of influence and distinction, which our history does not show to be within the reach of our profession' (Bigelow 1867:215). The specialness of the professions and their public mission were frequently discussed as part of the image of the professional, but they were not used to evaluate or suggest changes in professional behavior.

1.4 A somewhat curious feature of American professionalism during the late nineteenth century was its nationalistic drive. A great many of the materials on medicine and law in the United States until the mid-nineteenth century came from Europe and were often printed in languages other than English. The mid-century was a period of strong nationalism in which there were great claims of the need to 'be American' in literature, language, and tastes. Professional knowledge was no exception. By 1856, journals of the professional societies openly expressed their strong inclinations to select only materials in English and preferably, only articles written by American professionals.
1.5 This nationalistic drive had an effect on yet another aspect of professionalism during this period: the conscious development of a specialized vocabulary and special formats for the presentation of knowledge. Numerous physicians urged their fellow Americans to agree on standard methods of labelling and describing symptoms (e.g. Holland 1857). Medicine during this period viewed the living organism as a machine, the structures and functions of which had to be understood. If disease processes and the body's responses to them were understood, it would be possible to intervene by physical means. Medical education thus began with the study of the structures and functions of the body, continued with examinations of the disease processes, and ended with clinical instruction on selected sick people. A specialized language—the labels used to designate structures, functions, and processes within these stages—became symbols doctors could use to show their understanding of the model and to set themselves apart from non-professionals. Numerous treatises on 'good doctors' as opposed to quacks or 'bad doctors' appeared during the late nineteenth century. Invariably, a characteristic noted for 'good doctors' was knowing how to talk like a doctor, how to use words in appropriate ways. The proliferation of such language within the specializations led to the creation in the 1940s of the Association of American Medical Writers. This group organized with the intention of recruiting writers who could rewrite the language of doctors in one specialization for doctors in other areas of specialization. Materials prepared by the Association emphasize the difficulty of their task, not because of the specialized language of the doctors, but because there were too few writers competent to rewrite clearly the doctors' materials. In essence, if there were any blame for the 'problem' of the language of doctors, it lay not with the doctors, but with public school English teachers who did not successfully train students to write clearly; therefore, the Association had a difficult time recruiting writers.

The development of professionals and the notion of professionalism in the United States were thus marked by the dualism of specialization and standardization (in education, associations, nomenclature, models of employment, and criteria of employment and conduct). Cutting across both these factors in professional development was promotion of the special role in society reserved for professionals. They were to rid society of quacks and to create an Americanized body of professional knowledge. The growth of professionalism and increase in the number and types of professionals had certain linguistic consequences. Summarized in Section 2 are those consequences as self-reported by one group of professionals over the past century. In keeping with the major thrust of this volume's emphasis on medical language, doctor-patient language is used as an illustration, though in many ways the summary is relevant for professionals.
in other human services delivery systems as well (cf. O'Barr 1980).

2. The language of professionals. Sources for the following summary of self-reports on the language of doctors are: publications of the American Medical Association, published accounts of medical education and practice written by and for doctors, and all issues of 10 medical journals published between 1847 and 1960. After 1960, these sources showed a considerable shift in their discussions of doctor-patient relations; however, before that time, doctors generally agreed on the following characteristics of their language in doctor-patient interactions.

2.1 Allow discussion of only certain topics. Doctors consistently advised each other to restrict topics of conversation with their patients to the body and conditions creating or contributing to disease. In this way, doctors could prove their understanding of the living organism as a machine, interfered with by the disease process, and capable of remedy by physical means recommended by the physician. Specific topics were particularly noted as outside the province of doctor-patient conversation—fees and financial matters. This point was not an innovation, but went as far back as the precepts of the Hippocratic Corpus.

2.2 Restrict the choice of conversational partners. Doctors were advised to converse only with patients; if friends or relatives were present during portions of the interview, they were to be given little or no attention. Letters to a Young Physician, written in 1856, has been praised consistently over the years (and as recently as 1976 was noted for containing knowledge 'as relevant today as it was 150 years ago'). The book's author advised: 'as far as possible,...seek information from the patient himself...., the conversation should relate to the patient only' (Jackson 1856:26). Behind this notion was the view that doctors had been trained to elicit from the patient both 'subjective' and 'objective' views of illness. The doctor could therefore judge only from the patient's information what was and was not acceptable information for making a diagnosis.

2.3 Use a detailed procedure for interviewing patients. Letters to a Young Physician recommended that a predetermined format of obtaining information be used with patients: the patient was to be allowed to 'tell his story', and at its completion, the doctor was to cross-examine him. It was the task of the physician, not the patient, to ask questions; in the words of one doctor: 'The wisest [patients] ask the fewest questions' (Mitchell 1904:48). The professional set himself up as the final arbiter about what was and was not acceptable knowledge. The shared norms of what was acceptable in ordinary conversation
were suspended in doctor-patient conversation in favor of the judgment of only the doctor.

2.4 Avoid the truth. From the days of the Hippocratic Corpus, physicians have been warned against providing patients with the truth about their condition. During the Middle Ages, physicians were provided with sample questions from patients and advised on ways to answer these; if a patient or a member of his family asked a direct question about his condition, the doctor should reply, 'You would not understand me if I told you, and it would be better for you to ask what he [the sick patient] should do' (reported in Bedside Manners 1946). In 1849, in a book entitled Physician and Patient, doctors were advised to respond to direct questions such as 'Do you think I will recover?' with the comment: 'It is difficult to decide that question' (Hooker 1849:381). The famous physician, Oliver Wendell Holmes, Sr., advised his associates:

Your patient has no more right to all the truth you know than he has to all the medicine in your saddle bags...He should get only just as much as is good for him...Be careful what names you let fall before your patient. He knows what it means when you tell him he has tubercles or Bright's disease, and if he hears the word carcinoma, he will certainly look it out in a medical dictionary, if he does not interpret its dread significance on the instant (Holmes 1895: 389).

Doctors were not only to avoid telling the truth, but also to discourage elaboration or explication of their information from other sources. In school, patients were (and still are) taught to rely on multiple sources, to reject a single source of knowledge, especially when making important decisions. However, in interactions with professionals, there was the tacit assumption and the strongly desired operating principle that patients would not rely on other sources. Reference works which were available, such as medical dictionaries, home medical guides, etc., were looked down on by physicians. Patients were not expected to be diligent in pursuit of other knowledge; if there were gaps or errors in the professional's transmission of information, patients were not expected to seek ways of filling these in or correcting them.

2.5 Assure the patient he is ultimately responsible for his own improvement. The American Medical Association made this point explicit in its first code of ethics (1847), which was divided into two parts, one for the physician, one for the patient (Fishbein 1947). The patient was seen as responsible for the improvement of his own health, because only by listening to and following the advice of the doctor could he improve. Patients therefore had an ethical commitment to accept the special role
of professionals in their lives and 'to listen attentively and respectfully' to their advice. Interaction on this basis established a 'professional relationship' between doctor and patient. There were, to be sure, occasional protests from doctors about the abstruseness of their language and its ability to separate them from patients. Oliver Wendell Holmes urged his colleagues to be 'less pretentious' and to 'make everything as plain and as simple' as possible. Of himself, he said:

I would never use a long word, even, where a short one would answer the purpose. I know there are professors in this country who 'ligate' arteries. Other surgeons only tie them, and it stops the bleeding just as well. It is the familiarity and simplicity of bedside instruction which makes it so pleasant as well as so profitable (1895:302).

However, in spite of such occasional complaints, two general features of professional language emerged during the past century. First, the language of the professional set him apart from the client or patient. His language was a mark of the special province of knowledge which was the basis of what it was the patient was told, though the knowledge itself could not be transmitted to the patient. What was transmitted was the attempt to frame decisions, choices, knowledge for action, but not the specific knowledge that led the professional to be able to tell the client the decisions to make. In other words, the professional was expected to reflect in concrete details a knowledge organized in abstract principles; in Holmes' words—physicians should 'know the principles to which they can refer isolated facts'. A second feature of the language of the professional was his articulated knowledge of ways to obtain information from patients while restricting the amount and types of information transmitted to the patient. The professional was, therefore, the final arbiter not only about what was and was not acceptable content, but also about acceptable and unacceptable ways of exchanging this information. In a sense, professionals developed what may be called a metalinguistic awareness about language in their professional contexts. Trial lawyers' handbooks, casebooks on negotiation, guides to clinical interviews, and studies of doctors' decision-making processes point out turning points in conversations, ways of disguising truth, and methods of shifting the intention of utterances. Professionals have, therefore, been socialized to have certain perceptions of their role in communicative tasks, and they have been trained to use language as an instrument to maintain that role and to accomplish ends often known only to them in interactions.

3. The study of language in professional contexts: The example of medicine. Current research by both doctors and linguists shows the continuing effects of some features of
language use established in the early days of the medical profession. If we characterize the conversational situation of doctor and patient as an 'environment of mutual monitoring possibilities' (Goffman 1964:135), we discover that in this situation, two sets of rules are in operation, but each party believes only one set is operative. A comparison of the rules for doctor-patient conversation given in Section 2 with Grice's maxims (1975) proposed for ordinary conversation bears out this fact. In doctor-patient interactions, certain adjustments in expectations of 'the acceptable' must be made. These adjustments are taught to professionals in their clinical training. Patients may sometimes be vaguely aware of some of these, yet they have had no special training in the use of these rules or in ways of setting aside the rules of normal conversation. This results in what Barnlund (1976) termed 'mystification of meaning'. Doctor-patient exchanges often seem disconnected, unpredictable, and either party may be viewed by the other as uncooperative. Though the common purpose of the conversation may be known to both parties, the rules of discourse (i.e. connected speech extending beyond a single sentence into larger units) are radically different. For example, the principles Grice suggests for ordinary conversation are, for the most part, set aside or negated in doctor-patient interactions.

Under the Cooperative Principle, Grice suggested (1975:67) that each participant make his contribution 'as informative as is required (for the current purposes of the exchange)'. This principle assumes that both participants know the current purposes and, in addition, know how much information is required to achieve these purposes. The latter condition is not met by patients, since they have no access to the body of specialized knowledge which enables the doctor to judge the amount of information necessary to make a diagnosis. For example, the patient has no way of knowing that a ringing in the ears may be related to the level of intake of certain medicines and should therefore be reported to the doctor in connection with seemingly unrelated complaints such as aching joints.

Very much related to this principle is Grice's recommendation that each participant should make only contributions which are true. Because patients may not see the relevance of certain questions, they may answer falsely or they may, in fact, not be able to remember accurately symptoms not logically or obviously connected in their thinking to the ailment about which they are seeing the physician. The doctor may, therefore, appear to the patient to be violating the 'be relevant' rule of normal conversation. The questions asked and the requests for particular narratives may seem unrelated to the issue at hand. Cicourel (1980) illustrates the confusion of a mother and uncle when they have brought in an adolescent child who has headaches and dizzy spells, and the doctor seems interested only in asking detailed questions about the mother's pregnancy. Another illustration is the apparently innocent pleasantry, 'Are you planning
any trips abroad? which a doctor or nurse sometimes asks before administering a cortisone shot. If vaccinations which may be necessary for travel abroad are taken within a month of cortisone shots, severe medical problems may result. This fact, however, is rarely given as the basis for the question; therefore it may be taken as a social pleasantry and responded to in an offhand way as irrelevant.

Because, as Grice points out, conversational partners assume all parties will adhere to conversational maxims, certain violations may be challenged or questioned. An irrelevant comment or sudden switch of topic in ordinary conversation may provoke comments such as 'Why do you ask?'; 'What are you getting at?'

To call attention to such violation of normal conversational maxims is not admissible in doctor-patient conversations. A patient does not usually respond to what may seem the irrelevant questions of doctors with a counter question such as 'Why do you ask?' or 'Why are you changing the subject?' In ordinary conversation, speakers are concerned about the vulnerability of their statements to challenge. Professionals, in general, neither expect nor receive such challenges because the conversational constraints (Ervin-Tripp and Miller 1977) are known to only the doctor. In mother-child interactions, the mother makes certain assumptions about the kinds of things the child will understand and the kinds of statements the child will challenge. Similarly, the doctor makes assumptions about the kinds of things patients or clients will understand and treats them accordingly, thus forestalling possibilities for challenge.

3.1 Social science research. Barnlund (1976) provides a very useful statement of the need for research examining communicative relationships within the medical profession. Cicourel (1980) provides a summary of the literature on this topic. Both doctors and academicians are represented among those researchers who have attempted to provide evidence of the need for a reform of medical education. Their studies have often pointed out the failure of doctors to maintain a pleasant 'bedside manner' or to explain their medical advice adequately. Of particular interest to members of the medical profession is the possibility of identifying inadequate or inappropriate communicative techniques which may lead to treatment failure (e.g. Ley and Spelman 1967, Nuffield Provincial Hospitals Trust 1976). Content and quantitative analyses of doctor-patient interactions have shown that all patients do not respond in the same way to either illness or patient-physician relationships. For example, in one study, lower class patients contributed less to the verbal exchange and recalled less of medical instructions than did middle and upper income patients, even though doctors sometimes provided nearly three times as many directions to lower class patients (Bain 1976, 1977). Numerous studies (e.g. Royal College of General Practitioners 1972, Mechanic 1976) have shown that doctors have difficulty transmitting the same
information to patients of different social groups, in part because 'doctors have certain ideas about the kind of relationship they should have with patients and the roles they are expected to play...' (Bain 1976:130). For example, doctors often fail to acknowledge as appropriate conversational topics, problems and concerns only indirectly related to physical complaints (Bain 1977; cf. Korsch and Negrete 1972).

The focus on rehumanizing medicine has led to calls for improved clinical practice and greater attention to interaction skills in medical education. Doctors and medical education specialists have tended to view the patient-physician relationship as a 'social interaction' (e.g. Stiles et al. 1979; for a review of research using this concept, see Cicourel 1980). In this work, there is a search for 'a comprehensive system for accurately describing and measuring the patient-physician interaction' (Stiles et al. 1979:81) in order to train students and assess their performance. Verbal utterances are coded according to function, and the coding system becomes part of a total evaluation of such things as patient satisfaction and the accuracy of recall and degree of commitment patients have for doctors' advice. If the length of time doctors spend talking and/or the types of utterances (question, confirmation, etc.) they use correlate positively with successful treatment and patient satisfaction, doctors in clinical training can be advised of new methods for favorable interview outcomes. In many ways, the clinical phase of medical training can incorporate research on communication.

Linguists and other social scientists not interested in the reform of medical communication have attempted to describe the structure of the language and interaction, and to delineate the rules being followed by each party in the communicative event. In some respects, the language of professional contexts is easier to characterize than is normal conversation. First, in its particular contexts of use, it is somewhat formalized, and both repetitive and predictable in semantic range. Therefore, examination of professional language uses can be expected to provide more information generalizable to other situations than can studies of conversational interaction based on unique bits of discourse caught between speaker and listener in nonrepetitive and often nongeneralizable contexts.

There are many ways to characterize the structures and social contexts of the language of professionals. Those who have viewed professional language as a 'register' have studied it as a variety of a language characterized by features of vocabulary, grammar, and pronunciation peculiar to specific settings and purposes (e.g. Hiz 1975, Bongiovanni 1978). The purposes of the communicative exchange, background assumptions of participants, and the specifics of the immediate setting are not as important in these studies as are the features internal to the language. (It should be noted that the concept of professional register, though rarely discussed explicitly by professionals,
is implicit in many guides to interactions between doctors and patients, nurses and patients, and social service workers and clients. Numerous books on communication with the terminally ill are based on the implicit assumption that doctors and nurses have a 'normal' register for use with patients, but communication with the terminally ill requires alterations in this register which must be exemplified and explained. Illustrative materials designating certain strategies as nontherapeutic and others as therapeutic are laid out in detail for the instruction of nurses and doctors communicating with the terminally ill or the elderly (e.g. Hinton 1974, Wilson 1975, Quint 1967.)

Linguists and other social scientists who have viewed professional language as 'discourse' have given detailed attention to the interrelatedness of utterances between patients and clients. In all conversations, rules for communicative cooperation help determine how information is asserted, altered, requested, clarified, qualified, and denied between speakers and listener. In medical discourse, these rules are adapted, negated, or supplemented by other rules. For example, Coulthard and Ashby (1975) analyzed the patterns of information-seeking and control in doctor-patient interviews. Cicourel (1980) examined interactions between doctors and patients in an emergency room and in regular consultation, and compared specifics of their conversational interactions with the information recorded in the written medical record.

Yet another method of studying communication between human services delivery personnel and their clients is to study the entire 'conversational interaction', focusing as closely on nonverbal as on verbal features. Erickson (1976) has shown in interethnic counseling settings the barriers to communication created by nonverbal as well as verbal cues. In these studies, interaction includes not only the immediate setting of professional and client interaction, but also, to a great extent, the knowledge both speaker and listener bring to the interaction in terms of assumptions about each other and the purpose of the meeting, etc.

Research on the language of professional situations can supplement current data on features of discourse, register, and conversational interactions. Such knowledge can help in the search for those characteristics of special languages which may be cross-cultural, consistent across written and oral channels, and comparable with other types of exchanges in which one party has access to an amplified (as opposed to a simplified) speech form. Perhaps, most important, the study of language use in professional contexts may enable us to learn to distinguish those characteristics which mark the language of certain groups in each society which have access to restricted areas of knowledge.

3.2 Shifts in policies and practices. Recent Congressional decisions on health services, as well as new trends in medical education, point out the immediate need for increased knowledge about the language of physician-patient interactions. Public
policy issues in the 1970s have emphasized the need for physicians to be accountable to community health groups and to provide for community input in health care planning. Society is increasingly placing emphasis on improved primary care and on open, sharing interactions between doctors and their clientele. (For a review of the literature on these relations in the context of structural changes in society, and a thoughtful discussion of the patient-client as consumer, see Reeder 1972.)

Numerous other changes are occurring which may greatly alter the patterns of professional language use reported in this paper as characteristic of medical practice during the period between the 1840s and 1960s. Since the 1960s, there have been increasing pressures on doctors to discuss fees with patients, to be sensitive to interpersonal relations, to draw families into consultations and discussions of treatment, and to tell patients and their families the truth. Pharmacists are now shifting from product orientation to patient orientation, and pharmacists in both hospitals and community business settings are serving as drug and health counselors and educators (Hoar 1972). The drive to provide patients increased information on the potential side effects or counter indications of medicine has led to the proposal for patient package inserts (PPIs), printed information about drugs (Ligouri 1978; Hoar and Hoar in press). Patients are being urged to supplement this information with materials from medical guides and reference works.

Medical schools are responding to the public's thrust for increased access to information formerly restricted to professionals and protected in their customary habits of interacting with patients and clients. A 1977 national survey of medical schools (Kahn et al. 1979) showed that 96 percent of the respondents (68 percent of U.S. medical schools) had a specific course or courses on interpersonal skills (listening, responding, information exchange). The survey concluded that most medical students graduated before 1975 had little or no explicit training in interpersonal skills, and that since 1975, primarily non-physicians (psychologists, anthropologists, and communication majors—but no linguists) have been involved in the teaching of these interpersonal skills courses. Ninety percent of the programs used videotechnology in teaching or assessing interpersonal skills. Numerous studies in the past few years (e.g. Alexander et al. 1977, Vaughan and Marks 1976, Robbins et al. 1978) have reported results of using video and audio recordings in training physicians in effective interviewing and other interpersonal skills. Several older journals (e.g. Journal of Medical Education), as well as some new journals begun since the 1960s (e.g. Primary Care 1974, American Family Physician 1970), now give considerably more attention to these issues than did medical journals before 1960. Shifts in federal policies and general public awareness of communicative concerns offer opportunities for linguists interested in both research and intervention. With the cooperation of doctors and patients, linguists and other social scientists
can help expand methods of collecting and analyzing video and audio recordings of medical communication.

These materials are obviously useful for the training of physicians and for evaluations in clinical phases of their programs. In addition, these materials could be used for patient education in clinics or doctors' offices. There, replays and illustrations of general medical advice appropriate to a majority of the clinics' or medical specialists' clientele could be provided by automatic slide/audio projection. A model for this kind of work is that offered by some orthodontists, who provide slide/audio accounts in their waiting rooms of general information on care of the teeth, braces, and gums, and the use of dental appliances.

Perhaps a more radical suggestion is the placement of video accounts of doctor-patient interactions (either simulated or real) in high school courses on communication. Students are taught compositional skills for letter and report writing, but other than in vocational counseling, little attention is given to how to handle an interview. An interview with a professional can be an unfamiliar and frightening speech event for many members of the population who have no such competence in their oral repertoire. Students in communication classes, through viewing physician-patient interviews, could become familiar with some of the unique characteristics of these conversations. It is especially important that they learn when and how to ask clarification questions, to break through the doctor's medical register with questions on the meaning of unfamiliar health and legal terms.

In 1978, Rosemary Firth summarized the relationship between social anthropologists and the medical profession during the last 100 years. The report was lengthy, and the author felt it necessary to apologize that all the instances of cooperative research and policy-planning could not be mentioned. In contrast, no such report could be written about linguistics and medicine—or any other professional field. Though much emphasis is currently being placed on interpersonal skills, there is almost no knowledge about the communicative behavior of doctors and other health personnel. Numerous studies have shown that ineffective physician-patient communication interferes with treatment and can lead to patient dissatisfaction or actual harm to the patient. Yet neither linguists nor doctors have made this area a strong research priority. Aaron Cicourel, of the University of California at San Diego, and Frederick Erickson, of Michigan State University, are social scientists interested in language who have urged basic and applied research in the medical field by linguists willing to record and analyze the data without preconceived categories or codes. Roger Shuy, Georgetown University, has begun to help linguists build bridges to the medical field. However, as yet, they are few linguists willing to cross that bridge. The need is there for both linguists and medical personnel. Firth (1978) suggests that the fact that both anthropologists and physicians share a common
curiosity about 'the human condition' brought their research together. Professionals in human services delivery systems and linguists share a common curiosity about communication—what it is, how it works, how we learn to make it work. Perhaps in the next decade, this common curiosity will bring them together, and one of our colleagues at the 1990 Georgetown University Round Table on Languages and Linguistics may be able to match Firth's paper on anthropology and medicine with one on 'Linguistics and Medicine—A Personal Perspective'. We could also hope for such papers on linguistics and law, social work, nursing, and the other human services delivery systems.

NOTES

1. Throughout this paper, the term 'special language' is applied to all the professions together, although to some extent each of the professions has its own special language. The problem of distinguishing the characteristics of the separate professional languages and a summary of sources which attempt to do so from a variety of perspectives are given in Heath and Ferguson (1977). This source was prepared for a course on Language in Professional Contexts, taught at the Linguistic Institute of 1977. This paper benefited from participation in the teaching of that course and access to materials collected for the course by Donna Christian of the Center for Applied Linguistics. Sara Lyles Sanders, Eleanor Stipe, and Janet Anderson, students in the course, contributed bibliography and information on their own research in medical settings. The Ford Foundation generously supported the collection of research materials used in the course and in the preparation of this paper. The historical sources reported here were made available through the Lane Medical Library of Stanford University.


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COMMUNICATION BETWEEN DOCTOR AND PATIENT: 
WHAT COMPLIANCE RESEARCH SHOWS

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When single terms like 'capitalist', 'democratic', 'alienated', or 'post-industrial' are offered as essential characterizations of our society, it would be as useful as any of these to suggest the term professional. We live in a society where very powerful and esoteric knowledge of various kinds is mastered and applied, and with the greatest of consequences for all of us, by people whom we call professionals (Barber 1978-1979). To bridge what Talcott Parsons has called 'the competence gap' between professionals and clients, clearly it is indispensable to have effective communication; there must be mutually understood languages of interaction. When one asks whether such communication and languages exist, the answer has to be somehow in the negative mode, either flatly 'no', or, more moderately, 'not really'. Certainly there is much dissatisfaction about that most important of professional relationships, physician and patient. Speaking about the particular communications problems involved in informed consent processes between doctors and their patients and subjects, Professor Jay Katz, a psychiatrist and professor at the Yale Law School who has had a long-standing concern for these matters, says bluntly: 'Significant disclosure is not standard practice for the vast majority of physicians. Indeed, disclosure and consent, except in the most rudimentary fashion, are obligations alien to medical practice' (Katz 1977:148).

If we turn from assertion to research evidence, we can usefully look at two sets of investigations. One has to do with the different vocabularies of illness and health that patients and doctors use; they often do not speak the same language in dealing with one another. The other has to do with a problem defined by doctors as interfering with successful treatment of disease, the problem of noncompliance by the patient with the
regimen prescribed by the doctor. Both of these sets of research evidence give us a better understanding of patterns and determinants of language and communication behavior between doctor and patient.

**Vocabularies of illness and health.** Evidence on the differences of health language between doctors and patients comes to us from studies carried out in different countries and different types of medical setting. One study of 234 adult urban and rural patients in a Scottish hospital clinic gave them and their 35 physicians a questionnaire to discover the amount of agreement on a set of terms very commonly used during medical examinations (Boyle 1970). The terms were technical and non-technical, symptomatic and anatomical, including, for example, terms such as 'arthritis', 'heartburn', 'palpitation', 'the heart', 'the kidneys', and 'good appetite'. While the doctors showed a high consensus on definitions of the terms used, the patients were speaking something of a different language. Indeed, says the investigator in this study, 'the difference between the "majority doctors' definition" and the number of patients agreeing with that definition was significant for all terms and illustrations except the term "a good appetite".'

Findings from a comprehensive study of patterns of communication between pediatricians and the mothers of their patients in the Emergency Clinic at Children's Hospital of Los Angeles further define the way in which misunderstandings and ignorance of terms prevent effective medical communication (Korsch et al. 1968; Freeman et al. 1971). In this study, the investigators tape-recorded medical interviews and had follow-up interviews with 800 mothers who had participated in patient visits. 'An outstanding barrier' in such visits, the investigators say, '...in more than half the recorded cases is the pediatrician's use of difficult technical language'. One mother, in an interview, said the doctor 'talked medical', and another mother asked her doctor to repeat what he was telling her 'in English'. Many mothers could not understand technical terms used to describe the child's anatomy (e.g. nares, labia, sphincter), or physiological processes (e.g. injection, edema, peristalsis), or laboratory procedures (e.g. lumbar puncture, Coomb's titre). The investigators report, moreover, that the 'routine, stereotyped language' of the hospital, words like work-up, follow, and history are often as obscure to the patient as technical medical terms, and they are used ceaselessly by the medical staff without finding out whether the patient understands. One mother told the interviewer that the doctor said they would 'admit her for a work-up--whatever that means'.

Recently, a few medical specialists have themselves become aware of and reported language difficulties between themselves and their patients. 'We have been concerned', say two cardiologists in a special Commentary in the Journal of the American Medical Association (236 (1976), p. 1699),
about the diagnostic terms that colleagues use when describing cardiac disease to their patients. Despite their efforts to be scrupulously honest in their explanations, the technical words they often use may fail to convey an actual understanding of the condition and may even mislead the patient and evoke unnecessary and devastating anxiety.

For example, they suggest that, when a doctor dispenses digoxin for the condition referred to in medical language as heart failure, he avoid this 'terrifying' term and instead tell the patient that the 'heart muscle is a bit tired and lacks the normal vigor of contraction'. In sum, they conclude, 'a description that neither describes nor reassures is not a useful part of the physician's lexicon'.

Finally, in this brief review of evidence on the insulation of doctors and patients from one another in their separate languages, we are fortunate in being able to report studies done by sociolinguist colleagues. Right here at Georgetown, in the University Hospital, Shuy and Rubin have studied the 'dialects' that doctors and patients use in conversing with one another and the language that is used in questions asked in various computerized programs that sometimes substitute for the physicians themselves in acquiring medical information from patients. (Shuy 1972, 1973; Shuy and Rubin 1973. See also Kimball 1971, for at least one doctor's awareness of 'dialect' problems.) In both types of communication, the face-to-face and the computer encounters, the investigators find that 'the concepts and the language of such questions are clearly middle-class, uninvolved, and jargonish'. They were especially concerned about the middle-class aspect of the physicians' language because most of the patients in Georgetown University Hospital clinics were black, inner-city ghetto residents with a phonology, lexicon, and grammar different from those of the physicians.

In addition to these studies, Shuy interviewed a random sample of 86 patients in the waiting rooms of the various clinics and private medical practices in the hospital about their communications experiences and satisfactions. The results, he says, 'demonstrate clear evidence of how widespread' the problems of different languages and ineffective communication are. 'We can safely generalize', says Shuy,

that the doctors do not speak patient language and, much more seriously, that they often give little evidence of understanding it. They are not especially friendly, not very good at making the patient comfortable, and generally lack expertise at question-asking. The patient generally adjusts to the doctor perspective, offering medical terms whenever possible. When the patient cannot do this well, the history is slowed and made less efficient. In short, the general expectation is for the patient to learn doctor talk (1973).
There is obviously much language learning, translating skill, and communications ability that doctors have to acquire if they are not going to continue to be separated from their patients by language problems of various kinds.

The compliance research literature. To amplify our knowledge of the problem of ineffective communication between doctor and patient, we can now turn to the evidence in the compliance research literature. Some of the determinants of poor communication, as well as the patterns, become a little clearer here.

Physicians have always been aware of the problem of non-compliance by patients with their prescribed regimens. Not taking medicines may be as old as medicine itself. In the Hippocratic writings there is the following statement: '(The physician) should keep aware of the fact that patients often lie when they state that they have taken certain medicines' (cited in Lasagna 1973). As this statement indicates also, doctors then, as now, tended to blame the patient for communication problems.

Although it has always existed in some measure, then, the compliance problem, to judge from the lack of literature on it until after the Second World War, does not become a serious one for doctors until they acquire a whole set of specific and effective remedies such as the antibiotics, the diuretics, the psychoactive drugs, and the anti-hypertensives, all of which make compliance by the patient a more consequential matter. From the 1950s on, the intensified concern for compliance on the part of physicians, taking advantage of the cooperation of social researchers from the emerging professional specialty of medical sociology, produced a small flood of compliance studies which tried to find out how much and why patients did or did not take their medicines and follow other regimens. All these studies found a considerable amount of non-compliance. For example, one recent review of non-compliance studies says: 'A...review of over 50 studies found that complete failure to take medication often occurred in between one-quarter and one-half of all outpatients' (Blackwell 1973). Besides failure to take medicine, there are a number of other types of non-compliance or errors in following doctor's orders. Some patients take prescribed medicines for the wrong reasons, or they make errors in dosage or timing, or they even mistakenly take medications that have not been prescribed by their physicians. Some patients make several of these mistakes at the same time.

For the first 15 or 20 years, the predominant assumption of the compliance studies was that non-compliance was due to some characteristics of the patient, or to some defects in his or her behavior. For example, a typical compliance study from this period begins its report in this way:

The successful application of ambulatory or home-care programs for the control of disease demands that the physician
be able to detect those persons who will, and those who will not, take self-medication as prescribed. Ultimately, by recognition of certain characteristics or personality traits, the physician may be able to detect the potentially unreliable patient before treatment is begun (Schwartz et al. 1962).

Under this 'patient culpability' assumption, studies were made of such diverse possible sources of non-compliance as the patient's age, gender, marital status, race, ethnic background, household composition, education, economic condition, and so forth. Differences of language, and poor communication on the part of the doctor, tended to be neglected.

Eventually, toward the end of the 1960s, Davis's critical survey of the so-called patient 'demographic' or 'background' factors in non-compliance convinced him that the data of earlier investigations did not prove that these factors were the essential causes of non-compliance (Davis 1967). He decided to turn his attention to communications processes between doctor and patient as the essential source of non-compliance. In a study of 154 new patients and their 76 junior and 78 senior physicians, he not only found that there was 'no significant relationship between compliance and any of the demographic characteristics investigated', but that the degree of compliance depended on communication and other aspects of interaction between doctor and patient (Davis 1968). Measuring this interaction by the Bales interaction process analysis method, he found that compliance was greater if the physician gave information and suggestions and if the patient had asked for the physician's suggestions and opinions, or if they expressed agreement, and if they expressed any tension they felt. Non-compliance was more likely if the patients showed but did not express tension and if the doctor asked for information from the patient but did not provide him with informational feedback.

Recent studies of non-compliance have followed on from Davis. A recent review of half a dozen or more such studies of hypertension medication compliance not only confirms the importance of communications problems in non-compliance but specifies some of the ways in which communication between medical personnel and patients can be improved (Podell and Gary 1976). 'General information about blood pressure, by itself', this study says, 'probably has little effect on most patients' pill-taking compliance or on long-term blood pressure control'. They describe one controlled study in which a group of industrial workers with high blood pressure were given an excellent teaching program with quizzes to make sure that the information was learned. A control group received none of this teaching. After six months, the rates of non-compliance were the same in both groups. What did make a difference, another controlled study showed, was when general information was accompanied by a whole set of specific informational
interventions by the pharmacist investigator. This investigator gave one of his two groups not only general information but also 'discussed specific details of the current regimen, clarified the physician's instructions, questioned the patients about compliance, sought out complications and medication side effects, and recommended therapeutic changes to the physician based upon the patient's response and compliance'. In this group, the rate of compliance increased from 25 to 79 percent. The controls showed no increase in compliance. It is clear that effective communication requires continuous and specific and responsive communication with the patient. It is also clear that it is possible for such communication to be delegated from the physician to paramedical personnel.

A study by Hulka and her colleagues confirms that communications problems between doctor and patient are not limited to hospital and clinic settings, but occur also in private practice and solo office settings (Hulka et al. 1976). The Hulka study included 357 patients and 46 physicians, either family practice doctors or internists, these being the two main types of primary care physicians. The patients in this study suffered from congestive heart failure or diabetes mellitus, two medical conditions frequently seen in the offices of primary care physicians and usually requiring one or more medications for effective control. Hulka found that none of the demographic or background factors was related to non-compliance in its various forms. The major determinant, she found, was poor communication. A third or more of the patients were found to be unaware of what was expected of them. Their findings, Hulka and colleagues conclude, suggest 'that non-informative physicians may be a greater problem than non-compliant patients'.

This, then, is where we are at the present. Communication between doctor and patient is obviously less than satisfactory. Very little attention is paid during any part of medical training to communications and language processes and skills. The heavy emphasis in medical training is still on scientific diagnosis and prognosis, not on the social and psychological interactions going on between doctor and patient (Carlton 1978). Of course, not all the difficulties in doctor-patient interaction are due to communications and language problems, but improvement here would certainly improve patient compliance and health.

NOTE

This paper is based on a much more extensive discussion in my forthcoming book, Informed Consent in Medical Research and Therapy (Rutgers University Press, 1980).

REFERENCES


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0. Introduction. That the field of medicine, like many others, has not been thought to be the battleground of language policy issues, is not surprising. The active discipline of language has been largely invisible to most people for centuries now and the field of policy tends to be seen as belonging to politics, economics, or sociology much more than to language. Since neither language nor policy plays heavy on the minds of most people, it is not surprising that language policy has not surfaced in the area of medicine. A few years ago, a New York City psychiatrist surveyed 20 or so of his fellow analysts concerning the tools they used in their work. Not one of them even mentioned language as a tool whereas the researcher himself claimed that language was their only tool.\(^1\)

This paper will discuss four areas of the intersection of language and medicine, noting the dynamics and implications of the involvement of each area for language policy. The four areas are divergent and, to my knowledge, they have never before been put together under the label of developing or potential language policy issues. They have different levels of public visibility as policy issues and they have followed startlingly different avenues to the achievement of any visibility at all. Most people would not regard them as language issues—\(^1\)a circumstance which makes policy consideration all the more difficult. These four areas are: learning disabilities, the certification of foreign-trained physicians, geriatric medicine, and the average day-to-day communication between physician and patient.

1. Learning disabilities. A few years ago, it suddenly became fashionable to claim that certain children had learning
disabilities. This notion seemed to be intuitively satisfying to educators and parents as an explanation for certain otherwise unpredictable academic failures, especially since such a label tended to remove responsibility from the school and the home and to place it squarely on the shoulders of the child. Congress soon received political pressure to provide funding for learning disabled children (hereafter LD) and so the appropriate committee called together the professionals in the fields of psychology, education, and medicine to try to define it for them. There was no agreement from the professionals as to what LD really meant so the ball was passed to the Bureau of Educationally Handicapped (BEH) for definition and possible funding in that area. BEH was no more successful than the Congressional consultants and finally, in desperation, BEH came up with a definition of LD as 'the severe difference between ability and achievement in oral expression, listening comprehension, written expression, reading skills, reading comprehension, math calculation and math reasoning'. The wording here carefully excludes differences in visual, hearing, or motor abilities, mental deficiency, emotional disturbance, and cultural or environmental handicap. This definition, which became known as the 'severe discrepancy criteria', rested heavily on language issues (five out of seven aspects of these criteria).

In effect, the legislation which produced the BEH regulations was the legislation of language policy in a field which required the attention of both medicine and psychology for definition. The condition of the LD student, brought about neither by medical pathology nor environmental causes, was to be diagnosed largely on the basis of language ability. Thus, legislation became the avenue to the visibility of a policy which, though not labelled language policy, is, indeed, such a policy. Diagnosis now comes about as a result of discrepancies between achievement and ability tests scores. This is a psychometrically invalid procedure, not only because there is no indication of how ability or achievement is ascertained but also because the norms of both kinds of tests are not made to be comparable. The process is conceptually faulty because of its asymmetry. Children with high ability and low achievement are called LD. Wouldn't it be equally reasonable to label those with high achievement and low ability 'intelligence disabled'?2

From the language perspective, the critical point is that both ability and achievement are actually measures of verbal ability and, consequently, what is actually being measured is verbal ability. Hence the entire process is a language policy issue. This medical, or semi-medical, definition, though couched in terms which put language in the background, is, in a very important sense, the legislation of a language policy.

2. The certification of foreign-trained physicians. A second area of policy intersection between language and medicine is represented by the Federal Licensing Examination (FLEX), a
test which has been given since 1967 to insure the standard medical competence of doctors trained in medical schools at home and abroad. One of the five goals of the examination is stated as follows: 'To provide a basis for the management of the foreign medical graduate'. To determine this basis, the FLEX is given twice a year in every state of the Union. A set of 90 multiple choice questions, devised by panels of experts in the areas of medicine being examined, is administered over a three-day period. Despite the fact that the only stated goal of the examination is to assess the medical competence of medical school graduates, the test is administered only in English. Physicians who are not native speakers of English, therefore, are given the most important test of their careers in a foreign language. When it was suggested to the FLEX Committee Chairman, Dr. Frederick Merchant, that actual competence in medicine could be distorted by the fact that this competence was sought in a language that was less familiar to its takers, Dr. Merchant responded that all American doctors have to practice medicine in English. Even if this were true, and in some parts of the country it is not, of course, that which is being measured by the FLEX.

The major point to be addressed here is that a language policy in medical practice has high visibility but low comprehensibility. Although one of the five stated purposes of the FLEX is to deal with the issue of foreign-trained medical graduates, there is no apparent concept of the relationship of foreign language to that training. Further, there is little understanding of the interference of one task on the measurement of another. If the FLEX Committee is concerned about competence in English, it is possible to disambiguate that competence from competence in medicine. The reverse is equally true.

A second point which this activity underscores is that foreign language policy in American medicine is determined by a committee which has deliberately chosen to ignore the most critical aspects of the language question. When asked why the FLEX could not be given, for example, in Spanish, Dr. Merchant responded that it would be too expensive to give the test in different languages and it could result in noncomparable data. The development of this language policy in the certification of foreign medical doctors, then, did not come about accidentally but rather as a careful and deliberate choice by the controlling body. It is interesting to note that English language policy in American medicine is considerably clearer. The Health Professions Act of 1977 requires foreign doctors not yet in the U.S. to present themselves for examination on either the TOEFL or a newer examination to be developed by the Education Commission of Foreign Medical Graduates.³

3. Geriatric medicine. A third area of policy intersection between language and medicine is found in the recently
expanding field of geriatrics. There is a rapidly growing research literature on language acquisition but this study seems to stop abruptly with adolescence. We now know a great deal about native language learning up to about age ten, but we have little recognition of whether language continues to be learned throughout life, whether it levels off or whether it actually declines. Figure 1 offers these three hypotheses.

Figure 1. Three hypotheses concerning lifetime language acquisition.

Research on geriatrics to date has been largely social and physical. The social programs grow out of a need to find things for older people to do. The physical research focuses largely on the bodily and emotional deterioration which can be expected with advancing age. As usual, the language of older people has not been viewed either as a resource or as an indicator of physical changes. One notable exception to this is the research of Michael G. Clyne in Australia, whose work on bilingualism of the elderly indicates that as the German migrants grow older, their English becomes less fluent and the number of switches to their native language increases: '...it is...remarkable that so many people who have talked no German for forty years can still speak it so fluently' (p. 47).

In a study of 12 bilingual environments, Clyne notes that in all cases the bilinguals or their families report deterioration in English; improvement in first language; increase of foreign accent in English; preference for L1 in inner domains, especially religion; and more immediate recall in L1. One nurse in a bilingual rest home reported that she had to use German increasingly to residents after age 70. In some cases, almost total reversion to L1 took place by age 80. Clyne reports similar phenomena in other ethnic groups in Australia, particularly
among Dutch speakers. In recognition of this problem, Australia has made provision for ethnically and linguistically focused old folks homes. Clyne describes the language composition of several of these homes, some German (one predominantly Swabian), some Yiddish, and some Polish dominant.

The critical point of Clyne's study, from our perspective, is that language reversion to L1 has been recognized in Australia to the extent that homogeneous language grouping has consciously resulted: 'There is clearly a difference between the well-being of non-native speakers of English in "ethnic" and "non-ethnic" old people's homes'.

A second important point is that language reversion tended to relate to senility. That is, the more a subject reverted to the language of childhood, the more available were signs of senility. Clyne does not go so far as to say that language reversion is senility. It simply cooccupies the same space. This correlation of language reversion to senility has been the subject of my own personal observation with respect to native English speakers also. Years of interviewing people of all ages for various research projects has brought me in contact with older people who, as adults, have moved from one dialect area to another. Then, in the later years, these people tend to begin to use the pronunciations, vocabulary, and grammar which, over the years, they had managed to submerge. I once noticed this phenomenon in my mother-in-law, who moved from Southern Ohio (the South Midland dialect) to Northern Ohio (North Midland dialect) at about age 20. I first got to know her when she was in her fifties and she is now in her mid-eighties. For the past 15 years, since she was about 70, she began to resurrect her use of expressions characteristic of the dialect area of her youth. She began referring to the yolk of an egg, for example, and to increase the frequency of occurrence of such Midland terms as comfort instead of comforter and take cold instead of catch cold. In pronunciation there was a clear shift from /ruf/ to /ruf/ and her /ay/ glides in words like fire and tire became /ah/.

More recently, I have had the opportunity to observe informally this same phenomenon in several other elderly residents in an Akron, Ohio nursing home. The gradual settlement patterns of Akron are conducive to finding Southern Ohioans and West Virginians who moved to that area as young adults. Now that they are elderly, one can notice the return of some features of the dialect of their youth. Unfortunately, for such a study one needs two periods of language measurement for specific comparison. The point I am making, then, must be taken as more informal and programmatic. But it does correspond with the observations of Clyne in a bilingual context and suggests a bit of direction for the study of geriatric language as a guide to the onset of senility. As the preliminary study of Shuy, Louis, and Van Thillo pointed out, however, a more interesting approach might be to study the increased use of insecurity markers such as nervous laughter and questioning intonation,
and the study of language functions such as qualification, requests for clarification, and refusing.

In contrast with the area of learning disability and the certification of physicians, the role of language in geriatrics has relatively low visibility as a policy issue. Some hints of policy come from the creative, ethnic rest homes in Australia but this issue has not yet received attention in America. Neither has the United States recognized the ultimate potential diagnostic benefit of the language indications of medical status. One characteristic of geriatric studies which is notable, however, is its general focus on deterioration or decline. In sharp contrast, one of the findings of our preliminary study of four Detroit families is that within the three generations represented, the older members responded, on the whole, with much longer answers and with much clearer discourse threads than were used by younger members of the same families. No matter how far afield from the topic their story led them, they always managed to return to it and frame it quite well. The younger speakers were considerably less adept at this activity. If this pilot study can be verified in a larger context, it is clear that some aspects of language continue to be learned through life, making the more commonly held deficit hypothesis less meaningful in geriatric studies. If such is the case, language will be prone to be an extremely useful key to counter the widely held deficit policy in the field of geriatrics.

4. Day-to-day communication between doctor and patient. Research into the nature of communication between doctor and patient has been increasing in recent years. Such communication forms a natural and rather frequently occurring speech event. Like so many other common occurrences, the structure of the event is often overlooked, even by linguists. L. Skopek described how the doctor initiates, terminates, and determines the direction, length, and context of the medical interview. Ford analyzed terminology problems across cultures in the medical interview and assessed the attitudes and reactions in the medical context, while van Naerrsen studied register variation in medical records used by physicians. Cicourel has examined the medical interview itself, particularly the questionnaire which, Cicourel observes, obscures for analysis the reasoning process of the interviewer.

Shuy's previous work which examined the doctor-patient interview from the perspective of language learning, showed that in the crosscultural interview: (1) doctors expect patients to adjust their speech to doctor talk; (2) patients begin the medical interview with their very best doctor talk but learn, during the interview, to talk it better; (3) a great deal of what the doctor says is not understood by the patient; (4) a great deal of what the patient says is not understood by the doctor; (5) the nature of the medical history tends to intimidate patients, even to the extent of offering false information.
These studies, along with a few others, typify the more recent research on medical communication. Coupled with the much larger number of studies of the sociology of medicine which tend to deal with lexicon, these more recent linguistic analyses only scratch the surface of research topics that could be done.

From the perspective of language policy, several issues are apparent in the study of day-to-day doctor-patient communication. For one thing, the communication is dominated and controlled by the physician. This is not the only speech situation in which one party dominates, of course. The teacher often exerts similar dominance, as does the employment interviewer or the police investigator. Such control characterizes not only communication in the profession but also much of this profession's attitudes toward things nonmedical. Policy implications follow naturally from such attitudes. Research priorities, curriculum developments, or training requirements are less likely to be concerned with language and culture differences between patient and physician, for example, if only medicine is visible to those in control. In contrast to policy by legislation, which characterizes learning disabilities, or policy by committee, as in the certification of foreign physicians, the linguistic study of doctor-patient communication suffers from isolation from the cooperation of physicians themselves. Naturally, such a policy does not characterize all physicians or medical schools and change is slowly beginning. It is curious, however, that more concern for understanding medical communication appears in nursing than among physicians.

5. Conclusions. These four areas of the intersections of language and medicine are instructive for the emergence of language policy in general. Figure 2 summarizes the salient features of these four areas.

The generalizations to be made from the experience of these four areas of intersection between language and medicine are relatively clear. For one thing, there is, in each case, relatively low public visibility of language as an issue. Linguists, of course, see the issues differently and, to them, the language involvement in each of the four areas is quite apparent. The one area in which the public has developed some vision of language as an issue concerns foreign doctors. In this case, however, it is only the English-language policy which has emerged. The matter of federal licensing in what is, for the physician, a foreign language has not yet become visible.

General public understanding of the language issues involved in these four areas cannot be expected to be very great when they have not yet become visible. This contrast in comprehensibility of the language issues involved in each medical area points out the clear task for linguists if language policy in medicine is to be influenced in the future.
Figure 2. Summary of features of four intersecting areas of language and medicine.

<table>
<thead>
<tr>
<th>1. Visibility of the language issues:</th>
<th>LD</th>
<th>FLEX</th>
<th>Geriatrics</th>
<th>Daily communication</th>
</tr>
</thead>
<tbody>
<tr>
<td>--to the general public</td>
<td>Low</td>
<td>Mid</td>
<td>Low</td>
<td>Low</td>
</tr>
<tr>
<td>--to linguists</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2. Comprehensibility of the language issue:</th>
<th>LD</th>
<th>FLEX</th>
<th>Geriatrics</th>
<th>Daily communication</th>
</tr>
</thead>
<tbody>
<tr>
<td>--to the general public</td>
<td>Low</td>
<td>Mid</td>
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</tr>
<tr>
<td>--to linguists</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3. How the language issue emerged</th>
<th>By legislation</th>
<th>By committee</th>
<th>By research</th>
<th>By medical tradition</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>4. How language is actually used</th>
<th>As a measure of something else</th>
<th>As a measure of something else</th>
<th>Not used in USA</th>
<th>Not used much</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>5. How language is potentially useful</th>
<th>Unknown</th>
<th>To actually assess medical competence</th>
<th>To diagnose; to group socially; to show the non-deficit aspects of aging</th>
<th>To facilitate understanding by doctor and patient in this speech event</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>6. Subjects involved</th>
<th>Presumed nonnormal children</th>
<th>Foreign doctors</th>
<th>The elderly</th>
<th>The ill</th>
</tr>
</thead>
</table>
Of considerable interest to linguists concerned with the avenues by which language policy comes into effect are the four different approaches revealed in the consideration of these four medical areas. Language policy in learning disabilities came about as a result of legislation. Physician licensing language policies came about as a result of a committee of physicians. Geriatric language policy, at least in Australia, came about partly as a result of research. Whatever language policy obtains in the day-to-day communication of doctor and patient has come about as a result of our long tradition of attributing high status to the field of medicine.

Perhaps because language is so little seen and understood in medical areas, the ways in which it is actually used are often meagre or incorrect. In the case of learning disabilities and in the federal licensing examination, language is used as a measure of something quite inappropriate. In the first case (LD), it is used more or less as a synonym for learning disabilities. In the FLEX it is used not to measure medical competence, as the examination itself claims, but rather to measure English competence. Language clues are not currently used very much at all in the areas of geriatrics and daily communication of doctor and patient.

When we look at the potential for language use in relationship to policy issues, the picture is quite different. Oddly enough, in the area where language is used most, LD, the actual potential of language is least clear, largely because the definition of LD remains unclear. In the other three areas, however, the potential is great. A shift in language policy would enable the FLEX actually to measure medical competence, as it now erroneously claims to do. An increased recognition of language would assist geriatric studies to use language diagnostically, to group ethnically or socially in the case of the elderly and to display the growth or nondeficit aspects of language and the aging (assuming that research bears out the hypotheses noted earlier). In the area of daily doctor-patient communication, the potential is for greater understanding between the participants in this speech event.

One curious matter deserves final attention. It is interesting to note that in each of these four areas involving language and medicine, the subjects of focus are in subordinate roles or positions of some sort. LD involves presumed nonnormal children. This aspect of the FLEX involves foreigners. Geriatrics involves the elderly. Daily doctor-patient exchange involves the ill. In addition, as language issues have emerged in the medical interview it is clear that the problems of women and minorities are leading the way to focus. From these samples, it is becoming evident that language policy issues seem to have their origins in the problems of the presumed abnormal, the minorities or the downtrodden whose rights are suddenly discovered (as in the case of the LD) or challenged (as in the case of FLEX). It was the gynecology examination which
stirred the awareness of women's rights in medicine. The
language rights of patients who do not speak English are now
beginning to be recognized in some hospitals and it will not be
long before speakers of nonmainstream dialects and the elderly
will receive recognition and concern. The process appears
rather clear, however. The visibility of language policy issues
in medicine relates directly to status in one way or another.
Either the low status of the patient heightens the problem
awareness or the high status of the controlling group cuts it
off. One further amplification of the status issue can be seen
within the medical profession itself, where lower status tech-
nologists, such as nurses, have made greater strides toward
dealing with day-to-day communication issues than have their
higher status physician counterparts.

If the field of medicine has not been thought to be the
battleground of issues of language policy, then, it is clear
that the fault belongs as much to linguists as to physicians.
If language is not visible to the public while linguists know
that it is a crucial feature, it is up to linguists to make it
visible. The status of the subjects in each of the areas gives
insights into how to begin. In the one case in which the lan-
guage issue has had some effect on policy, geriatric medicine
in Australia, research by linguists seems to have been at
least partially helpful. This should be instructive to the rest
of us. One place to begin is by comparing how language is
actually used with how it could be optimally used. This ap-
proach is as old as the field of linguistics and, at last count,
still alive and viable. Medicine is a critical area of language
and public life. Linguists need to continue to work on the
language part of this equation.

NOTES

1. Harley Shands, Chairman of Psychiatry, Roosevelt
Hospital, New York City, personal communication.
2. This suggestion was made by Walter MacGinitie at the
3. See Margaret M. van Naerssen, 'ESL in Medicine: A
Matter of Life and Death', TESOL Quarterly, Vol. 12, No. 2
(June, 1978), 193-203.
4. Michael G. Clyne, 'Bilingualism of the Elderly', Talanya
5. Ibid.
6. R. Shuy, C. Louis, and M. Van Thillo, 'Language and
aging: A proposed methodology', unpublished paper (May,
1978).
7. Shuy, Louis, and Van Thillo, idem.
8. In addition to the work previously cited, see C. Candlin,
et al., 'English language skills for overseas doctors and medi-
cal staff', Work in Progress, Reports I, II, III, IV, Lancaster,
England: University of Lancaster; A. V. Cicourel,
The basic function of business is to sell products. There are many ways in which this can be done. One way is to improve the product; another way is to develop a need for the product; another is to improve the package; still another is to improve the description of the product. Each of these devices for selling the product was more superficial, more cosmetic than the one before it. Probably the most superficial and the most cosmetic, and yet the most succinct and powerful device for selling a product, resides in choosing a name for the product. I would like to submit evidence that whoever it is that goes about naming products is aware of all five levels of linguistic analysis (phonology, orthography, morphology, syntax, and semantics), and that the resulting names are usually a merger of these five levels, each functioning in relation to the others in a sophisticated and complex language game. In order to determine what the rules of this game are, and to see how they operate, I would like to examine each level separately, realizing throughout the paper, however, that by so doing I am obscuring the interrelationships; but such is the nature of analysis, whether the dissection is done in medicine or in linguistics.

Phonological devices. There are various types of sound repetitions that occur in product names. Alliteration can be seen in the names of Velveeta cheese, Jumbo Jack hamburgers, Pringles Potato Chips, and Ronrico Rum (this last example is like saying 'Chile con carne with meat' because ron is the Spanish word for rum). In some ads, the alliteration goes beyond the name to tie in the name with the description. Seagram's Seven: 'Say Seagram's and be sure', is an example of eye alliteration because of the repetition of s-letters, but in this
example, the s may be pronounced as /z/--the last sound in 'Seagram's'--or as /sh/, the first sound in 'sure'. The alliteration with the name in a Savage perfume ad is especially effective because homonymy is involved, so that, in a way, both homonymic forms alliterate with the name Savage. On one page it says 'Try it on for sighs' (spelled s-i-g-h-s), and on a facing page it says 'We make scents' (spelled s-c-e-n-t-s).

Another phonological device is assonance (the repetition of vowel sounds). Finger Pinkies are used for changing type-writer ribbons; there are also Sunbeam Mist Stick curlers, Polaroid's Super Shooter camera, and Double Plumber. Beef-eater gin also shows assonance, but is especially effective because with a different juncture, the word is broken differently --as bee feeder. The names of song groups also frequently exhibit assonance, as can be seen in Spooky Tooth and the Nitty Gritty Dirt Band.

Various types of rhymes can also be noted in product naming. Masculine rhyme is seen in 'Amour Amour' (a perfume by Jean Patou), which is described as two parts love and one part legend, and in Pall Mall. I once saw a graffito which read 'Pall Mall can't spall'. When a new product takes on a name very similar to an old established product, the new product is often attempting to take advantage of the long and effective advertising campaigns that came before. In Phoenix, one of our main contractors for housing developments is 'John F. Long'. Is it, then, coincidence or not that there is now the 'John F. Lahan' furniture company?

Feminine rhyme is the rhyming of at least two syllables, with the penultimate (second from the last) syllable being stressed. Since advertising audiences are becoming more sophisticated, ads have to become more sophisticated, and therefore feminine rhyme is becoming more frequent: 'If it's made of metal, call Goettl'. The Soni company has a series of ads based on feminine rhyme with appropriate pictures accompanying: 'Pepperoni and Soni', 'Son and Marconi', 'Macaroni and Soni'. If the pattern continues, the next ad might be 'Son and pure baloney'.

Still another type of rhyme that is used in product naming is slant rhyme. Such rhymes are linguistically very sophisticated because they entail not only a matching of sounds, but also a partial matching of sounds so that the amount of similarity between different sounds has to be established. A restaurant in Scottsdale, Arizona, is named the Purple Turtle. If I replace the p's in purple and the t's in turtle with a C (for consonant), we end up with a total repetition of sounds--CurCle CurCle. Now the amazing thing is that this C for Consonant is replacing two very similar sounds: /p/ is a voiceless bilabial stop, and /t/ is a voiceless alveolar stop. Both sounds are therefore voiceless stops, and the only difference is that while both of them are front sounds, /p/ is just a little more front than is /t/. Consider one other example. Kellogg's has a product named Froot Loops (misspelled for reasons I will mention later).
In this product name the $p/t$ alternation is again evident, but in addition there is an $r/l$ alternation. Both $/r/$ and $/l/$ are voiced alveolar continuants. Although one is a retroflex while the other is a lateral, they are acoustically similar enough to be confused by Oriental speakers, or to be constantly interchanged in the history of English.

There are other phonological devices at work in the language of product naming. Clipping can be seen in such product names as Pepsi, Coke, Olds, and Chevy; and Samsonite has an ad for a bag named "Sam". Blending is also common, as illustrated by such product names as Bank Americard, Aspergum, Hemorr-Aid, Flextra Pantyhose, Danskins, Efferdent, Bisquick, Endust, and Travelodge. The name Nabisco takes two or three letters from each of the words from which it is derived—National Biscuit Company. There is also an onomatopoeic process functioning in the naming process: one product is called Psssst Shampoo, and another is the Sears Ah-h bra. A cat food advertises that 'Meow Mix tastes so good nine out of ten cats ask for it by name'.

Orthographic devices. There is a very practical reason for innovative spelling in product naming. A word that is already part of our language cannot be patented as a product name, so it must be misspelled in order for it not to be a word already in our language. Thus we have Kool cigarettes, Brite, Gleem, Wisk, and Duz detergents, Quik chocolate, Redi Whip topping, and Minit Rice, all misspelled. It looks like Pall Mall is not the only one who can't 'spall'.

Another orthographic device is the insertion of letters that are to be pronounced as letters. In La-z-boy lounge chairs, the $z$ is pronounced. The letter $U$ is homonymous with the pronoun you, so we have such names as 'U-Haul' and 'U-totem' (which, by the way, is a whole sentence, with subject, verb, and contracted direct object in the single name). My daughter Nicolette had to explain to me that 'Arby's' was actually the pronunciation of the two letters resulting from the acronym of the expression roast beef to give the letters $RB$ and the name 'Arby'. In our very technological world, a new orthographic device is just developing its full potential, the use of letters and numbers as part of the jargon of technology. The SX in SX-70 is an imperfect pronunciation of the word sex and the XL in XL-100 is the thinly disguised word excel.

The opposite device of letter pronunciation could be called letter nonpronunciation. Wrangler Sportswear tells you to 'Wremember the "w" is silent' in their name. Letters can also be miswritten. The $o$ in Lovable (a kind of bra) is written in the shape of a heart, and in Phil's Pay-le$$ the $s$'s are dollar signs. The best example of orthographic innovation I have been able to find is in the product name Mr. Pibb. It is meant to be subliminally associated with a similarly tasting product named Dr. Pepper. They are both personifications beginning
with a capital letter followed by an r followed by a period.
The names both begin with a P followed by a vowel followed by
two b's, except that in 'Pepper' the b's are upside down and
come out as p's; but whether upside down or rightside up,
these are bilabial stops.

As our culture becomes more complex, and more institutions
and products have to be named, a device which will become
more and more important is the acronym. By the time you
have enough words to set your product or institution off from
all others, the name is too long, and has to become shortened,
but the acronym process has important constraints to make the
shortened forms appropriate and easy to remember. The Zon-
ing Improvement Plan was named to describe the speed: ZIP.
The Melton Book Company in Dallas, Texas, produces bilingual
materials. Its kits are called 'Region One Curriculum Kits',
and 'Region One Literacy Lessons', for which the acronyms
ROCK and ROLL can be used, if they desire. Some acronymic
naming is pejorative, e.g. the Group Against Smoking Public
(GASP), or 'Man And Nature United in Rational Enterprise', an
environmentalist group which has the acronym MANURE. Some
acronyms are contradictory. The Screen Actors Guild ends up
as SAG, and Mobile Army Surgical Hospital is MASH. Some are
merely mnemonic. Frederic Cassidy's Dictionary of American
Regional English ends up as DARE. Some are onomastic, such
as the Educational Retrieval Information Center, or ERIC. And
some are misspellings. Mutual of New York becomes MONY,
and the Beverage Industry Recycling Program is BIRP. Once
in a while the acronymistics becomes especially innovative, as
when the acronym palindrome is formed in 'Women Against Vio-
ence Against Women'—WAVAW. Acronyms can also have syn-
tactic structure; it can be coordination, as in the acronym for
a sugar company from Utah and Idaho called the U and I Sugar
Company, or it can be a whole sentence, as in the acronym for
the International House of Pancakes: I HOP. I was once told
about an organization named the Opportunities Industrialization
Center, and the only appropriate remark I could make was 'OIC'.

Morphological devices. There are two morphological devices
that are common in product naming: affixation and compound-
ing. The rules of affixation for product naming are very
different than the rules of affixation in the language in general.
Seldom or never would the suffix -up be attached to a number—
there is no 3-up, or 8-up, yet 7-up is now perfectly natural
for us as is its eponym, 'the uncola'. Jim Beam's Whiskey can
yield a salutation, 'Beamingly yours', and a cosmetics product
invites you to 'Come play in our Yardley'. The ler of Adler
Calculators is not a morpheme; but a word beginning with Ad,
even with this spelling, is somehow appropriate. Trash bags
would probably not be given the name Heave because of its
negative connotations, but the adjectival form Hefty is perfectly
acceptable for the containment of garbage. We have overalls and underwear in our language, which sets up the arrival of Underalls. Dairy Queens are scrumpdillyischus, and Burger Chefs are incrediburgible. A Spamwich is a sort of slant-rhyme counterpart of sandwich, formed by an affixation process that would not be possible in the language as a whole, in the same way that we get cheeseburger and whataburger from hamburger. I once read a cartoon about a greasy spoon that had on its menu such delicacies as fishburgers, vealburgers, muttonburgers, porkburgers, chickenburgers, and sausageburgers. The owner was saying 'We've also got some made with ham, but we don't know what to call them'. This process of folk etymology for the naming of meat products after German towns is widespread in English. Not only do we have hamburgers named after Hamburg, but we also have frankfurters named after Frankfurt, and WienerS or Wiener Schnitzel named after Wien (the German word for Vienna), which was also anglicized in Vienna sausage.

The process of word compounding is very productive in product naming. It is possible for a girl going on a date to get into her I-can't-believe-it's-a-girdle girdle and her no-visible-means-of-support bra after she shampoos with her gee-your-hair-smells-terrific shampoo, while her mother is using Janitor-in-a-Drum or cooking the 'Congratulations dear, but exactly what does an assistant vice president do?' pudding (believe it or not, the real name of a pudding).

Syntactic devices. In addition to the syntax of acronym formations like I HOP, U and I, and OIC, it is possible to work syntax into the formation of nonacronym names, as in Courtesy Chevrolet in Phoenix, Sheer Energy pantyhose, or the Seventh Avenue Auto Shop (which has now been expanded throughout Phoenix without changing its name). Not only does the adjective-noun construction appear (as in the preceding examples), but also the verb followed by a direct object, as in Twist Lemon Menthol Cigarettes; and a play can be based on a name in the entire sentence, as when Seagram's tells you to 'Make yourself a Red Baron', with Red Baron being a compound or not depending on the interpretation.

Semantic devices. By far the most frequently used type of language play present in product naming is semantic or lexical in nature. Words are often borrowed from another language, and normally the words have the correct connotations in both the borrowing and the lending languages, but not always. Matador, Capri, Vega, and Nova are all names of cars, yet in the original languages, matador is a kind of killer, capri means goat, and vega is meadow, none of them the correct connotations for a car. Nova is a kind of extraterrestrial star formation, which I suppose is all right, but in Spanish, No va means 'It doesn't run'. We also have fake borrowings. The
product L'eggs looks as though it begins with the French definite article, but this is followed by an English word.

The shifting of meanings is frequent in product naming. C. W. Post invented a dry cereal which he decided to call Elijah's Manna; he had overdone it, however, as the British government refused to register his trademark, so he had to end up with the commonplace name 'Post Toasties'. Pejoration is used as well as amelioration. VW has a Beetle, to go along with its bug. Datsun has a Li'l Hustler pickup truck, although a person who is called a hustler is not usually being complimented. One product is named Gunk. After teaching a class in taboo, euphemism, and dysphemism one day, one of my students asked me 'Why do they call it "toilet water"? That doesn't seem to be a very attractive name for the product'. I had to explain that the connotations of the French eau de toilette are better because the basic meaning of toilette in French is 'dressing table' (where the small towels are, and where such perfumes as eau de toilette can also be found).

Another kind of meaning shift is generalization. Such products as Kleenex, Thermos, Jello, and Frigidaire have become so popular as to have entered the language as common (as opposed to proper) nouns. In South America, the process has also been extended to maizena, which now refers to all corn starch and to royal, which refers to all baking powder. Of course, a product wants its name to become this popular, but it also wants to have people realize that the word was originally the name of a particular product. That is why Coca Cola has such slogans as 'It's the real thing', and 'Coca Cola is Coke'. To a person who is unaware of what has happened to the term, 'It's the real thing' appears nonsensical, and 'Coca Cola is Coke' is a tautology.

A very common type of semantic shift is the metaphor. There is a pen called the Bic Banana (yellow of course), and a car called the Jaguar (advertised as nobody's Pussycat). A car engine in the shape of a V and with eight cylinders was called a V-8; later, this became the name of a vegetable juice, with the V being an acronym rather than a metaphor.

Metaphors can become mixed. A plumber is a person, but Liquid Plumr, with its innovative spelling, is merely a product. Sunkist names the top of its line of navel oranges (notice the metaphor) the 'Top banana'. A special kind of mixed metaphor is the oxymoron (etymologically, oxys means sharp and moros means dull). This is the juxtaposing of semantically incompatible expressions. Such products as Cool Fire Shoes, Soft Brick Vinyl floor covering, and Icy-Hot pain remedy exhibit this device. The device can be further seen in the naming of rock groups such as Hot Tuna, Grateful Dead, Lead Zeppelin, Iron Butterfly, and Strawberry Alarm Clock.

Such names are frequently allusions, but I do not go into that here because I am not sure what things are being alluded to. Rather, I am going to give two other examples of allusions in
product naming: Humpty Dumpty Restaurants, so named because 'He's a good egg', and an allusion to the picture of the Beefeater on the label of the gin product. An ad which runs around Christmas time reads, 'This is the season for the man in the red suit and the white beard', alluding, of course, to the Beefeater.

Let me conclude this paper by illustrating how all of the five levels of linguistic analysis can be integrated together in product naming to form puns. By definition, a pun is a play on words, that is, a play on the relationship between the form and the meaning of certain words. I will read these ads, all punning on the product names, without comment, and will muffle myself at the end with a Midas Metaphor.

Where do you Ambush? (a perfume by Dana)
Put some People in your life. (a magazine)
You can buy Happiness. (hair color by Clairol)
Take Aim against cavities. (a toothpaste)
No Time to call your own? (a magazine)
May Oui have a word with you? (a magazine)
Memories are made of Yu. (Oriental perfume)
Knox nails can take life's hard noks. (fingernail conditioner)
We can do more for you if you think First. (a bank)
What makes a shy girl get Intimate? (a perfume by Revlon)
A brush full of Crest is a Fuller Brush. (a toothpaste)
The Hatchback of Notre Dame. (a car)
Flatt Tire Company (operated by the Flatt family)

I subjected you to this punning torture on purpose to make a point. For a long time I was unable to figure out why a muffler company would name itself Midas. Midas was a king and everything he touched turned into gold, and what does that have to do with mufflers? I then discovered that this is an elaborate pun, based on a maxim—'Silence is golden'. I am sure that with all of the punning you have had to endure during this paper, no one will argue with that.

REFERENCES


LANGUAGE IN EDUCATION:
VARIATION IN THE TEACHER-TALK REGISTER

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We can think of any social institution, from the linguistic point of view, as a communication network. Its very existence implies that communication takes place within it; there will be sharing of experience, expression of social solidarity, decision making and planning, and, if it is a hierarchical institution, forms of verbal control, transmission of orders and the like. The structure of the institution will be enshrined in the language, in the different types of interaction that take place and the linguistic registers associated with them (Halliday 1978:230-231).

As Halliday goes on to point out, schools are only one of many institutions that are interesting 'as a nexus of interpersonal contexts for the use of language'. But while other institutions such as hospitals serve their clients in nonlinguistic ways, the basic purpose of schools is achieved through communication. 'The whole function of the school is to be a communication network joining professional and client...Hence an understanding of the institutional use of language is even more fundamental in the school than elsewhere' (Halliday 1978:232).

Because of the importance of language to the goals of schools, some aspects of language in education are subject to explicit language planning—such as decisions about whether to have some form of bilingual education, which language competencies to require for professional employment, which textbooks to buy, and which standardized tests to administer. But other aspects are the result of nondeliberate, tacit choice at the moment of use. These unplanned features of the institutional use of language can be read as the intrusion of sociolinguistic facts of life into situations where one might expect more total language planning; and they can be analyzed as the result of shaping
pressures of institutional characteristics where one might assume, given the purposes of schools, that the referential function of talk for intellectual ends would be the dominant influence.

One such unplanned aspect of language in education is the register used by teachers or, more colloquially, how teachers talk. Registers are varieties of language defined by their use.

A register in a given language and given speech community is defined by the uses for which it is appropriate and by a set of structural features which differentiate it from the other registers in the total repertory of the community (Ferguson 1977:212).

In a review of studies of teacher-talk, Anderson (1978) reports some features that it shares with the much more extensively studied 'baby-talk' register spoken by parents and others to even younger children: like baby-talk, teacher-talk to students has higher pitch, more exaggerated intonation and careful enunciation, shorter sentences, and more frequent repetitions and questions than teacher-talk to other adults. But other features differentiate teachers from parents and are more specific to teachers' role in the classroom: teachers talk about two-thirds of the time, initiate most of the interactions, interrupt but are not interrupted, use a set of boundary markers such as now and well, and frequently evaluate student responses to their questions (Anderson 1978: 26-27).

Talk to children by parents and by teachers is directly compared in a study by Hess et al. (in press). Sixty-six mothers talking to an only child and 34 preschool teachers talking to a child from their school were compared in two situations: a referential communication game and a block sort task. While the mothers and teachers were not clearly different on measures of teaching effectiveness and communication accuracy (p .06 and p .07, respectively, in favor of the mothers), they were significantly different in features of their talk. For example, 'teachers gave a higher percent of their questions, requests and commands in indirect, moderated forms than the mothers (p .001)' (Hess et al. in press). Examples of the teachers' indirect or more polite style are the following.

I wonder how these blocks are alike. I wish you could tell me.
Can you tell me why you put that one there?
Please put this block where it belongs.

At least in this group, the difference between mothers and teachers was independent of the educational level of the two groups; that is, it was a difference between parent-talk and teacher-talk, not a difference in characteristics such as educational level of the individual adults. When the mothers were
divided into a low education group (median 12 years) and a high education group (median 15 years) and then compared with the teachers (median 16 years), the percentage scores for indirectness were 45.5, 48.5, and 60.6, respectively. Hess et al. suggest several possible reasons for these differences: a more explicit authority relationship between mothers and children; the influence on teachers of such institutional characteristics as the need to deal with children in groups and the transitory nature of personal relationships; and professional training that recommends avoiding confrontation whenever possible.

Just as parents do not all speak alike to their children, so teachers do not all speak alike either. Registers exhibit variability depending on both users and conditions of use. So the baby-talk register may show variability depending on regional and social differences among speakers, and intraspeaker variability depending on age of child and features of specific interactional contexts. Furthermore, analyzing characteristics of contexts in which intraspeaker variability occurs can help to validate hypotheses about reasons for the register in the first place. Analyses of baby-talk offer a clear example. If, as Brown suggests (1977:5), baby-talk 'is created by the conjunction of two principal components: communication-clarification and expressive-affective', then situational variations in the significance of these components should influence baby-talk forms. There are some indications that this is so. For example, Snow reports briefly (1977:37) that book reading elicited more complex speech than free play, and suggests 'that the extra situational support of pictures in the book-reading situation limits the possible topics sufficiently that the comments can be more elaborated than in less well-defined situations'.

Similarly, if teacher talk is at least partly created by teachers' status as caretakers who are relative strangers (Anderson 1978; Heath 1978), then variability in teacher-talk should co-occur with differences in strangeness or perceived social distance, and/or with differences in how much teachers see their role as preparing children for participation in the more impersonalized institutions of a complex, industrialized society. This paper is about this variability, particularly in teachers' language of control.

Because schools as institutions are extremely crowded environments in which attendance is compulsory, teacher strategies for what is variously called discipline, classroom management, or control are important for the conduct of education. There is a long history of research on teachers' control strategies, and research reviews are available (see, for example, Chapter 6 on 'Management and control' in Dunkin and Biddle 1974; Duke 1979). But this research, pedagogically useful as it has been, has not been informed by sociolinguistic theory or methodology, and it is that application I want to explore here, drawing on research on the social meaning of
particular language forms. Detailed analyses have been made of the social meaning conveyed by the choice among certain linguistic features—notably directive forms, pronouns, and forms of address. Now in a book-length monograph, Brown and Levinson (1978, henceforth B&L) have attempted a comprehensive model of the cooccurrence of these and other features in what they believe to be contrasting politeness styles. The B&L model suggests interesting hypotheses about variation in teachers' language of control.

I will explain the model as it applies to teacher talk, report initial observations from two bilingual classrooms as illustration of how the model may apply, and then end with questions about whether variation in the teacher-talk register may have not only linguistic interest but educational significance as well.

Politeness phenomena: The Brown and Levinson model. To present the B&L model, I first give their assumptions and my translation into classroom terms, and then discuss examples from existing literature. (See Grimshaw 1979 for a synopsis and review of B&L.)

Brown and Levinson (1978) A classroom translation

Actors act rationally, though not necessarily consciously, and construct verbal strategies to achieve certain ends.

These ends almost always include both conveying certain information, and doing so in a way that will minimize 'face-threatening acts' (FTAs) to their addressee and to themselves.²

'Face' has two aspects, either or both of which can be threatened by a particular act: negative face is a person's claim to freedom from interference and constraint; positive face is a person's claim to be appreciated by others. Some acts, such as interruptions, threaten both negative and positive face.

Teachers, by the very nature of their professional role, are continuously threatening both aspects of their students' face—constraining their freedom of action; evaluating, often negatively, a high proportion of student acts and utterances; and often interrupting student work and student talk.
Rational actors will usually not do FTAs 'baldly, without redressive action', but will seek to minimize their threat by strategies of redressive action that can be divided into positive and negative politeness styles, or by going 'off-record'. Positive politeness phenomena are exaggerations of normal behavior among intimates and acquire their redressive force by association with intimate language use; negative politeness phenomena are forms used for social distancing, which minimize the impositions of particular FTAs by expressions of deference and respect. Off-record strategies use hints and metaphors to render the meaning deliberately ambiguous and therefore negotiable.

The seriousness of FTAs depends on participants' assessments of their social distance (D) and relative power (P), and their ranking (R) of the imposition of particular acts. Teachers as a group are more distant than parents; the particular perception of psychological D between a group of students and their teacher will be influenced by, but not determined by, social facts of differences in ethnicity and social class. Perceptions of P will also vary, depending on a teacher's confidence in her/his authority, and on family and peer group respect for that authority. R will vary, within classrooms, from one situation to another, depending on perceptions of the seriousness of the teacher's FTA to particular students at particular times.

The perceived seriousness of the FTA will determine the selection of redressive strategy. To do an FTA badly, without redress, implies overwhelming urgency, minimal threat, or

Teachers will soften their FTAs with some form of redressive action; and their strategic choices can be described as versions of positive or negative politeness styles, or, probably less frequently, as going off-record.
vastly superior power on the part of the speaker. The more serious the FTA, the more negative politeness forms will be selected, because the effectiveness of positive politeness depends on vulnerable assumptions about the hearer-speaker relationship.

Existing observations of teachers' language of control can be interpreted by the B&L model. Consider first differences in R, the perceived seriousness of FTAs. Florio (1978:6-7) reports differences in the form of teacher directives in a single sixth grade classroom between a crafts period and a more formal social studies lesson. Directives in the crafts period, according to Florio, tended to be phrased as either appeals to group solidarity or as wh-imperatives. Here are her examples, with B&L categorizations in parentheses.

OK, the rest of you, let's get the chairs in a circle. Let's not embarrass him. We would all do a different part of it.
(positive: include both speaker and hearer in the activity)

Will you do me a favor, please, and shut off the light?
(negative: go on record as incurring a debt)

Why don't you come down, and I'll give them to you to pass out?
(positive: give reasons)

If the crafts period is considered by both students and teacher as a time when students can carry out their own plans, then requests from the teacher that interfere with those plans require some kind of redressive action. The directives reported by Florio include both positive and negative features; a more detailed analysis would be required to see if there were a further pattern to their distribution within this single period.

In the social studies lesson, the teacher's directives tended to be given as direct imperatives.

Get out your homework. Finish them up. Give me an exact location.
(baldly, without redressive action)

If within a lesson, when task focus has been achieved, students expect that the teacher will give directions for the work to be done, then there is no need for redressive action. Consider how inappropriate it would seem to hear a teacher ask
within a lesson, 'Will you do me a favor and get out your homework?' or 'Why don't you give me an exact location?' Unless such utterances are clearly marked for sarcasm, the use of politeness forms, especially the negative form 'Will you do me a favor...', for what should be nonserious acts is a telling example of B&L's discussion (1978:79) of how such inappropriate selection communicates a seriousness of the act for non-R reasons. In this case, the teacher could easily be perceived by the students as admitting that she has, in fact, little power over them.

Another example shows how the rank of impositions can shift according to their position in a sequence in the course of a single episode. When a teacher wanted an often difficult third grade boy to take off a paper bag mask and stop 'jiving' around so that he could be the tutor in a peer-teaching task, she approached him with at least three cooccurring politeness features.

Greg, um—I've got a job that I'd like to show you, so that you can, um, show, um, uh—(negative 'be conventionally indirect' and 'give deference' with hesitations; positive 'give reasons')

Greg broke in to express his willingness and took off his mask. Subsequent directives from the teacher were then in more direct imperative form: 'Come on over here and I'll show you' (unpublished transcriptions for Cazden et al. 1979).

There is also evidence that within-classroom differences in perceived social distance, like differences in the rank of acts, are linguistically marked in ways that fit the B&L model. Shultz (in press) describes a teacher's interactions with children in a combined kindergarten and first grade classroom around a tic-tac-toe game that the teacher (A) and a first-grade child (S1) were helping a kindergarten child to learn. Twice, S1 tried to play out of turn. Shultz (in press) describes the teacher's response and then makes a more general comment on the teacher's greater frequency of joking (positive politeness) with the first grade students whom she had had for two years.

On both occasions, A 'reprimanded' her using a mock angry tone...[This] was not really a reprimand to S1 because she did not know the rules of the game. It was in fact an interactional game between S1 and A, in which both indicated that they knew the rules of the tic-tac-toe game. This kind of camaraderie between A and S1 occurred frequently between A and members of the elite group of students of which S1 was a part. A would frequently joke with these students, all of whom were first graders, whereas the same kind of interaction did not occur between A and other students in the room. (MS: 21-22)
'Comembership' is the label Erickson and Shultz (1973; in press) give to the dimension of perceived social distance. In the classroom cited in the foregoing example, the teacher had higher comembership with the first grade children who had been with her for two years than with the kindergarten children who were relative newcomers to her classroom.

In a junior college setting where they analyzed counseling interviews, another context for school talk, Erickson and Shultz found ways, in addition to obvious characteristics of ethnicity or cultural background, in which high comembership could be achieved.

An Irish-American counselor and a Chicano student both revealing that they had attended the same parochial school, or an Italian-American counselor revealing that he had been a high school wrestling coach and a Polish student revealing that he was on the junior college wrestling team (Erickson and Shultz 1973:14).

Degree of comembership in turn related to features of the counselor talk. For example, one white counselor gave direct commands to white students, but more indirect direction to black students.

Why don't we give some thought to ah...to what you'd like to take there [next semester].

Because of the critical importance of classroom control, it seems likely that going off-record to express FTAs through hints and metaphors is a less common teacher strategy. But examples can be found. One kind of teacher-talk in the off-the-record category is a pattern used by some preschool teachers.

Be a sunflower. (Sit up tall.)
Are your pinchers ready? (Get hands ready to help make muffins.)
I see some chairs that need to go back in the house. (Put the chairs away.)
Can you hop your coat up to its hook? (Hang your coat up.)

The special characteristic of these examples is not so much the change from direct imperatives to more indirect forms, but the additional translation of nouns and verbs into terms of the young child's play world. These particular examples were spoken by Jiiva Devi, teacher in the Ananda Marga preschool in Portland, Oregon (personal observation, spring, 1979). Ms. Devi explained that she spoke in terms of the child's play world because she found that young children were much more apt to obey without a clash of wills. (Her class certainly had a
wonderful quality of peace and helpfulness with a minimum of reprimands.)

Two connections to other theoretical discussions come to mind. A Soviet psychologist, Manuilenko (1975), reports that pre-school children could stand still longer when asked to 'be a guard' embedded in a game than when simply asked by the experimenter to 'stand still'; the explanation is in terms of the power of different motivating frameworks to help young children organize and monitor their own motor behavior. Closer to the focus of this paper is Gelman's (1978) discussion of devices used by experimenters to get 2-3-year-old children to answer questions, such as speaking to a child through a panda puppet. Gelman calls these 'status mitigating devices' (1978:325), and suggests that when we understand why they work we will understand more about young children as well as more about research. These particular off-record strategies in the teacher-talk register seem to be adaptations to characteristics of very young children.

The prevalence of indirect focus of directive intent in teacher talk has been noted by many observers (e.g. Cazden 1972:15). But Heath (1978), in a more recent discussion based on many years of research in South Carolina, is the first to suggest that such features of teacher talk are strategies for coping with the common situation in which teachers, unlike parents, are care-givers who are relative strangers (with low comembership, in Erickson and Shultz's term). What is striking, in the light of B&L's model, is that most of the particular politeness features mentioned by Heath and others, and her general discussion of them as expressions of indirect influence, place them in the negative or off-record politeness categories. This suggests that other kinds of teacher talk are possible, that classrooms exist in which the positive politeness features spoken among intimates are used to redress the face-threatening acts which teachers must perform, or in which a special combination of P, D, and R makes politeness less necessary at all.

One such description in the published literature is of the Amish classrooms. McDermott (1977:157-158), drawing on Payne (1971), reports:

The Amish teacher's way of handling talk flies in the face of much educational ideology in America. The teachers dominate their classrooms and an interaction analysis has shown a heavy use of imperatives and a high degree of direct instruction. The children are told what to do and when and how to do it. The teacher is in total control of the children's development. In terms of learning to read and in terms of enhancing an Amish identity, their system is most successful. The children and their teachers have been bathed in a closed community with highly specific routines for everyone to follow. In terms of these routines,
everyone is accountable to everyone else. Common sense and mutual trust are strived for by community members according to a specific code. In this context, instructions are not blind imperatives, but rather sensible suggestions as to what to do next to further common cooperation. There is a warm relational fabric that underlies the instructions and transforms them from orders into sensible ways of routinizing everyday life. What to many appears an authoritarian and oppressive system for organizing a classroom may in fact make great sense to the children and, accordingly, allow them to feel good enough to learn whatever it is to which a teacher directs a class's attention. Outsiders simply miss the cues which ground teacher-student activities in trust and accountability.

On the basis of very preliminary observations in bilingual classrooms in Chicago, I want to suggest where more widespread examples may be found.

Two bilingual classrooms. Frederick Erickson, Robert Carrasco, Arthur Vera, and I are observing in two first grade classrooms where teachers and all their children are of Mexican-American background. Our purpose is to describe the social and cultural organization of interaction.

In some ways, these two classrooms differ noticeably. In one classroom, the teacher makes more decisions about where children shall be in the room and what task they should work at, and all children are working at a common task more of the time; in the second room, the children have more autonomy to decide where they will be and what they will work on, and more different learning tasks coexist at any one time. In this respect, the two classrooms would be considered more structured and more open, respectively. An ethnography of learning, in Erickson's words, would yield two quite different pictures.

But in another respect, in their styles of classroom control, these two teachers are like each other and different from the teachers described by Heath in ways that the B&L model helps to illuminate. For example, in addressing the children, both teachers use in-group identity markers (positive politeness) such as papi and mami (terms of endearment), mijo and mija (son and daughter), and paisanos and comadres (close male and female friends). And they exhibit physical behavior toward their students that is associated with the behavior of parents: placing a child on the lap when working individually with the child, and kissing the child as a reward for good work. (Such nonverbal behavior is acknowledged in the B&L model, although only linguistic realizations are analyzed.) It is consistent with the foregoing discussion of the influence of R on politeness strategies, that these features seem more frequent and in more exaggerated form in the first classroom, where the teacher imposes more decisions on the children, and less frequent in the second classroom, where there is less differentiation of time and
space and more fluid boundaries for what can happen where and when and how. A hypothesis generated by the B&L model is that other cooccurring features of positive politeness style, and relatively fewer negative features such as indirect directives, will emerge from a detailed analysis of the video tapes and verbatim transcripts.

Carrasco has suggested the term 'personalization' for the control style of these two teachers. Each teacher has spontaneously expressed a personalized attitude toward her relationship with her students. The first teacher explained that she quite explicitly tries to get the children to school tasks through herself. The second teacher commented that some children 'bring out the parent in her'. Personalization as a quality of teacher style should be distinguished from what Erickson calls 'privatization'. The latter refers to teachers' practice of not calling on children for public and competitive display, and usually correcting children individually and in private. In the B&L framework, privatization refers to one way to minimize FT As by changing the situation so as to decrease R; personalization refers to the style of redressive action when FT As do occur. Privatization has been found important in schools in several native American communities (Erickson, personal communication, drawing on Philips 1972); whether it, along with personalization, is characteristic of these two Mexican-American classrooms remains to be determined.

Intraconversational code-switching is an important kind of nondeliberate language use in multilingual settings, and the B&L model suggests new interpretations of the social meaning of code-switching in classrooms. As Gumperz has said for many years (e.g. Gumperz and Hernández-Chávez 1972), code switching is an additional linguistic resource available to bilingual speakers for conveying social meaning that monolinguals convey by shifting styles within a single language. At least three studies (Shultz 1975, Bruck and Shultz 1975, Phillips 1975) report that even in lessons where Spanish is the language of instruction, teachers switch to English selectively for procedural and disciplinary utterances, and do so much more often than they switch to Spanish during instruction in English. One interpretation that is sometimes given of the social meaning of such a pattern is that English is the language of important messages. B&L (1978:115) suggest a somewhat different interpretation and hypothesis: that 'Spanish is used for positive politeness, English for negative politeness'—i.e. that code-switching into English, the language of the dominant society, for control would cooccur with other indicators of negative politeness—expressing more impersonalized reference to, and grounding the teacher's authority in, the norms of behavior of the English-dominated society of which the school is a part; code-switching into Spanish for control, on the other hand, would cooccur with positive politeness features, and serve to ground the teacher's authority not in the norms of the
dominant society but rather in the *respecto* due teachers in the Mexican-American culture. The two Chicago teachers are very aware of this support for their authority. We were told before school started in Chicago that even if Mexican-American children know enough English to cope with the monolingual English program, their parents often chose the bilingual program in order to get Latino teachers; they want their children to respect the teachers and are afraid Anglo teachers cannot get that respect. Therefore, even if the general use of English as the medium of instruction increases in these two first grade classrooms from fall to spring, I predict that the teachers will frequently code-switch into Spanish for control purposes. I predict, in short, that examples such as the following would recur: at one point, when the second teacher got mad at the children's behavior, she said in reference to herself: "Miss ____ likes to hear stories and have games, but...", and then switched to Spanish to talk about *respecto*. Note the use of Miss (negative politeness feature of impersonalization) in the English clause.

Code-switching to Spanish for the language of control in these two classrooms could also be explained as code-switching into the language the children know best. The hypothesis that it is instead a part of a positive politeness style rests not on frequency counts of code-switching alone, but on a fuller analysis of cooccurring features. While the three studies of teacher code-switching that I have mentioned include some functional categorization of utterances according to their primary focus on instruction or control, none as yet has combined more detailed functional analysis of code-switching with analysis of other linguistic features that cooccur in a particular teacher's style.

We realize that the two Chicago teachers contrast with many teachers in other classroom interaction studies in three ways: the teachers and the children come from the same cultural background and therefore the teachers have in-group linguistic markers available as a resource; the children come from working-class families, and the teachers, regardless of their own personal histories or place of residence within Chicago, seem to identify strongly with the children and their families, and so share, in the classroom, the *tu* modes of interaction characteristic of working-class communities; the particular shared culture, the specific kind of *tu*-ness, is Mexican-American. Even if we cannot sort out the separate influences of these three confounded characteristics, we hope to be able to describe in more detail how the social and cultural organization of these classrooms—including the teacher-talk registers—differs from more 'mainstream' classrooms usually described in educational research literature.
What about educational significance? Sociolinguistic analyses of politeness phenomena seem to offer what B&L (1978:62) call 'an ethnographic tool of great precision for investigating the quality of social relationships in any society', and more specifically, for analyzing variation in teacher-talk in sociolinguistically interesting ways. Would such analyses also be educationally significant? Is it likely that this variation affects the outcomes of schools?

Heath (1978) argues against the use of indirect influence, against many of the negative politeness features that are so common in teacher talk. She argues that indirect directives are frequently ambiguous, especially to children who come from homes where such forms are not used with the same intent, and that the complexities of indirect influence can contribute to miscommunication in the classroom and keep questions of control in the focus of attention.

McDermott argues (1977:155, 161), in contrast, that it is the underlying trust and accountability indexed and reinforced by the kind of talk that counts, and that more direct influence (as in Amish schools) or more indirect influence, which he calls a guidance approach, both can work.

Both the authoritarian and guidance approaches to managing children are sometimes successful and sometimes unsuccessful, depending upon whether the social relations underlying the teacher's talk makes sense to the children...any kind of classroom talk can do the instructional job as long as mutual trust and mutual accountability between the teacher and the children are achieved...Talk is a key element in the communication of trust and accountability, although there is no one way to talk that is inherently better than any other.

In her introduction to the book in which the B&L monograph appears, Goody (1978:15-16) says that the control and the referential functions of language are related.

Fathers, doctors and teachers convey information as well as exerting control;...The instrumental and expressive both have an important place in the interactions based on these roles, though inevitably there is feedback from one to the other.

Analyses of variation in the teacher talk register should help us to understand the nature of this feedback from the expressive to the instrumental, from the social meanings conveyed by particular politeness styles to the communication of referential information for which school as an institution is supposedly maintained.

According to Section II of the Lau Remedies (Office of Civil Rights, 1975), schools must consider cognitive and affective aspects of how different children learn, so that teaching styles
can be provided that will maximize their educational achievement. (See Cazden and Leggett in press, for an extensive review.)

The teacher's language of control is one part of that style, and so may be an important part of 'culturally responsive education'.

Beyond this important substantive area, there is also the more general contribution that sociolinguistics may make to understanding the concept of 'appropriate' as a qualitative criterion of effective teaching practices. In a critical review of recent research on teaching, Berliner (1976) pointed out why 'appropriateness' has to be considered:

Researchers have spent a good deal of time counting teacher behaviors. We know something about the number of higher and lower cognitive questions asked per unit time, we have determined the rate of positive verbal praise, the number of criticisms made, the number of probes, etc. For many of these variables a low correlation with some student outcome measure has been found...All these events have led us to reassess our strong behavioristic stance in the study of teaching. We still regard frequency counts as very useful information. But we feel quite strongly that the qualitative dimension, dealing with value judgments about appropriate use of skills, must enter into our observations of teaching.

Berliner here refers to a cognitive criterion of appropriateness. Because any teaching act conveys social meaning as well as cognitive content, social criteria of appropriateness must be considered as well. Two levels of social appropriateness have been referred to in this paper: context at the moment of utterance (in the example of social studies vs. craft lesson directives), and cultural congruence in interactional styles. In understanding both cognitive and social dimensions of appropriateness, the search is not for static rules that are or should be followed, but for more dynamic patterns of effective, strategic language use.

NOTES

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1. Separate from the concerns of this paper are questions about how much children know about registers like teacher-talk, and how this knowledge can be evoked. Anderson (1978) is an experimental study of how much children know about certain registers. Children 4-7 years old from professional families were asked to play various roles with puppets, including the roles of teacher and student. Each child played both
teacher and student simultaneously, one puppet in each hand. In the role-plays of the older children, the teacher puppet talked more and held the floor longer in each turn; used boundary markers like now and well; issued evaluative comments like right, that's very good; and spoke both more questions and more imperatives. Carrasco et al. (in press) and Cazden et al. (1979) report a very different situation in which children actually became teachers for their peers. These child tutors were older (7-9 years), and were from black and Chicano inner city families. While the analysis of their teaching behavior did not focus on register features, we noted in passing that the children taught in imperatives rather than questions (though they were taught the tasks by the adult teacher primarily with questions); and that only two out of five tutors used even one boundary marker (though such markers were frequent in the adult teacher's speech). One black child said now um in a play-acting voice, without any sentence to which it should have been the introduction, as he sat down to be taught the lesson by the adult teacher. And a Chicana girl, who taught another Chicano child in Spanish, appropriately used 'tonces, which seems to be a similar marker, when she had finished giving directions and was ready to start reading a list of spelling words. It seems to be the case, at least with these children, that in contrast to role-playing, being a tutor was a serious interactional task, which had its own sociolinguistic characteristics and did not necessarily elicit whatever knowledge of the teacher-talk register the children may have had.

2. This assumption can also be placed within Slobin's framework (1975:3-4) of four often competing ground rules that a human communication system must adhere to: 'to be clear, to be humanly processible in ongoing time, to be quick and easy, and to be expressive'. To be expressive includes both to be semantic and express propositional content, and to be rhetorical, including expressing relationships of status and affiliation. B&L can be considered an attempt to spell out how one part of the charge to be rhetorical can be met.

3. Cazden (1976) reports my own attempts, as an Anglo teacher who felt very distant from the black and Chicano children in my class, to decrease that distance in particular ways. No analysis has been made of the language of control in that classroom. According to the B&L model as interpreted here, if perceived D did decrease over the school year, negative politeness features should have decreased in frequency as well.

4. Payne (1971) made observations in 29 upper elementary grade classrooms distributed among seven categories of schools in Mifflin County, Pennsylvania: four Amish communities ranging from the most 'closed' and isolated to those whose members no longer considered themselves Amish, and three public schools in the same county. His measure of direct influence is taken
from Flanders Interaction Analysis: a high proportion of 'lectures; gives directions, commands or orders'; and 'criticizes or justifies authority' relative to what Flanders calls indirect influence: 'accepts feelings; praises and encourages; accepts and uses ideas of students; and asks questions'. Payne found that the relative frequency of direct influence decreased with the openness of the Amish communities.

5. Valdés-Fallis (in press) has begun an analysis of code-switching as a means of aggravating or mitigating requests, in effect adding code-switching as a supplementary device to the monolingual English resources included in Labov and Fanshel's (1977) analysis. She finds that sometimes it is the switch in language, the contrast alone regardless of its direction, that carries social meaning—usually aggravating direct requests and mitigating indirect requests. But in some cases, the particular direction of switch adds meaning as well. Valdés-Fallis's example (in press) of such added meaning is of the mitigating effect of Spanish:

N. I think that's the way it's got to be done.
B. Mira mano, you just have to do it till it's okay and they say it's okay.

In this particular case, B., as a superior of N.'s but also a Chicano, softened a harsh indirect request (reference to obligations) by reminding N. that he is also a Chicano and therefore on his side.

6. For methodological problems likely to be encountered in applying the B&L model, see Grimshaw (1979) and Shimanoff (1977). Grimshaw stresses the need for metrics for the independent variables P, D, and R. Shimanoff reports one application of the model to the conversations of a receptionist in an academic department, and points to what seems to me an even more fundamental decision. She reports that of 300 politeness features from 10 minutes and 165 turns of talk, a feature listed by B&L as positive fulfilled what she categorized as a negative function and vice-versa in 9 (3%) of the cases. That is, Shimanoff categorized acts by function, regardless of the features used. I assume, by contrast, that FTAs can be redressed in various ways, and that such strategic choices are both expressions of, and dynamic reinforcement of, qualities of human relationships. Therefore I suggest categorizing FTAs by Rank and the participants by P and D (agreeing with Grimshaw that metrics are needed for all three), and then analyzing according to the B&L system the politeness features that occur. See also B&L 1978:285-288 and footnote 9 for discussion of strategies vs. rules.

7. I am indebted to Virginia Koehler of NIE for raising this question.
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Philips, S. U. 1972. Participation structures and communicative competence: Warm Springs children in community and


CHARACTERISTICS OF THE LANGUAGE
OF JURY INSTRUCTIONS

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American Institutes for Research

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This paper describes a psycholinguistic investigation of the comprehensibility of jury instructions—an intersection of linguistics and the law. There is an increasing need for linguistic evaluations of legal language. Legislation has been introduced in many states which would require consumer contracts to be written in language that is comprehensible to the average person; the Magnuson-Moss Act requires that all warranties on consumer products (costing more than $10.00) be written so that they can be understood by the prospective purchasers. Such laws will almost certainly generate a surfeit of litigation surrounding the issue of what is 'clear' and 'understandable'. Yet, as of this date, linguists and psychologists have not created readily usable methodologies for assessing the comprehensibility of discourse. Linguists, in particular, have been reluctant to concern themselves with practical issues related to legal language. We undertook this study in the expectation of providing the legal system with some understanding of language, and in the hope of bringing more of the real world into the study of language.

The primary purpose of this study was to develop a reliable and workable methodology, capable not only of assessing the relative comprehensibility of jury instructions, but also of isolating problematic linguistic constructions. The methodology presented here was employed to ascertain the validity of the following hypotheses: (1) that the standard jury instructions used in this study—when viewed as discourse—are not well understood by the average juror, and that, by inference, the same is true of instructions that are grammatically and
semantically similar; (2) that certain linguistic constructions are largely responsible for this hypothesized incomprehensibility; and (3) that if the problematic linguistic constructions are appropriately altered, comprehension should dramatically improve, notwithstanding the 'legal complexity' of any given instruction.

What actually evolved from this study was a concept of legal language as a distinct subset of English, so distinct that it has been suggested that it might meet the criteria for a dialect (Charrow and Crandall 1978). The present study did not particularly focus on the usual earmarks of professional jargons—that is to say, on esoteric vocabulary, what lawyers call 'terms of art'. Rather, we looked for, and found, grammatical constructions that differed from ordinary usage. In the jury instructions, we isolated certain syntactic constructions that either had disappeared from ordinary English many years ago, or are used infrequently in normal discourse. This phenomenon may be partly a result of the fact that much of legalese is written language, and hence carries much of the formality of written English. However, a closer examination reveals that legalese differs greatly from other forms of written English. Furthermore, anyone who has heard lawyers speaking in court or conversing about legal matters would find many of the same archaic or odd grammatical constructions in their oral language, as well. Table 1 shows the frequency of occurrence of the problematic constructions which we isolated in the California jury instructions used in this study.

While it is impossible for us to discuss the results of our experiments fully in the time allotted, we can provide an overview of our findings. But the principal thrust of this presentation is not on results. It is the methodology, the uniqueness of the study itself, and its implications for law and linguistics, which deserve attention.

Let us begin by saying that there have been few systematic studies of legal language, and fewer empirical studies of the lay person's ability to deal with any variety of legal language.

Our methodology used two separate paraphrase experiments to assess the relative comprehensibility of certain jury instructions, and to isolate problematic linguistic constructions which affect comprehension. In the first experiment, we measured the relative comprehensibility of 14 standard civil jury instructions. From the data that we obtained from this experiment, we were able to hypothesize the existence of specific linguistic constructions which appeared to affect comprehension adversely. The second experiment was designed to test whether or not those linguistic constructions that we had hypothesized to be problematic, from the results of the first experiment, were in fact causing problems for the jurors. Based on the data from the first experiment, the 14 instructions were systematically rewritten, eliminating most of the apparently troublesome linguistic
features; the paraphrase task used in the first experiment was repeated with new subjects, to obtain the necessary comparison data.

Table 1. Frequency of problematic constructions for original and modified by instruction.

<table>
<thead>
<tr>
<th>Bar Approved Jury Instruction (BAJI)</th>
<th>Problematic constructions (number of occurrences)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>A</td>
</tr>
<tr>
<td>1.00</td>
<td>0</td>
</tr>
<tr>
<td>Modified</td>
<td>0</td>
</tr>
<tr>
<td>1.01</td>
<td>0</td>
</tr>
<tr>
<td>Modified</td>
<td>0</td>
</tr>
<tr>
<td>1.02</td>
<td>3</td>
</tr>
<tr>
<td>Modified</td>
<td>0</td>
</tr>
<tr>
<td>2.21</td>
<td>2</td>
</tr>
<tr>
<td>Modified</td>
<td>0</td>
</tr>
<tr>
<td>2.40</td>
<td>0</td>
</tr>
<tr>
<td>Modified</td>
<td>0</td>
</tr>
<tr>
<td>3.01A</td>
<td>0</td>
</tr>
<tr>
<td>Modified</td>
<td>0</td>
</tr>
<tr>
<td>3.11</td>
<td>2</td>
</tr>
<tr>
<td>Modified</td>
<td>0</td>
</tr>
<tr>
<td>3.50</td>
<td>0</td>
</tr>
<tr>
<td>Modified</td>
<td>0</td>
</tr>
<tr>
<td>3.71</td>
<td>0</td>
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<tr>
<td>Modified</td>
<td>0</td>
</tr>
<tr>
<td>3.75</td>
<td>0</td>
</tr>
<tr>
<td>Modified</td>
<td>0</td>
</tr>
<tr>
<td>4.30</td>
<td>3</td>
</tr>
<tr>
<td>Modified</td>
<td>0</td>
</tr>
<tr>
<td>4.31</td>
<td>3</td>
</tr>
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<td>Modified</td>
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<td>Modified</td>
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</tr>
<tr>
<td>15.30</td>
<td>1</td>
</tr>
<tr>
<td>Modified</td>
<td>0</td>
</tr>
<tr>
<td>TOTALS</td>
<td>14</td>
</tr>
<tr>
<td>Modified</td>
<td>0</td>
</tr>
</tbody>
</table>

Key: A = Nominalization; B = 'As to' phrases; C = Misplaced phrases; D = Vocabulary; E = Multiple negatives; F = Full passives; G = Truncated passives; H = Whiz/Complement deletions

We used a paraphrase task to measure comprehension, partly on the assumption that it is easier to remember what one has understood. A paraphrase task had the added advantage of requiring no norming and of not overlooking any potentially important parts of instructions, as might happen with a multiple-choice or open-ended question test. The task was
performed in a one-on-one situation, with people who had been called for jury duty in Prince Georges County, Maryland. Each subject heard a short background passage describing the sort of traffic accident that would give rise to a civil suit, and saw a drawing of it as well. The juror then heard 14 tape-recorded California civil jury instructions, each one played twice in succession. After the second playing of a jury instruction, the juror paraphrased the instruction orally onto another tape.

Each subject's paraphrases were transcribed, and each paraphrase was scored by carefully comparing it to the original instruction. Each idea in the instruction was scored as either correct, wrong, or omitted. In this way, we could not only discern what an individual juror had understood, not understood, or omitted, we could see overall trends for all subjects in a given instruction. Furthermore, when there were a large number of omissions or wrong scores for one item or idea in an instruction, the methodology allowed us to look back at the original item and try to ascertain what there was about the item—and particularly its linguistic construction—that seemed to be causing the problems. (See 'Breakdown of BAJI 1.00' for an example of meaning variables used for scoring.)

Breakdown of BAJI 1.00

<table>
<thead>
<tr>
<th>Variable number</th>
<th>Meaning</th>
</tr>
</thead>
<tbody>
<tr>
<td>005</td>
<td>It is my duty</td>
</tr>
<tr>
<td>006</td>
<td>to instruct you in the law</td>
</tr>
<tr>
<td>007</td>
<td>that applies to this case</td>
</tr>
<tr>
<td>008</td>
<td>and you must follow the law</td>
</tr>
<tr>
<td>009</td>
<td>as I state it to you</td>
</tr>
<tr>
<td>012</td>
<td>As jurors</td>
</tr>
<tr>
<td>010</td>
<td>it is your exclusive duty</td>
</tr>
<tr>
<td>011</td>
<td>to decide all questions of fact</td>
</tr>
<tr>
<td>013</td>
<td>submitted to you</td>
</tr>
<tr>
<td>016</td>
<td>and for that purpose</td>
</tr>
<tr>
<td>014</td>
<td>(it is your duty)</td>
</tr>
<tr>
<td>015</td>
<td>to determine the effect and value of the evidence</td>
</tr>
<tr>
<td>017</td>
<td>You must not</td>
</tr>
<tr>
<td>018</td>
<td>be influenced by</td>
</tr>
<tr>
<td>109</td>
<td>sympathy</td>
</tr>
<tr>
<td>020</td>
<td>prejudice</td>
</tr>
<tr>
<td>021</td>
<td>or passion</td>
</tr>
</tbody>
</table>
We could then rewrite the instructions to eliminate problematic constructions and retest them in the same way.

In our first experiment, for which we reported some preliminary results two years ago (Charrow and Charrow 1978), we found, first of all, that jurors did not adequately understand the 14 jury instructions. The full performance scores (i.e. performance on every item and idea in each instruction) averaged 39 percent. For only the essential ideas in all instructions (i.e. the 'approximation' or 'gist measure'), the average score was 54 percent—that is to say, the average juror understood only slightly more than half of the essential ideas in the 14 instructions tested.

Table 2 shows subjects' performance on various linguistic constructions which we isolated from the results of Experiment 1. Two things are important to note. First, not all constructions could be easily categorized and their results quantified. For example, subordinate clause embeddings were of various types and in various combinations, making statistical analysis virtually impossible. Second, performance on each construction is being compared to performance on all the constructions. Thus, if subjects did as well on a given construction as they did on all the other constructions, that does not mean that they did well.

As Table 2 indicates, we used the lower bound of the quasi-Fisher ratio (as recommended by Clark 1973) to test significance. This is an extraordinarily conservative statistic, and we used it because the number of occurrences of many of the constructions was small.

As will be noted, nominalizations, misplaced phrases, whiz deletions, and difficult lexical items were significantly less well paraphrased than all the other variables. Of great interest, though, is the fact that passive constructions were no more difficult than the other constructions. This was surprising to us, as many of the passive constructions in the jury instructions appeared to be stylistically awkward and semantically opaque. We thought that if we separated truncated and full passives, differences would emerge. None did. However, it was obvious from the data that performance was very poor on some passive constructions. A closer examination revealed that those passive constructions that jurors had enormous difficulty remembering or paraphrasing were almost all in subordinate clauses. In fact, jurors did better on passives in a main clause than on all the other constructions.

One interesting finding had to do with the structure of the discourse itself. The original BAJI 3.01 (see Appendix) consists of two paragraphs which convey the same message. The first explains discursively the four conditions necessary for the plaintiff to win the case, and the second enumerates the same conditions, in list form, as part of a syllogism. Almost one-fourth of the subjects thought that the two paragraphs were saying different, even contradictory things. It appears
Table 2. Performance across instructions by linguistic construction.

<table>
<thead>
<tr>
<th>Linguistic construction</th>
<th>Frequency of occurrence</th>
<th>Mean fraction correct/construction</th>
<th>Mean fraction correct for all variables except those in Column A</th>
<th>Mean Column D less Column C</th>
<th>Min. F^1 (j, i)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nominalizations</td>
<td>14</td>
<td>0.286</td>
<td>0.399</td>
<td>0.113</td>
<td>3.87^a</td>
</tr>
<tr>
<td>'As to' phrases</td>
<td>8</td>
<td>0.282</td>
<td>0.396</td>
<td>0.114</td>
<td>N.S.</td>
</tr>
<tr>
<td>Misplaced phrases</td>
<td>9</td>
<td>0.240</td>
<td>0.398</td>
<td>0.158</td>
<td>(j=305) 7.04^b</td>
</tr>
<tr>
<td>Whiz/Complement deletion</td>
<td>12</td>
<td>0.245</td>
<td>0.400</td>
<td>0.155</td>
<td>(j=294) 4.52^a</td>
</tr>
<tr>
<td>Problematic lexical items</td>
<td>36</td>
<td>0.321</td>
<td>0.404</td>
<td>0.083</td>
<td>(j=301) 4.86^a</td>
</tr>
<tr>
<td>Modals</td>
<td>16</td>
<td>0.570</td>
<td>0.382</td>
<td>-0.188</td>
<td>(j=299) 9.39^b</td>
</tr>
<tr>
<td>Single negatives (non-modals)</td>
<td>13</td>
<td>0.369</td>
<td>0.394</td>
<td>0.025</td>
<td>N.S.</td>
</tr>
<tr>
<td>Multiple negatives</td>
<td>6</td>
<td>0.262</td>
<td>0.396</td>
<td>0.134</td>
<td>N.S.</td>
</tr>
<tr>
<td>Passives—all</td>
<td>35</td>
<td>0.392</td>
<td>0.393</td>
<td>0.001</td>
<td>N.S.</td>
</tr>
<tr>
<td>Full passives</td>
<td>9</td>
<td>0.268</td>
<td>0.397</td>
<td>0.129</td>
<td>N.S.</td>
</tr>
<tr>
<td>Truncated passives</td>
<td>26</td>
<td>0.434</td>
<td>0.389</td>
<td>-0.045</td>
<td>N.S.</td>
</tr>
<tr>
<td>Subordinate clause passives</td>
<td>19</td>
<td>0.271</td>
<td>0.402</td>
<td>0.131</td>
<td>(j=303) 7.45^b</td>
</tr>
<tr>
<td>Main clause passives</td>
<td>16</td>
<td>0.535</td>
<td>0.384</td>
<td>-0.151</td>
<td>(j=299) 4.50^a</td>
</tr>
<tr>
<td>Word lists</td>
<td>12</td>
<td>0.431</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

a. p < .05
b. p < .01
that this type of redundancy, at the discourse level, violates Grice's Maxim of Quantity—'say no more and no less than is necessary to convey the message'. And yet this type of discourse structure is common in jury instructions, and in legal language in general.

In our second experiment, we set out to confirm the findings of Experiment 1, and to prove that by systematically eliminating the specific problematic constructions from the jury instructions, jurors' comprehension of the jury instructions would increase.

As we mentioned previously, we rewrote the jury instructions to eliminate those constructions which appeared to be causing the problems in the first experiment. We had originally planned simply to repeat Experiment 1 with new subjects and the re-written instructions. However, the results of Experiment 1 were extraordinarily sensitive to the educational level of the subjects. (See Tables 3 and 4.) Furthermore, the subjects who participated in Experiment 1 had an unexpectedly high educational level (15.06 years). We may very well have drawn an aberrant sample of subjects. Therefore, we could not use an independent groups design. It was equally clear that a repeated measures design was impractical because of practice effects.

In order to resolve the dilemma, we created two treatment groups of 24 subjects each for Experiment 2. Each group received seven original and seven modified instructions. The seven original instructions received by one treatment group corresponded to the seven modified instructions received by the other group. (See Table 5a.) This design provides an enormous amount of flexibility, as it combines the advantages of both a repeated measures design and an independent groups design.

Examination of the results shows that for the full performance measure (performance on every item and idea in each instruction --see Table 6), the overall improvement for the modified instructions was 41 percent. Moreover, there was a statistically significant improvement for nine of the instructions, and a marginally significant improvement on one. This is the only study to date that has been able to show improvement on an instruction-by-instruction basis. As you will note, performance on two of the modified instructions actually declined. However, this was expected, because in rewriting, we added nonsubstantive context which we did not expect subjects to paraphrase, and which therefore lowered their full-performance scores.

Subjects in Experiment 2 did not perform as well on the original instructions as had the subjects in Experiment 1. However, as Table 7 indicates, this appeared to be solely due to the lower educational level of the subjects in Experiment 2 (mean = 14 years).

For the approximation, or 'gist measure', subjects performed better on each of the 14 modified instructions (see Table 8). In addition, we devised a 'concordance' between the original and modified instructions. That is to say, we found those variables in the modified instructions which have counterparts
Table 3. Full performance measure by instruction by education.

<table>
<thead>
<tr>
<th>Instruction BAJI no.</th>
<th>High school ≤ 12 years (N=8) (Full performance)</th>
<th>College &gt; 12 years ≤ 16 years (N=16) (Full performance)</th>
<th>Graduate school &gt; 16 years (N=11) (Full performance)</th>
<th>F(2,32)</th>
<th>Statistical significance</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.00</td>
<td>0.250</td>
<td>0.368</td>
<td>0.540</td>
<td>8.73</td>
<td>p &lt; .01</td>
</tr>
<tr>
<td>1.01</td>
<td>0.136</td>
<td>0.241</td>
<td>0.281</td>
<td>3.63</td>
<td>p &lt; .05</td>
</tr>
<tr>
<td>1.02</td>
<td>0.188</td>
<td>0.273</td>
<td>0.285</td>
<td>1.47</td>
<td>N.S.</td>
</tr>
<tr>
<td>2.21</td>
<td>0.257</td>
<td>0.576</td>
<td>0.601</td>
<td>7.54</td>
<td>p &lt; .01</td>
</tr>
<tr>
<td>2.40</td>
<td>0.234</td>
<td>0.411</td>
<td>0.492</td>
<td>10.78</td>
<td>p &lt; .01</td>
</tr>
<tr>
<td>3.01A</td>
<td>0.267</td>
<td>0.557</td>
<td>0.579</td>
<td>6.09</td>
<td>p &lt; .05</td>
</tr>
<tr>
<td>3.11</td>
<td>0.151</td>
<td>0.367</td>
<td>0.428</td>
<td>8.15</td>
<td>p &lt; .01</td>
</tr>
<tr>
<td>3.50</td>
<td>0.361</td>
<td>0.694</td>
<td>0.697</td>
<td>4.79</td>
<td>p &lt; .05</td>
</tr>
<tr>
<td>3.71</td>
<td>0.161</td>
<td>0.349</td>
<td>0.409</td>
<td>5.80</td>
<td>p &lt; .05</td>
</tr>
<tr>
<td>3.75</td>
<td>0.156</td>
<td>0.461</td>
<td>0.500</td>
<td>4.62</td>
<td>p &lt; .05</td>
</tr>
<tr>
<td>4.30</td>
<td>0.112</td>
<td>0.304</td>
<td>0.333</td>
<td>6.27</td>
<td>p &lt; .05</td>
</tr>
<tr>
<td>4.31</td>
<td>0.133</td>
<td>0.392</td>
<td>0.364</td>
<td>2.80</td>
<td>N.S.</td>
</tr>
<tr>
<td>15.22</td>
<td>0.275</td>
<td>0.433</td>
<td>0.424</td>
<td>4.62</td>
<td>p &lt; .01</td>
</tr>
<tr>
<td>15.30</td>
<td>0.400</td>
<td>0.558</td>
<td>0.642</td>
<td>5.81</td>
<td>p &lt; .01</td>
</tr>
</tbody>
</table>
Table 4. Approximation measure by instruction by education (Experiment 1).

<table>
<thead>
<tr>
<th>Instruction BAIJ no.</th>
<th>High school ≤ 12 years (N=8)</th>
<th>College &gt; 12 years ≤ 16 years (N=16)</th>
<th>Graduate school &gt; 16 years (N=11)</th>
<th>F(2,32)</th>
<th>Statistical significance</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.00</td>
<td>0.391</td>
<td>0.531</td>
<td>0.705</td>
<td>5.85</td>
<td>p &lt; .01</td>
</tr>
<tr>
<td>1.01</td>
<td>0.275</td>
<td>0.463</td>
<td>0.464</td>
<td>3.07</td>
<td>N.S.</td>
</tr>
<tr>
<td>1.02</td>
<td>0.359</td>
<td>0.447</td>
<td>0.450</td>
<td>0.56</td>
<td>N.S.</td>
</tr>
<tr>
<td>2.21</td>
<td>0.411</td>
<td>0.768</td>
<td>0.753</td>
<td>5.21</td>
<td>p &lt; .05</td>
</tr>
<tr>
<td>2.40</td>
<td>0.423</td>
<td>0.829</td>
<td>0.771</td>
<td>10.31</td>
<td>p &lt; .01</td>
</tr>
<tr>
<td>3.01A</td>
<td>0.411</td>
<td>0.556</td>
<td>0.688</td>
<td>4.35</td>
<td>p &lt; .05</td>
</tr>
<tr>
<td>3.11</td>
<td>0.193</td>
<td>0.589</td>
<td>0.515</td>
<td>11.95</td>
<td>p &lt; .01</td>
</tr>
<tr>
<td>3.50</td>
<td>0.583</td>
<td>0.917</td>
<td>0.818</td>
<td>3.39</td>
<td>p &lt; .05</td>
</tr>
<tr>
<td>3.71</td>
<td>0.271</td>
<td>0.424</td>
<td>0.576</td>
<td>5.88</td>
<td>p &lt; .01</td>
</tr>
<tr>
<td>3.75</td>
<td>0.104</td>
<td>0.469</td>
<td>0.485</td>
<td>4.94</td>
<td>p &lt; .05</td>
</tr>
<tr>
<td>4.30</td>
<td>0.250</td>
<td>0.536</td>
<td>0.636</td>
<td>5.20</td>
<td>p &lt; .05</td>
</tr>
<tr>
<td>4.31</td>
<td>0.208</td>
<td>0.493</td>
<td>0.515</td>
<td>2.60</td>
<td>N.S.</td>
</tr>
<tr>
<td>15.22</td>
<td>0.391</td>
<td>0.555</td>
<td>0.500</td>
<td>1.78</td>
<td>N.S.</td>
</tr>
<tr>
<td>15.30</td>
<td>0.475</td>
<td>0.638</td>
<td>0.773</td>
<td>7.70</td>
<td>p &lt; .01</td>
</tr>
</tbody>
</table>
Table 5a. Jury instructions received (by treatment group).

<table>
<thead>
<tr>
<th>BAJI instructions</th>
<th>Treatment Group 1</th>
<th>Treatment Group 2</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Form received</td>
<td>Number variables</td>
</tr>
<tr>
<td></td>
<td>(original or</td>
<td></td>
</tr>
<tr>
<td></td>
<td>modified)</td>
<td></td>
</tr>
<tr>
<td>1.00</td>
<td>Original</td>
<td>17</td>
</tr>
<tr>
<td>1.01</td>
<td>Original</td>
<td>22</td>
</tr>
<tr>
<td>1.02</td>
<td>Modified</td>
<td>51</td>
</tr>
<tr>
<td>2.21</td>
<td>Original</td>
<td>18</td>
</tr>
<tr>
<td>2.40</td>
<td>Original</td>
<td>24</td>
</tr>
<tr>
<td>3.01A</td>
<td>Modified</td>
<td>10</td>
</tr>
<tr>
<td>3.11</td>
<td>Original</td>
<td>24</td>
</tr>
<tr>
<td>3.50</td>
<td>Modified</td>
<td>14</td>
</tr>
<tr>
<td>3.71</td>
<td>Modified</td>
<td>31</td>
</tr>
<tr>
<td>3.75</td>
<td>Modified</td>
<td>7</td>
</tr>
<tr>
<td>4.30</td>
<td>Modified</td>
<td>20</td>
</tr>
<tr>
<td>4.31</td>
<td>Modified</td>
<td>21</td>
</tr>
<tr>
<td>15.22</td>
<td>Original</td>
<td>15</td>
</tr>
<tr>
<td>15.30</td>
<td>Original</td>
<td>15</td>
</tr>
<tr>
<td>TOTALS</td>
<td>289</td>
<td>1,314</td>
</tr>
</tbody>
</table>

Table 5b. Original vs. modified (by number of words and number of variables).

<table>
<thead>
<tr>
<th>Form of instructions</th>
<th>Total no. words</th>
<th>Total no. variables</th>
<th>Words per variable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Modified</td>
<td>1,378</td>
<td>295</td>
<td>4.67</td>
</tr>
<tr>
<td>Original</td>
<td>1,265</td>
<td>273</td>
<td>4.63</td>
</tr>
</tbody>
</table>
Table 6. Full performance measure across subjects, modified vs. original instructions.

<table>
<thead>
<tr>
<th>Instruction</th>
<th>Mean fraction correct per instruction</th>
<th>Mean modified less original</th>
<th>Level of significance (one-tailed z test)</th>
<th>Percentage change</th>
</tr>
</thead>
<tbody>
<tr>
<td>BAJI</td>
<td>Original</td>
<td>Modified</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.00</td>
<td>.348</td>
<td>.421</td>
<td>.07</td>
<td>p &lt; .06a</td>
</tr>
<tr>
<td>1.01</td>
<td>.246</td>
<td>.347</td>
<td>.10</td>
<td>p &lt; .05</td>
</tr>
<tr>
<td>1.02</td>
<td>.201</td>
<td>.300</td>
<td>.10</td>
<td>p &lt; .05</td>
</tr>
<tr>
<td>2.21</td>
<td>.412</td>
<td>.446</td>
<td>.03</td>
<td>N.S.</td>
</tr>
<tr>
<td>2.40</td>
<td>.293</td>
<td>.477</td>
<td>.18</td>
<td>p &lt; .005</td>
</tr>
<tr>
<td>3.01A</td>
<td>.271</td>
<td>.542</td>
<td>.27</td>
<td>p &lt; .001</td>
</tr>
<tr>
<td>3.11</td>
<td>.255</td>
<td>.467</td>
<td>.21</td>
<td>p &lt; .005</td>
</tr>
<tr>
<td>3.50</td>
<td>.565</td>
<td>.441</td>
<td>-.12</td>
<td>N.S.</td>
</tr>
<tr>
<td>3.71</td>
<td>.283</td>
<td>.258</td>
<td>-.02</td>
<td>N.S.</td>
</tr>
<tr>
<td>3.75</td>
<td>.370</td>
<td>.452</td>
<td>.08</td>
<td>N.S.</td>
</tr>
<tr>
<td>4.30</td>
<td>.254</td>
<td>.347</td>
<td>.09</td>
<td>p &lt; .05</td>
</tr>
<tr>
<td>4.31</td>
<td>.211</td>
<td>.407</td>
<td>.20</td>
<td>p &lt; .001b</td>
</tr>
<tr>
<td>15.22</td>
<td>.253</td>
<td>.365</td>
<td>.11</td>
<td>p &lt; .01</td>
</tr>
<tr>
<td>15.30</td>
<td>.508</td>
<td>.708</td>
<td>.22</td>
<td>p &lt; .001</td>
</tr>
<tr>
<td>Mean of means</td>
<td>.319</td>
<td>.427</td>
<td>.11</td>
<td>p &lt; .001c</td>
</tr>
</tbody>
</table>

a. Marginally significant.
b. Computed using a two-tailed z test.
c. Computed using a one-tailed t (13df) test.
Table 7. Education as predictor of performance (full performance measure).

<table>
<thead>
<tr>
<th>Instruction (BAJI)</th>
<th>Predicted mean fraction correct (using Exp. 1 coefficients)</th>
<th>Actual mean fraction correct (Exp. 2 results)</th>
<th>Difference (predicted - actual)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Treatment Group 1 (N=24)</td>
<td>(13 subjects high school, 7 college, 4 post-college)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.00</td>
<td>.333</td>
<td>.348</td>
<td>-.015</td>
</tr>
<tr>
<td>1.01</td>
<td>.191</td>
<td>.246</td>
<td>-.055</td>
</tr>
<tr>
<td>2.21</td>
<td>.407</td>
<td>.412</td>
<td>-.005</td>
</tr>
<tr>
<td>2.40</td>
<td>.329</td>
<td>.293</td>
<td>.036</td>
</tr>
<tr>
<td>3.11</td>
<td>.260</td>
<td>.255</td>
<td>.005</td>
</tr>
<tr>
<td>15.22</td>
<td>.346</td>
<td>.253</td>
<td>.093</td>
</tr>
<tr>
<td>15.30</td>
<td>.486</td>
<td>.508</td>
<td>-.022</td>
</tr>
<tr>
<td>Mean of means (Group 1)</td>
<td>.336</td>
<td>.331</td>
<td>.005^a</td>
</tr>
<tr>
<td>Treatment Group 2 (N=24)</td>
<td>(12 subjects high school, 6 college, 6 post-college)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.02</td>
<td>.234</td>
<td>.201</td>
<td>.033</td>
</tr>
<tr>
<td>3.01A</td>
<td>.418</td>
<td>.255</td>
<td>.163</td>
</tr>
<tr>
<td>3.50</td>
<td>.528</td>
<td>.525</td>
<td>-.037</td>
</tr>
<tr>
<td>3.71</td>
<td>.270</td>
<td>.283</td>
<td>-.013</td>
</tr>
<tr>
<td>3.75</td>
<td>.318</td>
<td>.370</td>
<td>-.052</td>
</tr>
<tr>
<td>4.30</td>
<td>.215</td>
<td>.254</td>
<td>-.039</td>
</tr>
<tr>
<td>4.31</td>
<td>.256</td>
<td>.211</td>
<td>.045</td>
</tr>
<tr>
<td>Mean of means (Group 2)</td>
<td>.320</td>
<td>.306</td>
<td>.014^b</td>
</tr>
<tr>
<td>Mean of means (Groups 1+2)</td>
<td>.328</td>
<td>.318</td>
<td>.010^c</td>
</tr>
<tr>
<td>a. t(6df) = .279 Differences not statistically significant.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. t(6df) = .492</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. t(13df) = .555</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Table 8. Approximation measure across subjects, modified vs. original instructions.

<table>
<thead>
<tr>
<th>Instruction</th>
<th>Mean fraction correct per instruction</th>
<th>Mean modified less original</th>
<th>Level of significance (one-tailed z test)</th>
<th>Percentage change</th>
</tr>
</thead>
<tbody>
<tr>
<td>BAJI</td>
<td>Original</td>
<td>Modified</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.00</td>
<td>.474</td>
<td>.521</td>
<td>.05</td>
<td>N.S.</td>
</tr>
<tr>
<td>1.01</td>
<td>.417</td>
<td>.560</td>
<td>.14</td>
<td>p &lt; .05</td>
</tr>
<tr>
<td>1.02</td>
<td>.313</td>
<td>.471</td>
<td>.16</td>
<td>p &lt; .05</td>
</tr>
<tr>
<td>2.21</td>
<td>.589</td>
<td>.651</td>
<td>.06</td>
<td>N.S.</td>
</tr>
<tr>
<td>2.40</td>
<td>.464</td>
<td>.600</td>
<td>.14</td>
<td>p &lt; .05</td>
</tr>
<tr>
<td>3.01A</td>
<td>.457</td>
<td>.589</td>
<td>.13</td>
<td>p &lt; .05</td>
</tr>
<tr>
<td>3.11</td>
<td>.396</td>
<td>.568</td>
<td>.17</td>
<td>p &lt; .05</td>
</tr>
<tr>
<td>3.50</td>
<td>.653</td>
<td>.736</td>
<td>.09</td>
<td>N.S.</td>
</tr>
<tr>
<td>3.71</td>
<td>.430</td>
<td>.827</td>
<td>.40</td>
<td>p &lt; .001</td>
</tr>
<tr>
<td>3.75</td>
<td>.410</td>
<td>.438</td>
<td>.03</td>
<td>N.S.</td>
</tr>
<tr>
<td>4.30</td>
<td>.488</td>
<td>.774</td>
<td>.28</td>
<td>p &lt; .001</td>
</tr>
<tr>
<td>4.31</td>
<td>.268</td>
<td>.489</td>
<td>.21</td>
<td>p &lt; .005</td>
</tr>
<tr>
<td>15.22</td>
<td>.312</td>
<td>.351</td>
<td>.04</td>
<td>N.S.</td>
</tr>
<tr>
<td>15.30</td>
<td>.592</td>
<td>.711</td>
<td>.12</td>
<td>p &lt; .05</td>
</tr>
<tr>
<td>Mean of means</td>
<td>.447</td>
<td>.592</td>
<td>.14</td>
<td>p &lt; .001</td>
</tr>
</tbody>
</table>

a. Computed using a one-tailed t(13df) test
Table 9. Concordance measure across subjects, modified vs. original instructions.

<table>
<thead>
<tr>
<th>Instruction BAJI</th>
<th>Number common variables</th>
<th>Mean fraction correct per instruction</th>
<th>Mean modified less original</th>
<th>Level of significance (one-tailed z test)</th>
<th>Percentage change</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.00</td>
<td>9</td>
<td>.458</td>
<td>.477</td>
<td>.02</td>
<td>N.S.</td>
</tr>
<tr>
<td>1.01</td>
<td>12</td>
<td>.271</td>
<td>.413</td>
<td>.14</td>
<td>p &lt; .05</td>
</tr>
<tr>
<td>1.02</td>
<td>24</td>
<td>.224</td>
<td>.356</td>
<td>.14</td>
<td>p &lt; .01</td>
</tr>
<tr>
<td>2.21</td>
<td>13</td>
<td>.458</td>
<td>.481</td>
<td>.02</td>
<td>N.S.</td>
</tr>
<tr>
<td>2.40</td>
<td>13</td>
<td>.314</td>
<td>.491</td>
<td>.18</td>
<td>p &lt; .005</td>
</tr>
<tr>
<td>3.01A</td>
<td>8</td>
<td>.411</td>
<td>.552</td>
<td>.14</td>
<td>p &lt; .05</td>
</tr>
<tr>
<td>3.11</td>
<td>15</td>
<td>.267</td>
<td>.478</td>
<td>.21</td>
<td>p &lt; .005</td>
</tr>
<tr>
<td>3.50</td>
<td>7</td>
<td>.619</td>
<td>.626</td>
<td>.01</td>
<td>N.S.</td>
</tr>
<tr>
<td>3.71</td>
<td>18</td>
<td>.248</td>
<td>.341</td>
<td>.09</td>
<td>p &lt; .05</td>
</tr>
<tr>
<td>3.75</td>
<td>6</td>
<td>.410</td>
<td>.438</td>
<td>.03</td>
<td>N.S.</td>
</tr>
<tr>
<td>4.30</td>
<td>17</td>
<td>.360</td>
<td>.502</td>
<td>.14</td>
<td>p &lt; .05</td>
</tr>
<tr>
<td>4.31</td>
<td>10</td>
<td>.233</td>
<td>.458</td>
<td>.23</td>
<td>p &lt; .005</td>
</tr>
<tr>
<td>15.22</td>
<td>14</td>
<td>.268</td>
<td>.333</td>
<td>.07</td>
<td>p &lt; .08a</td>
</tr>
<tr>
<td>15.30</td>
<td>13</td>
<td>.532</td>
<td>.715</td>
<td>.18</td>
<td>p &lt; .001</td>
</tr>
<tr>
<td>Mean of means</td>
<td></td>
<td>.362</td>
<td>.476</td>
<td>.11</td>
<td>p &lt; .001b</td>
</tr>
</tbody>
</table>

a. Marginally significant.
b. Computed using one-tailed t(13df) test.
Table 10. Performance across instructions by changes in linguistic construction.

<table>
<thead>
<tr>
<th>Construction</th>
<th>Number of variables compared (n)</th>
<th>Mean correct with construction</th>
<th>Mean correct without construction</th>
<th>Δ Mean</th>
<th>% Change</th>
<th>Significance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nominalizations</td>
<td>9</td>
<td>0.313</td>
<td>0.453</td>
<td>0.140</td>
<td>45</td>
<td>p &lt; .05</td>
</tr>
<tr>
<td>'As to' phrases</td>
<td>6</td>
<td>0.210</td>
<td>0.250</td>
<td>0.040</td>
<td>19</td>
<td>N.S.</td>
</tr>
<tr>
<td>Misplaced phrases</td>
<td>6</td>
<td>0.278</td>
<td>0.345</td>
<td>0.067</td>
<td>24</td>
<td>N.S.</td>
</tr>
<tr>
<td>Whiz/Complement deletion</td>
<td>7</td>
<td>0.266</td>
<td>0.421</td>
<td>0.155</td>
<td>58</td>
<td>a</td>
</tr>
<tr>
<td>Problematic lexical items</td>
<td>17</td>
<td>0.340</td>
<td>0.498</td>
<td>0.158</td>
<td>47</td>
<td>p &lt; .05</td>
</tr>
<tr>
<td>Passives</td>
<td>22</td>
<td>0.301</td>
<td>0.447</td>
<td>0.146</td>
<td>48.5</td>
<td>p &lt; .01</td>
</tr>
<tr>
<td>Subordinate clause passives</td>
<td>12</td>
<td>0.216</td>
<td>0.391</td>
<td>0.175</td>
<td>81</td>
<td>p &lt; .01</td>
</tr>
<tr>
<td>Main clause passives</td>
<td>10</td>
<td>0.404</td>
<td>0.514</td>
<td>0.110</td>
<td>27</td>
<td>N.S.</td>
</tr>
<tr>
<td>Word lists</td>
<td>11</td>
<td>0.428</td>
<td>0.462</td>
<td>0.046</td>
<td>11</td>
<td>N.S.</td>
</tr>
</tbody>
</table>

a. Interaction between Whiz/Complement deletion and Passive voice prevents meaningful statistical comparison.
with the same meaning in the original instructions. For example, in modified BAJI 1.00, the phrase, *I am now going to tell you the laws...*, corresponds to the original BAJI 1.00 phrase *I instruct you in the law*. For the concordance measure, too, there was improvement on each of the 14 modified instructions (see Table 9).

In order to measure the effect of eliminating the problematic grammatical constructions, we compared those variables in the original instructions which had a particular construction with the corresponding variables in the modified instructions which no longer contained the problematic constructions. In many cases, eliminating a problematic construction involved several other changes as well, so that the modified instruction contained no counterpart to the original item. Hence, the number of pairs of counterparts for many constructions was quite small (see Table 10). Nonetheless, even here, eliminating nominalizations, passives, subordinate clause passives, and difficult lexical items significantly improved comprehension for those items.

This study is significant for both linguistics and the legal system. First, it demonstrates that psycholinguistic testing need not be limited to words, phrases, clauses, or sentences. It is possible to actually test comprehension of discourse. Second, a methodology such as the one presented here can give teeth to the appellate court rule, which has never really been enforced, that jury instructions must be readily understandable to the average juror. Third, this methodology provides a relatively inexpensive means of testing the comprehensibility of legal language. The need for this testing will mushroom because of the increasing number of laws, at both the federal and local levels, which require documents to be understandable to the average person.

**APPENDIX**

**BAJI 1.00 as given:**

Ladies and gentlemen of the jury:

It is my duty to instruct you in the law that applies to this case and you must follow the law as I state it to you.

As jurors it is your exclusive duty to decide all questions of fact submitted to you and for that purpose to determine the effect and value of the evidence.

You must not be influenced by sympathy, prejudice, or passion.

**BAJI 1.00 modified:**

Members of the jury:

I am now going to tell you the laws that apply to this case. As jurors you have two major duties:

First, you must look at the evidence, and decide from the evidence what the facts of this case are. It is your job and no one else's to decide what the facts are.
Second, you must listen to the laws that I am now telling you, and follow them, in order to reach your verdict.

In fulfilling these duties, you must not be influenced by your feelings of sympathy or prejudice.

1.01 as given:

If in these instructions any rule, direction, or idea is repeated or stated in varying ways, no emphasis thereon is intended by me and none must be inferred by you. For that reason you are not to single out any certain sentence or any individual point or instruction and ignore the others, but you are to consider all the instructions as a whole and are to regard each in the light of all the others.

The order in which the instructions are given has no significance as to their relative importance.

1.01 modified:

As you listen to these instructions of law, there are three things you must keep in mind:

First, throughout these instructions, you may find that some ideas or rules of law are repeated. That does not mean that I am trying to emphasize those rules or ideas.

Second, you must consider all the instructions together, as a package, and you must not ignore any instruction or any part of an instruction. And

Third, the fact that I am giving the instructions in a particular order does not mean that the first are more important than the last, or vice-versa. In other words, the order has no significance.

1.02 as given:

You must not consider as evidence any statement of counsel made during the trial; however, if counsel for the parties have stipulated to any fact, or any fact has been admitted by counsel, you will regard that fact as being conclusively proved as to the party or parties making the stipulation or admission.

As to any question to which an objection was sustained, you must not speculate as to what the answer might have been or as to the reason for the objection.

You must not consider for any purpose any offer of evidence that was rejected, or any evidence that was stricken out by the court; such matter is to be treated as though you had never known it.

You must never speculate to be true any insinuation suggested by a question asked a witness. A question is not evidence and may be considered only as it supplies meaning to the answer.

1.02 modified:

As I mentioned earlier, it is your job to decide from the evidence what the facts are. Here are five rules that will help you decide what is, and what is not, evidence.
1. Lawyers' statements. Ordinarily, any statement made by the lawyers in this case is not evidence. However, if all the lawyers agree that some particular thing is true, you must accept it as the truth.

2. Rejected evidence. At times during this trial, items or testimony were offered as evidence, but I did not allow them to become evidence. Since they never became evidence, you must not consider them.

3. Stricken evidence. At times, I ordered some piece of evidence to be stricken, or thrown out. Since that is no longer evidence, you must ignore it, also.

4. Questions to a witness. By itself, a question is not evidence. A question can only be used to give meaning to a witness's answer. Furthermore, if a lawyer's question to a witness contained any insinuations, you must ignore those insinuations. And

5. Objections to questions. If a lawyer objected to a question, and I did not allow the witness to answer the question, you must not try to guess what the answer might have been. You must also not try to guess the reason why the lawyer objected to the question.

2.21 as given:
Discrepancies in a witness's testimony or between his testimony and that of others, if there were any, do not necessarily mean that the witness should be discredited. Failure of recollection is a common experience, and innocent misrecollection is not uncommon. It is a fact, also, that two persons witnessing an incident or a transaction often will see or hear it differently. Whether a discrepancy pertains to a fact of importance or only to a trivial detail should be considered in weighing its significance.

2.21 modified:
As jurors, you have to decide which testimony to believe and which testimony not to believe.

You may be tempted to totally disbelieve a witness because he contradicted himself while testifying. Keep in mind, however, that people sometimes forget things, and end up contradicting themselves.

You might also be tempted to totally disbelieve a witness because another witness testified differently. But keep in mind also that when two people witness an incident they often remember it differently.

When you are deciding whether or not to believe a witness, you should consider whether contradictions or differences in testimony have to do with an important fact or only a small detail.
2.40 as given:
A witness who has special knowledge, skill, experience, training, or education in a particular science, profession or occupation may give his opinion as an expert as to any matter in which he is skilled. In determining the weight to be given such opinion you should consider the qualifications and credibility of the expert and the reasons given for his opinion. You are not bound by such opinion. Give it the weight, if any, to which you deem it entitled.

2.40 modified:
Ordinarily, a witness may not give an opinion. However, an expert witness may give his opinion. An expert witness is a person with special skill or education in a particular field. Even though I allow expert witnesses to give their opinions, you are not required to accept those opinions. In order to determine the value of the expert's opinion, you should take into account the expert's qualifications and believability. You should also take into account how he reached his conclusions.

3.01 (altered) as given:
A plaintiff who was not contributorily negligent and who did not assume the risk of harm and who was injured as a proximate result of some negligent conduct on the part of a defendant is entitled to recover compensation for such injury from that defendant.

Thus, the plaintiff is entitled to a verdict in this case if you find, in accordance with my instructions:
1. that defendant was negligent;
2. that such negligence was a proximate cause of injury to the plaintiff;
3. that the plaintiff was not negligent; or, if negligent, that his negligence did not contribute as a proximate cause to his injury; and
4. that the plaintiff did not assume the risk of harm.

3.01A modified:
The plaintiff is entitled to recover money if you find that all four of the following conditions are true:
1. the defendant was negligent;
2. the defendant's negligence was a legal cause of the plaintiff's injury;
3. the plaintiff was not contributorily negligent; and
4. the plaintiff did not voluntarily take the risk of being injured.

3.11 as given:
One test that is helpful in determining whether or not a person was negligent is to ask and answer whether or not, if a person of ordinary prudence had been in the same situation and possessed of the same knowledge, he would have foreseen or
anticipated that someone might have been injured by or as a result of his action or inaction.

If such a result from certain conduct would be foreseeable by a person of ordinary prudence with like knowledge and in like situation, and if the conduct reasonably could be avoided, then not to avoid it would be negligence.

3.11 modified:
In order to decide whether or not the defendant was negligent, there is a test you can use. Consider how a reasonably careful person would have acted in the same situation. Specifically, in order to find the defendant negligent, you would have to answer 'yes' to the following two questions:

1. Would a reasonably careful person have realized in advance that someone might be injured as a result of the defendant's conduct? And,
2. Could the reasonably careful person have avoided behaving as the defendant did?

If your answer to both of these questions is 'yes', then the defendant is negligent.

You can use the same test in deciding whether the plaintiff was negligent.

3.50 as given:
Contributory negligence is negligence on the part of a plaintiff which, combining with the negligence of a defendant, contributes as a proximate cause in bringing about the injury.

A plaintiff who is contributorily negligent cannot recover for such injury.

3.50 modified:
There is a type of negligence that involves the conduct of the plaintiff, rather than the defendant. It is called 'contributory negligence'.

If a plaintiff is negligent, and his negligence helps cause his own injury, we say that the plaintiff is contributorily negligent.

A plaintiff who is contributorily negligent cannot recover money for his injury.

3.71 as given:
If you should find that John Smith, who, at the time of the accident in question, was driving the vehicle in which plaintiff was riding, was negligent and that his negligence contributed as a proximate cause of plaintiff's injury, then you must determine whether said driver was then the agent of the plaintiff and acting within the scope of his employment.

If the driver was plaintiff's agent and acting within the scope of his employment, his negligence, if any, must be imputed to the plaintiff, with the same effect as if the plaintiff himself were contributorily negligent.
But if said driver was not then the agent of plaintiff or was not acting within the scope of his employment, his negligence, if any, may not be imputed to the plaintiff.

3.71 modified:
As you recall, John Smith was driving the truck at the time of the accident, and the plaintiff was a passenger in that truck. Ordinarily, in deciding whether the plaintiff was contributorily negligent, you would only look at the plaintiff's conduct. However, there is one situation where John Smith's conduct affects the plaintiff's ability to recover money. That situation is where, at the time of the accident, John Smith was the plaintiff's agent, and was performing duties he was hired by the plaintiff to do.

If you find that at the time of the accident, John Smith was the plaintiff's agent, and was performing duties that he was hired to do, then any negligence on John Smith's part would transfer to the plaintiff. It would be as though the plaintiff himself were negligent.

On the other hand, if you find that John Smith was not the plaintiff's agent, or that he was not performing duties that he was hired by the plaintiff to do, then any negligence on John Smith's part would not transfer to the plaintiff.

3.75 as given:
A proximate cause of an injury is a cause which, in natural and continuous sequence, produces the injury, and without which the injury would not have occurred.

3.75 modified:
A legal cause of an injury is something that triggers a natural chain of events that ultimately produces the injury. Without the legal cause, the injury would not occur.

4.30 as given:
If plaintiff assumed the risk of harm he may not recover damages for an injury resulting therefrom.

In order for plaintiff to have assumed such risk, he must have had actual knowledge of the particular danger and an appreciation of the risk involved and the magnitude thereof, and must thereafter have voluntarily assumed such risk.

For a person to act voluntarily he must have freedom of choice. This freedom of choice must come from circumstances that provide him a reasonable opportunity, without violating any legal or moral duty, to safely refuse to expose himself to the danger in question.

In determining whether the plaintiff assumed such risk, you may consider his maturity, intelligence, experience, and capacity, along with all the other surrounding circumstances as shown by the evidence.
4.30 modified:
If the plaintiff voluntarily took a risk, and was injured as a result of taking the risk, then he cannot recover money for his injury.
In order for someone to voluntarily take a risk, he must know and understand the dangers involved, and decide to take the chance anyway.
In deciding whether the plaintiff voluntarily took a risk, you may consider his maturity and intelligence, and all the other circumstances of the case.

4.31 as given:
While the same conduct on the part of the plaintiff may amount to both assumption of risk and contributory negligence, there is a distinction between the two defenses. An essential factor in contributory negligence is that it contribute as a proximate cause of the injury. Assumption of risk, however, if it meets the requirements stated to you, will bar recovery of damages although it plays no part in causing the accident except merely to expose the person to danger.

4.31 modified:
As I have previously said, a plaintiff cannot recover money either if he was contributorily negligent, or if he voluntarily took the risk of being injured.
Even though both contributory negligence and voluntarily taking a risk keep the plaintiff from winning, there is a difference between the two. If the plaintiff was contributorily negligent, he actually helped cause his own injury, through his own negligence. In contrast, if the plaintiff voluntarily took a risk, he merely exposed himself to danger. He may not have been negligent, and may not have caused his own injury.

15.22 as given:
The court has given you instructions embodying various rules of law to help guide you to a just and lawful verdict. Whether some of these instructions will apply will depend upon what you find to be the facts. The fact that I have instructed you on various subjects in this case, including that of damages, must not be taken as indicating an opinion of the court as to what you should find to be the facts or as to which party is entitled to your verdict.

15.22 modified:
I have given you various rules of law to help you reach a just verdict. Some of these rules of law may or may not apply to this case, depending upon what you find to be the facts.
Simply because I have instructed you on subjects such as damages does not mean that I am giving my opinion. I am not giving any opinion regarding what the facts are, or regarding who should win.
15.30 as given:
When you go to the jury room it is your duty to discuss the case for the purpose of reaching an agreement if you can do so.
Each of you must decide the case for yourself, but should do so only after a consideration of the case with the other jurors.
You should not hesitate to change an opinion if you are convinced it is erroneous. However, you should not be influenced to decide any question in a particular way simply because a majority of the jurors, or any of them, favor such a decision.

15.30 modified:
When you go to the jury room, it is your duty to discuss the case and reach a verdict.
You should discuss the case with the other jurors, but each of you must decide the case for yourself.
Do not be afraid to change your opinion if you think you are wrong. However, you should not come to a particular decision simply because other jurors think it is the right decision.

REFERENCES

INTERPRETING FOR LANGUAGE MINORITIES
IN THE COURTS

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0. Introduction. The non-English-speaking individual in the United States bears a heavy burden in working to function in an overwhelmingly English-dominant society. Despite the linguistic and cultural diversity that has long characterized this nation, and despite the lack of any federal designation of English as the official language, the hegemony of the English language in public institutions has been firmly established by a host of state and local laws. This situation often makes it easy to forget that 32.2 million United States residents (approximately 15 percent of the population) speak languages other than English, and that in some areas, it is quite possible to manage without the use of English.

To say that one ought to know English as a resident of the United States is to ignore the realities of life for those who, generally through no fault of their own, do not have command of the English language and are made to suffer for that lack. As the U.S. Commission on Civil Rights found in its 1970 study of the treatment of Chicanos in the Southwest, there is a general atmosphere of intolerance and insensitivity toward the use of foreign languages in this country, and language minority groups have long faced discrimination in many forms because of their lack of English skills and their maintenance of their native languages. The callousness with which the non-English speaker has been treated is clear enough in the arenas of employment and education. One need only examine the bitter struggles involving the implementation of bilingual education programs across the nation to see the extent of popular misconception of what it means to use a non-English language. However, nowhere is the need for the protection of the language rights of minority groups more pointed than in contacts with the legal process.
In the streets, language handicaps may result in misunderstandings which escalate passing contacts with law enforcement officers into serious confrontations. The use of a foreign language or the failure to respond to commands in English may be taken as defiance of authority and may culminate in arrests and violence. Once an arrest is made, language disabilities may result in the unknowing signing of inculpatory statements or confessions. In administrative settings such as offices of immigration, welfare, unemployment, and human rights, the failure to file certain forms or respond to others due to a lack of English proficiency may have such drastic consequences as deportation or improper denial of services or benefits. Within the courtroom, the inability of an individual to understand or speak English effectively, denied him full participation in the legal proceedings.

The problems are very real in civil cases, where questions of child custody, tenancy, land rights, insurance settlements, and matrimonial relations, to mention a few, may be involved. In criminal cases, the inability of the individual to understand fully the nature of the charges and testimony against him may cost him his liberty or even his life. The gravity of the situation is all the more evident when we consider the difficulties of communication in court for even the native speaker of English.  

One way of reducing the inherent inequity of English-only justice for non-English speakers is to supply interpreters for use in the courts. The tendency in the past has been for the courts not to supply interpreters as a matter of course, and when interpreters have been appointed, it has been primarily for the convenience of the court, not the protection of the non-English-speaking party. It has been argued that supplying interpreters results in lengthy delays while language disability is determined and interpreters are found. Proceedings are slowed up, and the spontaneity of testimony is lost.

A recent attempt to deal effectively with this issue came with the enactment of P.L. 95-539, the Court Interpreters Act, on October 28, 1978. The act is intended to establish a statutory right to an interpreter for any party or witness in an action initiated by the federal government. The party requesting an interpreter must be determined by the court to speak only or primarily a language other than English or to suffer from a hearing impairment, either of which would inhibit comprehension and communication in the courtroom. This is the first federal statute dealing with the right to a court interpreter. It serves here as a timely focal point for a discussion of the legal background and linguistic implications of a question which has been considered within the province of lawyers alone and yet is so closely linked to the concerns of linguists for language rights. This examination is therefore intended as a form of rapprochement between the two disciplines and as an attempt to prompt some cooperative work aimed at treating a problem
which has for so long been a source of unjustified abuse for language minority groups in this country.

I am going to begin in Part 1 with an account of the recent legislation and a brief assessment of its advances over what previously existed, as well as its shortcomings. Part 2 traces the developing legal status of the right to an interpreter. Part 3 focuses on the mechanics of courtroom interpreting, while Part 4 explores specific roles for the linguist within the legal system.

1. A closer look at the legislation

1.1 Summary of the act. The Court Interpreters Act amends Chapter 119, Title 28 of the U.S. Code. It provides for the appointment of interpreters for all criminal and civil cases initiated by the federal government in federal courts, including petitions for a writ of habeas corpus initiated in the name of the United States. It has no jurisdiction over any state or municipal court and does not include administrative boards; for example, immigration or social security hearings.

The responsibility for the implementation of the statute is placed in the hands of the Director of the Administrative Office of the U.S. Courts. Implementation involves the establishment of an appropriate training and certification program for interpreters, the maintenance by each district court of a list of certified interpreters in the district, and the prescription of appropriate fees for interpreting services.

The determination of the need for an interpreter is left up to the presiding judge. Once it is determined that an interpreter will be required, preference is to be given to the most available certified interpreter, or barring that, an otherwise competent interpreter. Provision is also made for the dismissal of incompetent interpreters on the grounds of an inability to 'communicate effectively' with the court, attorney, witness, or other party to the action. If no interpreter is appointed, the individual in need has recourse to the court clerk or the Director of the Administrative Office.

The right to an interpreter may be waived by parties other than witnesses if expressly requested after consultation with counsel and after explanation by the judge through an interpreter of the nature of the waiver. The judge must approve such a waiver for it to be effective. An individual who waives his right to a court appointed interpreter may use a noncertified interpreter of his own choosing, except in special cases where such a substitution is found to potentially endanger the reliability or sincerity of the interpretation.

All interpreting will be made in the consecutive mode during pauses in the proceedings, except in the case of manual signing for a deaf party or if the court orders simultaneous interpreting in multidefendant criminal or civil actions.
Interpreters will be paid by the Director of the Administrative Office from federal judiciary funds. In civil actions, fees may be divided between parties, taxed as costs, or paid by the court, at the court's discretion. Special services may require a reimbursable prepayment on the part of the individual making the request. All fees (including those of noncourt appointed interpreters) must follow the schedule set by the Director.

The new law also amends Sections 602 and 604 of Title 28 to include provisions for interpreting equipment for each courtroom, establishment of certification programs for the interpreters, and authorization of full- or part-time interpreters for districts approved by the Director, as well as the promulgation of any regulations required for the proper functioning of the Administrative Office in this regard. These last regulatory amendments went into effect on October 28, 1978, while the substantive part of the act became effective 90 days later, at the end of January, 1979.

1.2 Legislative advances. The new act is a definite improvement over the state of affairs which existed previously. There is specific statutory provision for federal court interpreters where before there existed only broad judicial regulations left almost completely up to the discretion of the judge. For the first time, there is provision for civil as well as criminal cases. The costs of interpreting are unprecedentedly borne by the court for all parties, whether or not those parties are indigent.

There is finally a much-needed control over what constitutes a waiver of the right to an interpreter. Previously, failure on the part of the non-English-speaking individual to request an interpreter was taken as a waiver of the right, a curious twist of reasoning. Now, any waiver must be explicit and approved by the presiding judge.

The fact that an interpreter may be needed for a variety of functions beyond just translation of the testimony of witnesses for the court, is now recognized. Interpreters are required to facilitate communication between defendant and counsel as well as to translate the overall proceedings for the defendant. In addition, the law clearly delineates the responsibility for the implementation of the act, and provisions are made for the acquisition and training of necessary personnel.

1.3 Legislative shortcomings. However striking the advances made by the new legislation, the shortcomings are clear. The right established to an interpreter is only statutory and not constitutional, though there are several viable constitutional arguments. Since the act is directed solely toward federally initiated actions in federal courts, there is no coverage of state or municipal courts nor of administrative hearings on either a federal or state level, the most common sites for non-English speakers to have contact with the legal system. In
addition, the House of Representatives report makes it clear that the new law is intended to complement, not supersede, any existing legislation; in other words, the individual states may maintain their present laws and regulations without having to meet any national standard of equal treatment. There is also no mention of the federal courts in Puerto Rico which, since 1900, have unjustly been required to use only English despite a population which is overwhelmingly Spanish-speaking.9

There are no stated objective criteria for determining the need for an interpreter nor for certifying interpreters. The determination still rests in the long run with the discretion of the judge, a man generally noted more for his legal acuity than his linguistic expertise. The consecutive mode of interpreting is selected despite the fact that the simultaneous mode may be desirable, especially in criminal cases, in which considerable detail is essential to the adequate defense of the defendant.10

No provisions are made for the recording of the proceedings in the original language so that a check on the adequacy of the interpretation may be made.

The possibility of having more than one interpreter in order to fulfill the multiple needs of a defendant in following the proceedings while communicating with his attorney is not considered. Finally, there is no consideration of the specific problems that can arise when the interpreter speaks a different dialect or does not fully understand the legal proceedings, or when an interpreter is not available for a given language.

In short, there are many gaps in the legislation as it now stands. The protection of the language rights of language minorities is far from complete.

Let us now examine how the right to an interpreter has developed to its present point. I am going to consider existing federal and state provisions as well as the major trends within case law.

2. Development of the right to an interpreter

2.1 Federal provisions

2.1.1 Constitutional arguments. There are three amendments to the United States Constitution which have bearing on the right to a court interpreter: the fifth, sixth, and fourteenth.

The Fifth Amendment states that 'No person...shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law...'. The Fourteenth Amendment establishes the same protections on the state level: '...no state...shall deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws'.

The Sixth Amendment guarantees that: 'In all criminal prosecutions, the accused shall enjoy the right to a speedy and
public trial...to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense'.

The refusal to grant the appointment of an interpreter to a non-English-speaking individual can be viewed as a denial of both due process and equal protection. Without an interpreter, the rights accorded by the Sixth Amendment of confrontation and assistance of counsel are empty when the defendant is not 'linguistically present' at his own trial. As Morris (1967) explains, the right to confrontation implies the right to cross-examination, which is impossible when there is a language barrier. It is not enough for the defendant to be physically present when questions of language arise—he must be able to understand and contribute to the proceedings on his own behalf in order to fulfill his constitutional rights. The courts have recognized the 'Kafkaesque' quality of a trial which is nothing but a babble of sounds to the defendant.\(^{11}\) Parallels can be drawn to the situation of the individual who is mentally incompetent to contribute to his own defense, a state of affairs in which the defendant is well protected by the law.\(^{12}\)

When an interpreter is denied, the monolingual attorney is effectively rendered 'linguistically incompetent' to serve his client as the law intends. In order for the right to assistance of counsel to be more than just pro forma, there must be no language barrier between attorney and client.

In addition, the failure to appoint an interpreter may result in delays and hesitations on the part of non-English parties, which works against the defendant's right to a speedy trial.

Aside from the specific guarantees of the Sixth Amendment (which are primarily for criminal cases, although there are limited rights to due process in civil and administrative hearings), there are legitimate questions as to the creation of 'suspect classes' and the violation of 'fundamental rights' in the enforcement of an English-only courtroom.\(^{13}\)

Categories recognized as suspect are race, alienage, and national origin.\(^{14}\) The United States judiciary does not recognize language group membership specifically as a suspect category, although it would seem that language is generally so closely bonded to national origin as to be inseparable in most cases. The argument has been that language is not an immutable characteristic—people can learn another language. However, second language acquisition is a slow process (and hardly one to be attempted on the eve of a trial). For older people, it can remain incomplete all their lives, especially if they reside in ethnically and linguistically homogeneous communities in which English has only minimal value.

Fundamental rights or interests currently recognized include the right to travel, to vote, and to have criminal defense.\(^{15}\) The right to maintain one's native language is not considered fundamental in this country. Arguments based on fundamental
rights issues have not succeeded in cases concerning the right to an interpreter (nor those involving bilingual education). It is unlikely that such arguments will succeed in the foreseeable future, particularly given the prevailing negative attitudes toward plurilingualism in this country.

2.1.2 Federal regulations and statutes. Before passage of the new law, the only direct provisions for interpreters in the federal courts came through two federal judicial regulations. Rule 28(b) of the Federal Rules of Criminal Procedure curtly states that 'The court may appoint an interpreter of its own selection'. The Advisory Committee on Rules noted in 1966 that the rule also applies to interpreting for the deaf and that the intent of the broad language is to give utmost discretion to the court in its implementation. The Committee further noted in 1969 that 'interpreters may be needed to interpret the testimony of non-English-speaking witnesses or to assist non-English-speaking defendants in understanding the proceedings or in communicating with assigned counsel'.

Rule 43(f) of the Federal Rules of Civil Procedure states that:

...the court may appoint an interpreter of its own selection and may fix his reasonable compensation. The compensation shall be paid out of funds provided by law or by one or more of the parties as the court may direct and may be taxed ultimately as costs in the discretion of the court.

This compensation is provided by the Criminal Justice Act of 1964 (18 U.S.C. 3006A(e)) which states that the court may compensate any services necessary to an 'adequate defense' from the coffers of the United States Treasury. Presumably, such services would include those of an interpreter.

In addition, Rule 604 of the Federal Rules of Evidence discusses the court interpreter as subject to the rules of evidence concerning the qualification of expertise and the taking of an oath affirming the truth of the interpretation.

Unfortunately, these rules are but judicial guidelines without the force of statutes or constitutional amendments. The implementation of these guidelines is subject to the discretion of the judge, and abuse of that discretion is rarely proven.

In 1973, in an attempt to provide more solid protection for non-English speakers in the courts, an act very similar to the present law was introduced into Congress. S. 1724 was intended as an amendment of the Federal Rules of Criminal Procedure, Title 28(b); it managed to pass in the Senate but met defeat in the House. This was in many ways a farther-reaching act than the present legislation, though it, too, was restricted to federal courts and was additionally restricted to federal districts with 5 percent or 50,000 non-English-speaking residents. It provided for mandatory oral simultaneous
interpretation for any defendant or witness in a criminal action who could not communicate in English. It permitted a choice of interpretation method in civil cases unless a party specifically requested simultaneous interpreting. It also provided for electronic recording of all or part of the testimony in any action.

Like the present law, S. 1724 placed responsibility in the hands of the Office of the Court Administrator for the certification and compensation of interpreters as well as the maintenance of a list of interpreters, the acquisition of equipment, and the authorization of funding. The use of uncertified interpreters was permitted if no certified interpreter was available.

Senator John Tunney of California, sponsor of S. 1724, explained the purpose of the bill:

This bill is designed to...[provide]...oral translation of all Federal courtroom proceedings, both in civil and criminal matters, so that any individual incapable of speaking or understanding the English language with sufficient facility will be able to participate knowledgeably in such proceedings.

He further noted that 'if my legislation passes, it is clear that there will be significant additional cost, but on the other hand, I think there will be significant additional justice...' Much of the language of S. 1724 has been incorporated into the present law. However, some points were ignored—for example, the mandatory use of simultaneous interpreting and the electronic recording of all proceedings in order to check the accuracy of the interpreting.

2.2 State provisions. The 50 states are almost evenly divided between those which have some mechanism for the appointment of court interpreters and those which have none. Among the 24 states that have some provision, the majority depend on administrative or judicial regulations, not statutes. California, Colorado, New Mexico, Texas, Arizona, New York, Massachusetts, Minnesota, and Illinois are among those which have some statutory mention of the need to appoint interpreters for language minorities in courts (it should be noted that these are states with high percentages of non-English-speaking minorities). Only New Mexico and recently California, however, have constitutional protections for the right to an interpreter. In addition, most of the statutory provisions appoint interpreters for witnesses only, not defendants.

Some of the state provisions are worthy of note. California's state constitution (Art. 1, §14) states that 'a person unable to understand English who is charged with a crime has a right to an interpreter throughout the proceedings'. New Mexico guarantees in its constitution (Art. 2, §14) the right of a criminal
defendant 'to have charge and testimony interpreted to him in a language he understands'. It should be observed that both of these state constitutional protections apply only to criminal cases, not civil ones.

On the level of regulations, California's Evidence Code (§752(a)) states that 'whenever a witness is incapable of hearing or understanding the English language so as to be understood directly by counsel, court, and jury, an interpreter whom he can understand and who can understand him shall be sworn to interpret for him'. Once again, the appointment of the interpreter is for the convenience of the court. In conjunction with this, it should be noted that California's Code of Civil Procedure (§185, §893, §198) explicitly requires the use of English for all court proceedings and both the grand and petit jury.

The Illinois Annotated Statutes (Ch. 51, §47) treat the issue of court interpreters briefly: 'Interpreters may be sworn in when necessary'. This very broad statute has rarely been invoked in any legal action and such matters have usually been left up to the discretion of the presiding judge. New York has similar terms in its Code of Criminal Procedure (§308).

Maryland's provisions are found in its annotated code (Art. 27, §623 A(a)) and include foreigners, deaf mutes, and the speech-disabled under its guarantees for an interpreter, making them even more inclusive than those of the present federal statute. Very similar terms are outlined in the Michigan Statutes Annotated (§28, 1256, (1)), and the Michigan Compiled Laws Annotated (§775.192, Art. 2) present the following guarantee:

If any person is accused of any crime or misdemeanor and is about to be examined or tried before any justice of the peace, magistrate or judge of a court of record, and it appears to the...judge that such a person is incapable of adequately understanding the charge or presenting his defense thereto because of lack of ability to understand or speak the English language...the...judge shall appoint a qualified person to act as an interpreter.

Once again, all the foregoing protections hold only in the case of the criminal defendant and do not cover the more common civil cases. A pattern of dependence on the discretion of the judge and a failure to define objective criteria for the determination of the need for an interpreter recur in the majority of the state provisions.

In 1977, a study was done by faculty members of Glassboro State College in New Jersey in order to determine the degree of compliance with a 1963 statute (N.J. Stat. Ann. Title 2A, Art. 5, §2A, 11-28) in providing bilingual interpreters for all Spanish-speaking criminal case defendants. (The law also provided for interpreters for Italian, German, Polish, Russian,
The study disclosed almost universal dissatisfaction on the part of the Spanish-speaking community in New Jersey, with the services provided. The investigation resulted in the development of a statewide recruitment and training plan for court interpreters, an interpreter's handbook to the courts, and a procedural courtroom guide describing policy for courtroom interpreting. The following recommendations were also made: the professionalization of interpreters through civil service examinations, the establishment of levels of certification, federal seed funding followed by state and local revenue sharing, inclusion of interpreters for civil cases, and the expansion of the role of interpreters to nontrial functions, e.g., arrest, bail, correctional institutions, and parole hearings. None of these recommendations found their way into the present federal legislation, despite their obvious merits.

2.3 Case law. Judicial decisions have been very contradictory as to the right of a non-English-speaking defendant to an interpreter. There has been only one Supreme Court case directly dealing with the right to an interpreter (Perovich v. U.S., 205 U.S. 86 (1907)), and that was decided on procedural, not constitutional, grounds. Two recurrent questions dealt with by the courts have been the extent of dependence on the discretion of the court and the nature of a waiver of the right to an interpreter.

2.3.1 The discretion of the court. One of the major stumbling blocks in the struggle for language rights in the courts has been the dependence on the discretion of the court. As we have already seen, 'various statutory and constitutional provisions purport to grant a non-English-speaking defendant the right to an interpreter, but, in truth, trial court discretion controls every aspect of the appointment and use of interpreters...'

The current legislation greatly reduces the amount of dependence on the court's discretion, though the ultimate decision to appoint an interpreter is still made by the presiding judge. The law reads that an interpreter will be appointed 'if the presiding judicial officer determines on such officer's own motions or on the motion of a party' that an interpreter is required (§1827). If the court does not appoint an interpreter, the party does have recourse to the court clerk or the Director of the Court Administration. However, the nature of that assistance is not clear, nor are the grounds for questioning the discretion of the judge.

The basic problem with the dependence on the discretionary powers of the judge is that most judges lack the necessary linguistic expertise and standards with which to exercise those powers equitably. It is not uncommon for the court to flatly deny a request for an interpreter or carry out an ad hoc
'examination' consisting of a few 'yes/no' questions. Decisions made without objective standards for determining language proficiency verge on the arbitrary and are hardly the stuff of which justice is made.

In Part 4 of this paper I am going to consider in more depth the problem of establishing language ability; however, it is enough to note here that it would be in everyone's best interests if dependence on the court were decreased and the use of more informed expert assistance were advocated. It is unfair to ask the judge to rule on matters foreign to his training, and it is certainly unfair to the non-English-speaking party to be forced to depend on the possibly faulty inferences of the judge regarding the extent of his capacity to comprehend English proceedings.

2.3.2 Waiver of the right to an interpreter. Black's Law Dictionary (4th ed. 1951:1751) defines a waiver as the 'intentional or voluntary relinquishment of a known right'. In cases involving non-English speakers, the failure to request directly the services of an interpreter has been considered by many courts to constitute a waiver by silence. The injustice of this approach is clear, as it places the burden of knowing the extent of his legal rights upon the non-English-speaking defendant, who generally has very little knowledge of such rights. Beyond that, it places the responsibility upon the attorney, who may or may not be aware of the nature of the language capabilities of his client. In cases involving indigent defendants, the court-appointed attorney often does not have an opportunity to consult with his client before the trial nor have sufficient exposure to his client to judge the range of that individual's language proficiency. In addition, until the passing of the new law, there was no clear statement of the right to an interpreter, and attorneys could not be expected to ascertain the nature of an unspecified right.

There are many cases that bear upon the right to an interpreter and, in particular, the two questions considered here, the discretion of the court and the nature of the waiver. However, two recent decisions are illustrative and will suffice for our present purposes.

The case of People v. Ramos (26 N.Y. 2d. 272, 258 N.E. 2d. 906 (1970)) involved the question of a waiver by silence. The case was an appeal on a narcotics conviction on the grounds of the deprivation of the right to a fair trial due to the lack of an interpreter. The appeal came 10 years after the original conviction, and the court ruled that, as the defendant had made no affirmative assertion of his inability to understand English, he had waived his right to an interpreter. The court did allow that if language disability was obvious, then the court might be obliged to supply an interpreter. The reluctance to grant a new trial in this case was mainly due to the long time lapse. The opinion of the court was that the
defendant could remain silent during the entire trial and then call for a retrial on the basis of a lack of an interpreter if things did not go well for him.

A very significant case, U.S. ex rel Negrón v. N.Y. (310 F. Supp. (E.D.N.Y. 1970), aff'd 434 F. 2d. 386 (2nd Cir. 1970)) was ruled in direct opposition to the Ramos case. This was the murder case of a 23-year-old Spanish-speaking migrant worker who was not given the services of an interpreter, even though an interpreter was used to translate the testimony of two Spanish-speaking witnesses for the court. The testimony in English of the 12 other witnesses was not interpreted to Negrón. His own testimony as a witness had to be given through the interpreter.

Neither Negrón nor his attorney requested an interpreter, even though they were forced to use the prosecution's interpreter during recesses in order to communicate. Negrón was found guilty of second-degree murder and sentenced to 20 years.

The case was appealed and affirmed without judgment. Permission to appeal to the New York Court of Appeals (the highest court in New York State) was denied. The United States Supreme Court denied certiorari. Finally, a writ of habeas corpus was granted by the federal district court on the grounds of a denial of constitutional rights.

The court concluded that Negrón had been denied due process. Judge Bartels' opinion is one of the most enlightened so far: 23

Considering Negrón's background and his total ignorance of and unfamiliarity with our legal system or the rights accorded him thereunder, his failure to request an interpreter is clearly understandable. Similarly, it would be manifestly unjust to charge Negrón's attorney with waiving this right since the courts have as of today not clearly defined this right. The flaw in the waiver argument in the present case is that the right was unknown and accordingly there could be no intention to waive it. Therefore, the court finds that neither Negrón nor his attorney may be charged with a waiver.

The Second Circuit Court of Appeals affirmed the writ.

The Negrón case is important for its precedent-setting value. However, its jurisdiction is restricted to the federal district courts within the second circuit. Nevertheless, its coercive effects on state courts may be considerable.

A more significant limitation of the decision is that it involved a defendant who spoke no English. The more common case is that of a defendant who knows some English, the extent of which is the major question.
Let us now move out of the legal realm and consider the actual mechanics of courtroom interpreting and the qualifications required of its practitioners.

3. The mechanics of court interpreting

3.1 Multiple roles for interpreters in court. When interpreters have been appointed in court, their roles have generally been conceived of in a narrow fashion. A double standard has been perpetuated in which interpreters are provided for witnesses though not for defendants. This is principally because the court has viewed the right to an interpreter as a procedural privilege, not a constitutional right, and has accordingly utilized interpreters to facilitate the comprehension of the court, not of the non-English-speaking parties.

There are three possible functions for the court interpreter. He may, of course, translate the testimony of non-English-speaking witnesses for the benefit of the court. However, he may also serve the defendant by communicating to him the content of the general court proceedings, including the testimony of English-speaking witnesses; as well as by aiding the exchange of information between the defendant and his lawyer so necessary to a proper defense. (Bilingual attorneys are very rare and provide an unsatisfactory solution to the problems of the non-English speaker, given the difficulties of translating proceedings while also working on defense strategies. This has not, however, stopped the courts from ruling that the right to an interpreter is satisfied when the attorney (or judge) is bilingual.)

The adequate fulfillment of these three functions requires the presence of at least two interpreters—one who would interpret foreign language testimony in English for the court and English testimony in the defendant's language, and another who would be stationed at the defense table in order to interpret for the attorney and his client. The need for two interpreters is clear, as it is nearly impossible for one interpreter to translate testimony while simultaneously translating attorney-client discussions. Furthermore, the presence of two interpreters serves as a check on the accuracy of each.

3.2 Types of interpreting. There are three basic types of interpreting: simultaneous, consecutive, and summary. All three have their places in the legal system, although only the consecutive mode has been approved by the federal law for general courtroom use.

The simultaneous mode supplies contemporaneous, 'word-for-word' interpretation and may be necessary for the interpretation of detailed testimony in which the non-English speaker has personal knowledge of the facts and can aid in their establishment. It has a high degree of accuracy, but requires considerable skill and experience on the part of the interpreter.
Special equipment is required for the transmission of interpretations to the needy party without disruption of the courtroom proceedings.

The consecutive mode, selected by Congress in the Court Interpreters Act primarily for economic reasons, provides interpretation during closely spaced pauses in the proceedings. It tends to break up the flow of the proceedings and may not be desirable for that reason. It is most useful for the interpretation of non-English testimony for the court.

Finally, summary interpreting condenses testimony at predetermined intervals or at the end of the proceedings. This is a useful mode for civil cases in which word-for-word translation may not be necessary for the administration of justice.

It should be noted that interpreting, particularly in the courts, is a difficult business. Seleskovich (1976:93) defines interpreting as 'the identification of relevant concepts and their rewording in a given speech performance without necessarily constituting equivalent language units capable of reuse in different circumstances'. She stresses that interpreters actually render meanings more than words, and that the sum of the meanings of the individual words is both more and less than the meaning of the total message.

As Abarca (1970) explains, interpreting in the courts requires close attention to the specific forms of the words as well as their meanings. Technical and legal terms for which there may be no exact linguistic equivalents in the other language have to be dealt with. Consistency of interpretation of key words is vital to the understanding of legal arguments. In addition, there are questions of language and dialect variation. The interpreter must be able to understand and communicate the subtleties of phonological, lexical, and syntactic variation. Such considerations should enter into the selection of an interpreter as well.

3.3 Sources of interpreters. Court interpreters come from four sources primarily. They may be officially designated court employees entrusted with full-time interpreting. They may be court employees who happen to be bilingual and are convenient choices. They may be part-time, free-lance individuals or specially hired representatives of translating firms. Finally, they may be private individuals who have some relation to the non-English-speaking party concerned.

The courts have been guided in their choices of interpreters more by expedience and convenience than by thoroughness. More than once, the courts have utilized less than disinterested parties for interpreting, including the arresting officers, the relatives of crime victims, and members of the opposing party. Often individuals who have no experience as interpreters but who happen to be in the courtroom at the time are recruited.27

It need not be argued that such practices endanger the constitutional rights of non-English-speaking persons in contact
with the law. Only through the use of carefully trained and certified interpreters can there be any control over the quality and accuracy of the interpretations given.

3.4 Certification of interpreters. The new law leaves the establishment of certification requirements up to the Office of the Court Administrator. According to the provisions of the House report on the bill, the Court Administrator is to engage the assistance of organizations serving individuals who speak languages other than English, such as the state or local associations of language interpreters, the State Department, the Mexican American and Puerto Rican Legal Defense and Education Funds, foreign language departments and associations, as well as the National Association of the Deaf and the National Registry of Interpreters for the Deaf. We might add departments and schools of linguistics to that list. If such sources are indeed utilized, then the criteria for certification may provide some degree of adequacy.

Certification procedures must take into account the education, training, and experience of the interpreter, as well as his knowledge of legal terminology and procedures. Being bilingual is not sufficient; however, some standardized measurement of interpreter language skills is necessary in order to determine minimum competencies. Particular attention must be paid to oral proficiency and auditory acuity. As mentioned before, a familiarity with and sensitivity toward local language variation as well as sociolinguistic norms of language behavior are vital.

Other minimum requirements for an interpreter include an ability to communicate at the level of the individual's understanding, a knowledge of the cultural values of the group involved, accommodation of the client's special needs, familiarity with the issues of the case, and complete impartiality and integrity in interpreting exactly what is uttered without editorializing or giving legal advice.

3.5 Costs of interpreters. The House report on P.L. 95-539 includes an approximation of the costs of implementing the legislation. It was estimated that roughly $2.2 million would be required to set up training programs, pay 40 full-time interpreters, purchase electronic recording and transmitting equipment, and cover miscellaneous expenses. This estimate is described as inflated, and actual operating costs will probably be lower. As of this date, there have been no appropriations made for the act.

On an individual level, the costs of interpreting in the courts have been very small. The study of the New Jersey court system discussed earlier in this paper found that full-time interpreters were paid between $6500 and $10,000 annually, hardly professional salaries. Part-time interpreters averaged between $5 an hour and $35 a court session. It should be noted that interpreters do not generally work more than four or five hours
a day due to the very exhausting nature of the work involved. The hours of a court interpreter are irregular and perforce have to follow the schedule of the court.

The new law proposes to establish a schedule of fees for federal court interpreters. It would be hoped that these fees would be substantially higher than those found in New Jersey. One good possibility is the establishment of civil service levels for interpreters and a stabilization of salaries and benefits in keeping with the rest of the civil service system.

3.6 Need for interpreters in noncourt legal settings. It is somewhat ironic that the new legislation provides for interpreters for federal courtroom situations alone, when in reality, the non-English-speaking individual has limited contact with the federal courts. The need for interpreters is greatest in civil settings, and in particular, administrative proceedings. In addition, those non-English-speaking individuals who do have dealings with criminal courts require interpreters long before they ever reach the courtroom.

Ideally, interpreters should be provided from the moment of arrest. Since most criminal cases are plea bargained and never reach trial stage, the lack of an interpreter from the outset can create serious problems for the defendant which are compounded as the proceedings continue. In order for true justice to be served, interpreters should be provided for the reading of the Miranda warnings, the arraignment, bail hearings, pre-sentence investigations, trials, probation violation hearings, correctional institutions, and parole board hearings. Interpreting should be available for all criminal or quasi-criminal proceedings.

We have examined the principal issues concerned in the provision of interpreters for language minorities in legal settings. Let us now explore the possibilities for input from linguists.

4. Roles for the applied linguist. The linguist concerned with minority language rights cannot ignore the question of the right to an interpreter. The linguist has certain skills and understandings that can be useful in obtaining just treatment for the non-English-speaking. Let us consider four possible roles for the linguist: the determination of the need for an interpreter, the identification of the language variety in question, the selection and certification of a qualified interpreter, and the evaluation of a given interpretation.

4.1 The determination of the need for an interpreter. This is probably the area in which the linguist can be of most service to the courts and to the non-English speaker. As we have already seen, a recurrent problem with all of the legal protections for language minorities is the reliance on the discretion of the judge in appointing an interpreter and the lack of objective criteria for assessing the language ability of non-native speakers. While it is not maintained that linguistic
assistance will automatically ensure justice, most certainly it
would make the miscarriage of justice due to linguistic reasons
less likely.

The determination of language proficiency is a complex
matter. While there is a plethora of tests of English, very
few are directed outside of academic settings, and most tests
for adults aim at a university level of language competence. In
addition, most of the tests are written tests and assume
literacy. It is clear from what is known about the social and
economic conditions of most language minority groups in this
country that literacy in English and advanced education are
not to be taken for granted. Furthermore, none of the tests
commonly used measures comprehension of the kind of language
normally found in the courtroom. The individual who can 'get
by' in day-to-day situations may be totally intimidated by
'legalese' and lose whatever proficiency he may have in Eng-

lish.

According to Clark (1975:10), a language proficiency test is
'any measurement procedure aimed at determining the examinee's
ability to receive or transmit information in the test language
for some pragmatically useful purpose within a real-life setting'.
The kind of test required to measure English proficiency in the
courtroom would have to be oral and direct. In other words,
the test situation should attempt to duplicate real life settings.
It should include mock question and answer sessions to check
on language ability under the pressure of formal interrogation.
An individual who does poorly on a test such as this is likely
to do the same during actual courtroom proceedings. The con-
struction of such tests would contribute tremendously toward
the improvement of the system of interpreter appointment in
the courts.

The examiners should be individuals trained in testing
procedures, foreign languages, English as a Second Language
methodology, and crosscultural communication analysis. If
possible, they should belong to the same cultural group as the
party in question or else have extensive understanding of the
particular values and problems of that group. For utmost
effectiveness, the court should maintain a list of such indi-
viduals to be called upon when needed. In areas like the
Southwest, in which certain language minority groups are re-
peatedly represented in court cases, a standing panel of lin-
guists should be retained. When there is any doubt at all as
to the ability of the non-English-speaking person to function
in the English language in court, an interpreter should be
appointed without fail.

4.2 The identification of the language variety. This may
seem like an obvious and trivial task; however, it would not
be the first time that the courts have ordered a Chinese
interpreter when the party in question was actually Japanese,
or a Mandarin interpreter for a Cantonese speaker. Confusion
of the many Native American languages is common, as is confusion of different (and possibly mutually unintelligible) dialects of more common languages. The case of *Kelly v. State* (96 Fla. 348, 118 So. 1 (1928)) was one in which a death sentence was reversed when it was discovered that the two interpreters present during the trial did not speak the same language as the defendant. A panel of linguistic experts could pinpoint the language in question and locate an appropriate interpreter.

4.3 The selection and certification of the interpreter. The interpreter should be selected and certified on the basis of the skills outlined in 3.4. Particular attention should be paid to the interpreter's knowledge of sociolinguistic and dialectal variation, and his ability to transmit such information in his interpretation without loss of accuracy and impartiality. Untrained bilingual persons should be avoided as interpreters if at all possible.

4.4 The evaluation of the interpretation. Without the presence of another bilingual person in the courtroom, the adequacy of an interpretation cannot be fully evaluated. In the interests of justice, whenever there is any question as to the capability of the interpreter to handle a particular assignment, or any dissatisfaction expressed by any involved party, a trained linguist should review the interpretation for evidence of incompetence. Such evaluation, however, depends on the furnishing of a record of the testimony in both the original and the translated languages. It would be hoped that such post hoc evaluation would be rendered unnecessary by a rigorous certification process that would admit only highly able interpreters to practice in the courts.

5. Conclusion. The function of interpreters in the courts has not been adequately defined in the past, and their role until recently has been relatively minor. The passing of the Court Interpreters Act demonstrates an increasing awareness of the constitutional rights of the non-English-speaking individual before the law and the need for the appointment of interpreters in order to guarantee those rights.

The struggle to establish the right to an interpreter has been a long one, and it has been characterized by a pattern of astounding insensitivity to the plight of the non-English-speaking, relieved only occasionally by more enlightened decisions which have seen that the quality of justice accorded must not rest upon the ability of the individual to speak English, especially when his linguistic proficiency may be beyond his control.

There are many international precedents for the appointment of interpreters and the utilization of multilingual proceedings in legal settings. We need look no further than Canada to see
real efforts to secure the rights of language minority groups. Other countries that recognize the necessity of court interpreters in order to assure a standard of justice undifferentiated by language divisions are the Soviet Union, Switzerland, Holland, Belgium, Yugoslavia, and Israel.³⁰

In the United States the number of persons who speak languages other than English has always been significant and is increasing rather than decreasing at the present time. The needs of these minority language speech communities must be considered. Interpreters should be appointed whenever any doubt exists regarding an individual's language proficiency. Questions of judicial economy must be balanced against questions of basic human rights. To quote the decision in State v. Vasquez: 'It is far better to err by traveling a longer road or taking more time, than to err by depriving one of a fair trial for want of understanding or comprehension of what is taking place'.³¹

The linguist can contribute much to safeguarding the rights of language minorities in this country by helping to insure that decisions about language ability and need are made on an informed basis and not capriciously. With such assistance, the non-English-speaking person can take one step closer toward achieving some degree of legal parity with his English-speaking counterpart.

NOTES

1. See Kloss (1972) for a historical account of this long tradition.
3. English is specified as the language of the courts in 17 states as well as the district court of Puerto Rico. See Melinkoff (1963) and Leibowitz (1969).
7. Cf. the work of Charrow and Charrow (this volume: 163-185) regarding the problems of comprehension of jury instructions. See also Brière (1978) on comprehension of the Miranda warnings for English-speaking adolescents. Kermish (1975) is a good review of the literature on problems of language in the legal process.
8. Other solutions include the use of bilingual courts (see Callejo 1968) or bilingual personnel (see U.S. Commission on Civil Rights 1970).
9. 'That the court sessions and trials are conducted in English rather than the native Spanish is a constant source of conflict, resentment, and bewilderment to those who come before it' (Withey 1977:32). In addition, the English requirement for jurors has resulted in a strong biasing of the socio-economic composition of the juries, raising serious questions as
to whether defendants are indeed being tried by their own peers.

10. Cronheim and Schwartz (1976:310); Zazueta (1975:477-478); Comment (1970:468). We should note that there are cases in which the lack of surface equivalences of two languages may make simultaneous interpreting less desirable and even impossible.


13. For a more complete discussion of fundamental rights and suspect classes and their significance, see Chang and Araujo (1975) and Heath (1977).


18. Ibid.

19. Hippchen (1977) reports the results of this study.


22. For example: Viliborghi v. State, 45 Ariz. 275, 43 P. 2d 210 (1935); People v. Lopez, 21 Calif. App. 188, 131 P. 104 (1913); Casciato v. Rennick, 380 P. 2d 122, 123 (Wyo. 1963). For other cases and particular information about Ramos, see Criminal law... (1970).


24. Mares v. U.S., 391 F. 2d 538 (5th Cir. 1968); U.S. v. Soisa, 379 F. 2d 525 (7th Cir. 1967).


26. Seleskovich (1976) notes that simultaneous interpreting is never truly word for word, but rather thought for thought.


29. See the TOEFL (Test of English as a Foreign Language), CELT (Comprehensive English Language Test for Speakers of English as a Second Language), Michigan Test of English Language Proficiency, and English Usage Test for Non-Native
Speakers of English. See García (1978) for consideration of the pitfalls of standardized tests for language minorities. Brière (1978) describes an attempt to use such tests in legal situations.

29. See Van Dyke (1976) for an extremely thorough review of the international precedents. For more information about specific countries, see Dutoit (1968), Katz (1973), Mostovac (1968), Sussman (1968), and Wieme (1968).

30. State v. Vasquez, 101 Utah 444, 121 P. 2d 903 (1942) at 452.

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The theme of this Georgetown University Round Table on Languages and Linguistics is 'Language in Public Life'. Since public life includes all aspects of society which affect the people who live in it, work in it, get treated in its clinics and hospitals, it is very fitting that there be included a discussion on the study of language as a neuroscience. The very existence of human public life depends on the fact that the human animal is a particular kind of social animal because she/he is a cerebral one. Thus the nature of the mind and the human brain which underlies it may determine to some extent the answers to the questions under discussion during these two days.

There are also very immediate reasons why linguists should be concerned with theoretical and clinical aspects of the neurosciences. Policies are being made in Washington, in state capitols, in municipal boards of education, and medical licensing boards which affect individuals with real or diagnosed language disabilities. These language dysfunctions may be developmental, or the result of brain injuries or illnesses. The correct diagnosis of language disabilities, and the treatments which are used for them, require sophisticated knowledge of language as a distinct cognitive system and knowledge of the relationship between language and other cognitive systems, as well as of the relationship between language and the brain. Yet, until recently, linguists were isolated from the theoretical research on language pathologies and also from the clinics where language disordered patients are treated.

To understand the role linguists can play in the formulation and execution of policies and methodologies concerned with language disorders, we need to understand the nature of the normal mind. One reason for studying language is that for thousands of years language has been regarded as a 'mirror
of the mind', and, in fact, by some, as the 'only window through which the physiologist can view cerebral life', the position stated by the French physiologist Fournié in 1887. Since Fournié's time, advances in neuroanatomy, radiology, electroencephalography, neurosurgery, neurology, psychology have opened new windows into the brain and mind. But language still remains the most accessible cognitive system by means of which we can attempt to understand the human mind, and the brain structures and mechanisms which underlie it.

In principle, one should be able to approach the problem from both sides—to study language in order to understand the brain and mind, and to study the brain in order to understand language. Unfortunately, the study of the central nervous system itself, or the cerebellum, or the cortex, without reference to what we know about linguistic abilities will not answer the questions we have about the physiological, neurological, or biological bases for language. The Nobel Prize geneticist, François Jacob (1977:1162) provides a basis for this asymmetry.

Clearly an understanding of the simple is necessary to understand the more complex, but whether it is sufficient is questionable. Obviously the two critical events of evolution--first the appearance of life and later that of thought and language--led to phenomena that previously did not exist on the earth. To describe and to interpret these phenomena, new concepts, meaningless at the previous level, are required. What can the notions of sexuality, of predator, or of pain represent in physics or chemistry? Or the ideas of justice, of increase in value or of democratic power in biology? At the limit, total reductionism results in absurdity. For the pretension that every level can be completely reduced to a simpler one would result, for example, in explaining democracy in terms of the structure and properties of elementary particles; and this is clearly nonsense.

It is similar nonsense to try to explain a child's ability to formulate the English plural formation rule or the subject-verb inversion in question formation in terms of neural synapses. Why then should linguistics concern itself with the neurosciences? While an understanding of the nervous system or the neo-cortex as developed in evolution and of the neural prerequisites for language and cognition, is not sufficient to explain or understand the more complex, higher level systems of language and thought, it is necessary, since what cannot be explained by 'lower level' systems must be unique to the more complex ones. But we should keep in mind that however tempting it is to look for answers as to what is or is not the correct theory of grammar in neurological or biological research divorced from linguistic theory, such answers will not result
from such studies. If such reliance on the 'hard' or 'biological' sciences were possible, we would not be in the situation we find ourselves in today.

The primary responsibility for the underdeveloped state of our understanding does not rest with the biologists: They have accumulated a vast body of knowledge concerning the gross anatomy of these parts of the central and peripheral nervous system which seem to be implicated in the acquisition and exercise of linguistic abilities. Some knowledge is even available about the slightly less gross physiology of the relevant brain areas. Nor does primary responsibility rest with the students of developmental psycholinguistics: They too have amassed alarming amounts of data on the progression from the birth cry to the multiply-embedded relative clause. The problem is rather to be found in the simple fact that no one, to my knowledge, has the slightest idea about how to relate these two domains of inquiry to each other. We have so far failed...to construct functional process-models (that is, psychological theories) that could mediate between noun phrases and neurons (Marshall 1978).

Almost 100 years ago, in 1891, Freud raised a similar point. 'Is it justified', he asked rhetorically (as quoted in Marshall 1978), 'to immerse a nerve fibre, which over the whole length of its course has been only a physiological structure subject to physiological modifications, with its end in the psyche and furnish this end with an idea or memory?'

The difficulty of trying to relate the psyche or mind and the neurons of the brain was referred to by Rosenblith (1967) in the seminal conference on 'Brain mechanisms underlying speech and language', held in 1965, when he pessimistically asked: 'Why are we so data-rich and so theory poor?'

We are still data-rich and theory poor but the situation may improve with the developments in neurolinguistics, the interface between the neurosciences and linguistics concerned with the 'form of representation of language in the human brain' (Marshall 1977) and with 'the relationship that pertains between man's language and his nervous system' (Dingwall and Whitaker 1974). It is only through the joint efforts of linguists and neuroscientists (those concerned with neural systems and mechanisms involved in the sorting of information and the control of behavior of humans and nonhumans) that we will hopefully come to understand the nature of the brain, the prerequisites for language, and eventually thus be able to develop the diagnostic and therapeutic techniques needed to help those with language deficits and pathologies.

Although neurolinguistics appears to be a very young discipline, its subject matter has interested scientists and philosophers since antiquity. As far back as 3500 B.C., the relationship between language and brain damage is discussed.
in an Egyptian papyrus concerned with medicine (Benton 1964). Luria (1973) points out that the '...philosophers and naturalists (of the Middle Ages) considered that mental "faculties" could be localized in...''three cerebral ventricles'.' In the 19th century, however, the most intense concern with discovering localized 'brain centers' for language and other cognitive and behavioral systems arose.

In the early 19th century, the anatomist Gall 'first described the difference between the grey and white matter of the brain...confidently assert(ing) that human "faculties" are located in particular and strictly localized areas of the brain' (Luria 1973). Gall's phrenological charters were empirically unsound and soon forgotten, but his localization viewpoint was to win the day.

The importance of the left-vs-right hemisphere for language was first dramatically illustrated in Broca's 1861 paper, in which he showed that lesions in the frontal lobes of the left hemisphere produce a language production deficit while lesions in the right hemisphere do not. The left-language hypothesis brings to mind a psalm in the Old Testament which states: 'If I will forget thee Jerusalem, let my right hand die--let my tongue stick to the roof of my mouth'. Our biblical ancestors recognized the relationship between the right hand and language, whether or not they recognized that the right side of the body was controlled by the left side of the brain.

Everyone today seems to accept the asymmetry of the brain posited by Broca (1861) and reiterated in 1874 by Wernicke, who suggested that in addition to the 'production center' (i.e. Broca's area) there was also a 'sensory' center (now called Wernicke's area) in the temporo-parietal region of the left hemisphere.

It is not the purpose of this paper to detail all the findings in the last 100 years which support the view that language is in or is processed primarily in the left hemisphere (for most normal right handers). There are various review articles which present detailed summaries (cf. Clarke and Dewhurst 1972, Clarke and O'Malley 1968, Dimond and Blizzard 1977, Dingwall and Whitaker 1974, among others). It might be helpful, however, to list some of the major approaches being used today by research teams composed of linguists, psychobiologists, aphasiologists, and neurosurgeons investigating the brain/language problem. Lamendella (1979) provides a list of these approaches.

Probably the most common (and oldest) approach used is to compare groups of unilaterally brain-damaged patients. If patients with damage restricted to one hemisphere do worse than patients with damage to the other hemisphere, it is assumed that the damaged hemisphere in normal patients must be responsible for the processing of the data used in that task. It is this approach which has led to the conclusions drawn from aphasia, since the large majority of aphasic patients have left
hemisphere damage, thus supporting the notion that language is stored or processed in the left brain.

Another avenue for research was opened after it was found that some patients with severe epilepsy could be helped by cerebral commissurotomy (i.e. the severing of the corpus callosum, the membrane pathway between the two brains (Bogen and Gazzaniga 1965, Gazzaniga 1970). The commissurotomy or 'split brain' patients are presented with stimuli to the left of center in their visual field, or in their left hand or ear; these are projected directly to the right hemisphere and vice versa for right-sided stimuli. Because there is no longer a path between the two brains, information cannot cross to the other hemisphere in these commissurotomy patients as it does in normal subjects, and so one can compare within a single individual the abilities displayed by the right and left hemispheres on the same task.

Lamendella also lists the technique of computerized tomography (CT Scan), a radiographic technique which allows one to localize brain lesions; when combined with diagnostic testing this can provide a way of correlating neural pathology and behavioral symptomology (Naeser and Hayward 1978).

A problem arises, however, in attempting to draw firm conclusions from data obtained only with brain damaged individuals. It is not always clear how the damage itself confounds the functioning of intact parts of the brain. It is necessary to check these findings with those of experimental techniques used with normal subjects. If results from various studies and different populations—normals and abnormals—converge, one can have greater confidence in the use of any of these experimental techniques. Lamendella (1979) lists other techniques which have been used with normal subjects, among which are: '(a) dichotic listening (Berlin 1977; Studdert-Kennedy 1974, 1975), (b) EEG research (Callaway 1975, Desmedt 1977, Levy 1977) (c) conjugate lateral eye movements (Gur and Gur 1977, Weiten and Etaugh 1974) (d) delayed auditory feedback (Boller, Vruntsky, Kim, and Mack 1978) and (e) visual half field research (Holmes and Marshall 1974, White 1972)'.

All these research techniques support the view that the left hemisphere is dominant for language-related functions. Other abilities, however, also seem to reside in or be used by the left brain. Is the left hemisphere, then, specialized primarily for language, or for something else, with language a reflection of these overall functions?

Recent studies have shown that the earlier dichotomy between 'major' and 'minor' or 'dominant' and 'nondominant' hemispheres is too simple an approach to hemispheric lateralization. Not only are there nonlinguistic functions which seem to 'reside' in the left hemisphere, but the right hemisphere appears to have some language abilities (Zaidel 1978, 1976, 1975). In fact, current research points to the fact that the right hemisphere may also have the ability to perform various tasks involving
complex function, although these are different ones than are performed by the left brain; for example, spatial relations and perception appear to be a function of the right hemisphere parallel to the evidence that language-related performance is a function of the left hemisphere.

Although various hypotheses have been posited to account for these asymmetries, we can only speculate at this time as to how the lateralized functions arose ontogenetically and/or phylogenetically. There are those who point to the fact that certain species of song birds are highly lateralized (Marler 1970, Nottebohm 1975) and suggest from this that the left hemisphere is specialized not for human language but for the processing of specific kinds of stimuli which are common to speech or language and to complex bird songs. It has been suggested, for example, that the left hemisphere is lateralized for segmentation and order judgments rather than for language (cf., for example, Bogen 1969, Lenneberg and Lenneberg 1975).

A different view suggests instead that the hemispheric asymmetries do not reflect overall specializations of the two hemispheres. Rather, since right hemispheric abilities are found in nonhuman primates, what must be unique to the human brain is the left hemisphere language ability, not other left hemisphere functions. That is, this position posits that one can only account for the development of language by positing specific and unique linguistic abilities rather than by looking for more general left hemisphere abilities of which language would be a subset.

The answer to this crucial question can only come through the efforts of linguists and neuroscientists. It is necessary to know what aspects of language and language processing must be accounted for by general or special mechanisms. This obviously requires linguistic research since, as stated earlier, no amount of neurological research would reveal that language is, for example, structure dependent (Chomsky 1975).

In addition to the philosophical and theoretical questions concerning language, mind, and brain which requires the cooperative efforts of linguists and neuroscientists, problems related to the relationship between theoretical and practical or clinical questions also emerge. This fact may most easily be seen in aphasia research. The long history of research with individuals who have suffered language breakdown due to trauma or strokes or gunshot wounds in their language hemisphere provides interesting evidence for different types of linguistic failure, i.e. the inability to speak or to understand, to read or to write, to produce grammatically well-formed but semantically ill-formed strings or semantically meaningful ungrammatical strings. Such differential impairment must be due to the ways language is stored and/or processed by the brain and must therefore be accounted for in models of grammar. (See, for example, among others: Blumstein 1973; Blumstein,

Dr. Freda Newcombe is working in Churchill Hospital, Oxford, with two patients, M and G, who illustrate differential language impairment in a rather dramatic way (Newcombe, personal communication).

M, when presented with a written word and asked to give its meaning or to use it in a sentence, will often 'translate' a lexical or content word into a homophonous grammatical or function word. If a grammatical morpheme is presented, M has less of a problem. This is shown in Table 1.

Table 1. M's responses to lexical and grammatical words.

<table>
<thead>
<tr>
<th>Stimulus</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>OAR</td>
<td>'well--a word of sentence' 'or people' 'or wants to go'</td>
</tr>
<tr>
<td>OR</td>
<td>'or people--or you go shopping or which you want...'</td>
</tr>
<tr>
<td>AWL</td>
<td>'all--more than one'</td>
</tr>
<tr>
<td>ALL</td>
<td>'all'</td>
</tr>
<tr>
<td>BEE</td>
<td>'the one before the person writing the sentence'</td>
</tr>
<tr>
<td>BE</td>
<td>'before them'</td>
</tr>
<tr>
<td>KNOT</td>
<td>'what does that mean &quot;knot&quot;--&quot;knot&quot;--when the word--no--it wouldn't be a &quot;k&quot; for 'not writing'-- &quot;knot&quot; has to be a word of a sentence'</td>
</tr>
<tr>
<td>NOT</td>
<td>'no--I don't'</td>
</tr>
<tr>
<td>INN</td>
<td>'in the house'</td>
</tr>
<tr>
<td>IN</td>
<td>'inside instead of outside'</td>
</tr>
<tr>
<td>HYMN</td>
<td>'could be him before he does em'</td>
</tr>
<tr>
<td>HIM</td>
<td>'before him--or'</td>
</tr>
<tr>
<td>SUM</td>
<td>'more than one'</td>
</tr>
<tr>
<td>SOME</td>
<td>'some people are fair--some are dark'</td>
</tr>
<tr>
<td>YEW</td>
<td>'[yu]--[ye] [yu]--I'm lost--[yu] [yu] speaking of you--you ought to--do it'</td>
</tr>
<tr>
<td>YOU</td>
<td>'you remember'</td>
</tr>
<tr>
<td>WITCH</td>
<td>(gave a good imitation of an old crone)</td>
</tr>
<tr>
<td>WHICH</td>
<td>'which one do you want...'</td>
</tr>
</tbody>
</table>

Patient G has just the opposite problem. G can read lexical words better than grammatical formatives. When presented with a grammatical morpheme like all or which, he will often say 'No' or 'Small words are the hardest', but will respond positively to equally 'small' words like 'awl' or 'witch'. He makes mistakes on lexical content words, very often producing a semantically related word, like time for hour, or a phonologically similar word like owl for awl; but the function words usually get no responses from him, as is illustrated in Table 2.

These are but two examples from many such studies of aphasia which provide us with information which must be
Table 2. G's responses to lexical and grammatical words.

<table>
<thead>
<tr>
<th>Stimulus</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>OAR</td>
<td>'no' (long pause)</td>
</tr>
<tr>
<td>OR</td>
<td>'those'</td>
</tr>
<tr>
<td>AWL</td>
<td>(long pause) 'owl?' 'ordinary bird owl'</td>
</tr>
<tr>
<td>ALL</td>
<td>'not quite sure'</td>
</tr>
<tr>
<td>BEE</td>
<td>'bat--bee--small bee'</td>
</tr>
<tr>
<td>BE</td>
<td>'no. Small words the worst. Big one not so bad.'</td>
</tr>
<tr>
<td>KNOT</td>
<td>'knock'</td>
</tr>
<tr>
<td>INN</td>
<td>'pub--landlord'</td>
</tr>
<tr>
<td>IN</td>
<td>'those? well a sentence--this and those'</td>
</tr>
<tr>
<td>HYMN</td>
<td>'church'</td>
</tr>
<tr>
<td>HIM</td>
<td>'those'</td>
</tr>
<tr>
<td>WOOD</td>
<td>'wood--woodcutter'</td>
</tr>
<tr>
<td>WOULD</td>
<td>'no'</td>
</tr>
<tr>
<td>SUM</td>
<td>'you go to court--summons--pay--what word? pay court'</td>
</tr>
<tr>
<td>SOME</td>
<td>'no'</td>
</tr>
<tr>
<td>HOUR</td>
<td>'time'</td>
</tr>
<tr>
<td>OUR</td>
<td>'can't pronounce'</td>
</tr>
<tr>
<td>WITCH</td>
<td>'witch yes. A witch? Schooldays. My dad a witch'</td>
</tr>
<tr>
<td>WHICH</td>
<td>'no'</td>
</tr>
</tbody>
</table>

accounted for in a viable model of linguistic performance and a psychological model of the mental grammar. In a recent paper, for example, Kean (1977) suggests an interpretation of Broca's aphasia which 'relies exclusively on universal aspects of word level phonological structure, segments, boundaries, and phonological words'. She goes on to make the even more interesting claim that

Not only are these all aspects of phonology, they are the properties which define the domain of phonology. Thus, not only [is she] making the claim that there is a phonological deficit in Broca's aphasia, but also the claim that this impairment is distributed across the entire domain of phonology. Consequently, [she is] making the implicit claim that there is, in some sense, a one-to-one correspondence between the physical area known as Broca's area and a single and complete domain of the theory of the cognitive structure of language.

This has already led to an interesting debate which concerns not only the characterization of Broca's aphasia but the theory of grammar itself (cf. Kolk 1977, Klosek 1979).

Many years ago, Jakobson (1955, 1964, 1968) suggested that marked forms were the last to be learned by children and the first to be lost by aphasics. Linguists and aphasiologists are finding that this is the case, at least to a certain extent,
leading to insights into constraints on language systems and linguistic universals. It is clear that important theoretical questions are raised by past and ongoing aphasia research. Such studies on language pathologies lead us to a greater understanding of the neural organization and mechanisms underlying language. The sophistication of the new studies leading to such highly complex results could not have been possible without the input of linguists. Early aphasiologists too often equated language abilities with the recognition or production of individual words. We cannot blame these scientists, to whom we owe so much, for not having a knowledge of language; we can, however, recognize and appreciate the importance of linguistic theories in the diagnosis and treatment of aphasia, as well as the importance of aphasia data for the testing of theoretical hypotheses. Using linguistic tests constructed with the input of linguists—tests which go far beyond the early word tests—we are now able to arrive at more specific diagnoses of language deficits and to provide the therapist with information on how and on what to proceed in language retraining.

In the time allotted to me it is difficult to discuss other aspects of 'clinical linguistics' in any detail. Let me then, in closing, merely mention a few other areas where theoretical research and clinical intervention by linguists are proceeding. In many clinics and laboratories we now find linguists and speech pathologists working together with patients suffering from many different language disorders: Down syndrome and Turner's syndrome patients, autistic and schizophrenic children, childhood aphasics, patients who have lost all or some language abilities due to tumors, strokes, hemispherectomies, etc. We are learning from these experiences and amassing evidence for the testing and constructing of hypotheses concerned with the way language is represented in the mind. We are also discovering neural mechanisms which may account for the differential language disorders discussed in this paper. Our aims are to develop better diagnostic and therapeutic techniques and to discover more about the biology of language.

Marshall (1978) concluded an extremely insightful paper with the 'hope that eventually we shall be able to falsify Antoine Arnauld's (1660) claim that "the mind knows least of that to which it is most closely united, namely the brain" (Smith 1902)'. We share this hope and feel sanguine about the possibility because of the cooperative efforts of neuroscientists and linguists who are opening new windows into the brain, providing the theoretician with a few answers and the therapist with new methods.
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LANGUAGE AND THE DEAF EXPERIENCE

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Gallaudet College

In the last 20 years a revolution has taken place in the relation of a minority culture to the world at large. Deaf people compose about one one-thousandth part of the world's population, but in large centers of population the fraction is larger and the deaf community is remarkable for its close and little known structure (Schein 1968; Schein and Delk 1974; Stokoe, Bernard, and Padden 1976). Because the lack of a working sense of hearing prevents normal development of the language spoken in home and larger society, this group, the deaf community, is special in many ways. Those who profess expertise in pathology or 'disorders'—whether of hearing, speech, language, physiology, or psychology—still regard deaf people negatively. But the balance of opinion has changed. Deaf people themselves have always known, and anthropologists are beginning to discover, that difference, not inferiority, makes them special. Thus today among the slogans that proclaim revolution, we hear or see on bumper stickers—this decade's major literary genre—'Sign Power' and 'Deaf Awareness'. Like other groups in a culturally pluralistic nation and world, the Deaf have been making their voices heard.

A broad historical sketch helps to put this cultural revolution in perspective. The whole history of the deaf fraction of mankind shows both man's inhumanity to man and humankind's remarkable powers of adaptation. In Western civilization, however, the history is not without dark passages. Advances in theology, philosophy, and science have more often than not favored the 999 who can hear and worsened the lot of the one who cannot. Recent field work among societies less socially evolved—research that stems directly from the revolution we are considering—shows in at least one respect some validity in the old notion of the 'happy savage'. Among the Tasaday, the most primitive human society so far studied, two members of
the 20-member tribe are deaf and are treated no differently from the rest. On Rennell Island in the Solomons, the one deaf and mute adult in more than 20 generations is almost fully integrated into the life of his village (Kuschel 1973). On Providence Island in the Caribbean, an inordinately large number of deaf members of a small population get along as well as any of their fellows (Woodward, Washabaugh, and De Santis 1978). In a Mayan Indian village, similarly marked with genetically carried deafness, the same integration with local society is enjoyed by the deaf villagers (Hubert Smith, personal communication). In remote highland New Guinea, deaf individuals share the life and amusements of their community fully—flourishing also in the attention of visiting anthropologists (Kendon 1979).

Back in civilization the story is otherwise. We are used to shaking our heads over the inhuman treatment of deaf people in Europe during a more religious past age, when doctrine held that those not blessed with the divine gifts of speech and hearing were without souls as well. As the balance shifted in the warfare of science with theology, the construct mind replaced that of soul, but the social and legal position of the deaf person in the 'enlightened' culture of Europe and the New World grew worse. The first major revolution in the lot of deaf people began in the eighteenth century, when the Abbé de l'Épée discovered that deaf people in Paris might not hear or talk but still did have a language—of signs. In making—and knowing that he had made—this discovery, Epée stood out against most of the theory of language of his time, and his practice flew in the face of those few but famous teachers who before him had taught a few deaf persons to speak. These rivals, however, practiced their secret craft for gain and glory, and only on the scions of rich or royal families, while Epée—with his 'method of instructing the deaf and dumb through the use of signs!'-opened his school to the far more numerous children and youth who were deaf but not rich or well connected.

For all his insight into the nature of language, especially its essential independence of the particular mode of its transmission, Epée could not escape Bacon's idols of the marketplace and the tribe—i.e. the ethnocentrism of his time and place. He considered the natural sign language used by the untaught deaf people he encountered inferior in every way to French and the other languages of civilization: He therefore invented a remarkably successful and long-lived metalanguage, which he called 'signes méthodiques', combining signs from the language of the deaf with signs that he devised to render the semantic, syntactic, and grammatical features of the French language. Whatever the ultimate modern verdict on Épée's language engineering, though, he did begin a revolution. In the space of 40 or 50 years, a whole class of educated deaf people—French, Austrian, Russian, Scandinavian, Spanish, Italian, and American—arose, as if from barren ground. Without the
linguistic and social revolution Epée began, which Sicard and others continued, the members of this class would not have been writing and teaching and pursuing the various arts and crafts of the nineteenth century but would have been sweeping crossings, mending discarded pots, or doing whatever else society allows its outcasts.

This revolution, almost contemporary with the French Revolution, was effectively checked by a counter-revolution both willed and fortuitous. Even while he flourished, Epée was attacked by those who equated language with speech (or as linguists now say, equated competence with performance). By the year 1880, advances in applied phonetics, speech therapy, elocution, and other arts convinced many that the education of deaf children could and ought to proceed without the aid of gestural signing. About the same time, advances in telephony and later in electronic amplification of transformed sound convinced other believers in progress that science had made not only deafness but deaf people and their sign language obsolete. This was the era of eugenics, not genetics, and not only Alexander Graham Bell, who crusaded against signing, but also Edward Miner Gallaudet, whose new college was using sign language (although the variety of signing that expressed English visibly), preached emotionally in print against the practice of endogamous marriage and the social grouping of deaf persons together for fear of creating 'a deaf society'. In the light of sociological, sociolinguistic, demographic, and ethnographic research in deaf society (see, for example, Stokoe, Bernard, and Padden 1976), these two old adversaries appear like a cloned King Canute ordering the tides of DNA to cease their flow.

From the 1880 revolution onward, the ensuing state of the collective deaf experience was not, of course, a return to pre-revolutionary conditions. Deaf people went to school, were taught trades, found work. In the United States, but not in Europe, some deaf people even went to college and found teaching positions in the old established pre-oralism state schools for the deaf. Nevertheless, in many subtle and not so subtle ways deaf people were subjected to the indignities, deprivations, and discriminations so often the lot of despised minorities. As human beings they interacted in human cultures. Deprived of ready access to the mainstream culture by hearing, speaking, and proficiency levels in the majority culture's language, they naturally tended to group, to form their own subcultural systems, potentially and often actually as rich and varied as those of any ethnic enclave. Of course, they communicated with one another, as all members of all human cultures do, by using language; but the transmission system of this language was and is and always has been nonvocal. In consequence, those hearing persons closest to the deaf youngsters, their hearing schoolteachers and other caretakers, conditioned them to believe that their signing, which they could not avoid resorting to, was a nasty, filthy, lazy, perverse habit and departure from proper
deportment. In this period the general public looked at those who signed to each other in public as freaks and often called them 'dummies'. Learned journals of past decades are filled with studies proving that sign language is less than language in grammar, syntax, accidence, and semantics, or the power to render ideas precisely. Psychologists carried out elaborate research programs proving that deaf persons lack the power of abstract thinking. Even a linguist as distinguished as Bloomfield accepted without question that kind of 'research' and supposed that nothing in deaf people's signing is other than derived from, or representative of, some part of spoken language.

Besides this treatment in psychology and linguistics, deaf individuals and deaf society suffered worse at the hands of the profession whose motto is 'non nocere'. If the social sciences determined that deaf persons were deficient in language and cognitive power, the medical profession fostered the notion that to be deaf is to be ill, that deafness is a disease, that cure or care is indicated. Since hearing parents, who have nine times as many deaf children as do deaf parents, naturally turn to a physician in the painful period of discovery that their child may be deaf, it would seem to be of first importance that pediatricians, otologists, and general practitioners know the facts of language and of deaf experience. Until quite recently, however, the usual outcome of long and expensive visits to these and other doctors was, first, advice to wait and see if 'it' did not clear up in time, and then to get to a hearing aid dealer or audiologist, and later to start auditory and speech training as soon as possible. That is, of course, only part of the reason why, in the thinking of the deaf community, out of 11 types of hearing persons they may have to communicate with (among them children of deaf parents, teachers, interpreters, church workers, etc.), the 'professionals' rate eleventh (Nash and Nash 1978).

But this is behind us now. At least there are in all the professions and disciplines named a few enlightened persons who know more sociolinguistics than did Bell and Gallaudet. Another revolution has taken place. Deaf people are not only signing proudly in public but are interpreting the news and other spoken matter on commercial as well as public TV. They are not only serving as research participants for linguists and anthropologists interested in the deaf experience but they are themselves candidates for or holders of advanced degrees. They are aware that their language and their culture are the objects of respectful attention in half a dozen sciences; that hearing persons who take the pains to become really fluent in it can use it as a working language in doctoral programs. They remember not only that President Jimmy Carter walked along Pennsylvania Avenue at his 1977 inaugural, but also that when he saw some of them along the route he made and displayed one of their 'in-signs'—what a wonderful gestural emblem and logo
for a movement! This sign is a bilingual, trigram, 'I-L-Y' and means 'I love you'.

Other signs of a successful revolution are not hard to find. The National Association of the Deaf, Gallaudet College Press, and half a dozen smaller publishers now sell more than 100,000 sign language books each year. And now in addition to the college founded in 1864 and the newer National Technical Institute for the Deaf, nearly 60 post-secondary programs provide special services for deaf students. Beyond this, higher degrees are granted deaf students by a number of institutions, notably California State University at Northridge and Western Maryland College, which granted, respectively, 14 and 44 masters' degrees to deaf graduates of Gallaudet College in 1977. Doctoral programs at University of California San Diego, Northeastern University, and Georgetown University now have excellent deaf candidates on the way to qualification in the fields of linguistics and sociolinguistics.

Like other social and scientific revolutions this one, which affects the deaf experience and deeply involves language, began with a small but radically thinking group—a cabal in the eyes of the old guard. The detailed history would take too long to recount, but at this thirtieth Georgetown University Round Table on Languages and Linguistics, which also marks the twentieth anniversary of the Center for Applied Linguistics, it is appropriate to recognize the very substantial role played in the revolution by these two institutions and by their informal, after-hours reappearance in the Washington Linguistics Club.

As nearly as I can reconstruct the proximate cause of the revolution, it was a report denying accreditation to Gallaudet College in 1952 (its eighty-eighth year). Reaction to the report was the appointment of George Detmold as Dean of Instruction, later Dean of the College, with a mandate to recruit a first-rate faculty and build a liberal arts curriculum. The direct result in 1957 was an enthusiastic report by an evaluating team and full accreditation.

Almost from his arrival, Detmold had begun to shape the Gallaudet College dramatic efforts into an exciting program, one that led directly to the National Theater of the Deaf and many other operating troupes of deaf actors. His dramaturgic procedure was sociolinguistic. Plays had previously been done by rendering scripts literally in fingerspelled and word-glossing signs; Detmold began by first translating the text into a version like a literal rendering of signing and proceeded as a linguist would, checking the 'speeches' against the intuitions of native signers. Besides bringing deaf theater into prominence, this kind of applied linguistics has led to the creation of two full-length plays out of the heart of the deaf experience and many shorter dramatic pieces by native signers. One measure of the effect is to compare the number of deaf persons making their living in professional theater today with the number 25 years ago; the increase is a multiplying factor of nearly 100.
Two other results of changes at Gallaudet College were the importation to the faculty of a great many nondeaf persons who of course had to learn gestural communication, and the promotion by the dean of able deaf persons to higher positions. Thus an increasing number of hearing teachers began to study, not yet sign language, but signs; and at the same time deaf persons moved upward on the academic ladder. In this the numbers are few, but even though at that time 25 years ago, fewer than two or three out of 100 persons of college age if deaf entered college, the very close-knit deaf society of the United States and the world was aware that the ceiling had been pierced and that a few of their own held professorships, department chairs, or deanships in an institution now recognized as a peer of others in the Middle Atlantic states.

With a dozen or more colleagues I joined the Gallaudet faculty in 1955 and began to learn how to produce signs, which were presented to us as equivalents of specified English words. But I had recently enjoyed a sabbatical year mainly devoted to various problems in Old English, Middle English, and Middle Scots scholarship, and I had been impressed with Robert Stockwell's treatment of the OE vowel system. Through that I had come to study the 1951 Trager and Smith *Outline of English Structure* with more than usual care. As a result, it occurred to me again and again in our sign vocabulary drills in September, 1955, that these signs with different meanings seemed to be alike in more ways than they differed. When I told Dean Detmold that minimal-pair analysis seemed to work on signs just as well as it worked on words to get at the elements of language, he suggested that I come here, to Georgetown University's School of Language and Linguistics—which was then on Massachusetts Avenue—and explore the possibility of finding a graduate student who might make a dissertation study of sign language.

The next steps remind me of one of the early Gallaudet plays. The director of the School, the late Leon Dostert, was unavailable; his second in command, Paul Garvin, was out of town; but I held my ground in front of the receptionist's desk and was finally sent to the office of the late Professor Austin. He welcomed me, listened intently, but became more and more excited as I tried to explain what sign language seemed to be. At the end he literally thrust me out of his office charged with orders which for a mild mannered man he almost shouted: I was to go around the corner at once to Earl Brockman's office and say that I must have a summer grant-in-aid from the American Council of Learned Societies; then immediately phone Trager and Smith in Buffalo and have them accept me in the summer institute.

Brockman, the ACLS, the summer institute, its teachers and participants, especially Trager, Birdwhistell, and Haxie Smith, were all as directly and immeasurably helpful to a linguist-in-spite-of-himself as Bill Austin had been. I left Buffalo with a
clear idea of what had to be done (unaware that in the same year what had to be done was being defined in a precisely opposite way in Syntactic Structures) but with no very clear idea of how to do it. By the end of 1959 it had become apparent that sign morphemes, unlike spoken morphemes whose segmental components are arranged in time sequence, could be analyzed as composed of aspects of the same unitary behavioral act, a sign. Smith was an enthusiastic mentor, for in his theory of morphophones, segmental and supersegmental aspects of a word were also simultaneous, not sequential, components. Trager quite correctly observed that my monograph 'Sign Language Structure' did not completely prove American Sign Language a language, but he thought the case well worth pursuing and agreed to publish Sign Language Structure as Occasional Paper 8 in his Studies in Linguistics (Stokoe 1978, 1960a).

This, of course, was only the first act of the comedy. Publication in 1960 brought a curious local reaction. With the exception of Detmold and one or two close colleagues, the entire Gallaudet College faculty vehemently attacked the whole idea of linguistic study of sign language. My function was to teach English, both hearing and deaf colleagues informed me, in a meeting to which I had been invited to talk about Occasional Paper 8 and another book published that year. (In The Calculus of Structure I used set theory, algebra, and analytical geometry to teach English grammar to deaf students whose math aptitude tested far higher than their language achievement; this remedial teaching was quite successful, but high-verbal, low-math colleagues were not unnaturally put off by signs of any kind.) If the reception for the first linguistic study of ASL was chilly at home, it was cryogenic in the large part of special education at that time still vowed to extirpate sign languages. Even the general public joined the outcry: for instance, when the National Science Foundation first granted support for research in sign language, two letters attacking the foundation, the grant, and the very idea appeared in the Washington Post. Both, by descendants of Alexander Graham Bell, based their objection on the claim that grandfather had proved once and for all that sign language is useless or pernicious in education of the deaf.

What warmed me in all this cold was the intelligent, critical, challenging, interested, and continuing interaction provided by linguists at the Center for Applied Linguistics and at Georgetown University, largely in meetings of the Washington Linguistics Club. I cannot list all their names; every attempt will leave out some who should be thanked, but Charles Ferguson, Carleton Hodge, Bill Stewart, Bill Gage, Martin Joos, Tom Sebeok, John Lotz, Bill Nemser, Hood Roberts, Wally Erwin, and many others at the CAL, as well as Frank Dinneen, Richard O'Brien, Charles Kreidler, Ian Stewart, Jim Alatis, Roger Shuy, Ralph Fasold, Bob Di Pietro, and others at Georgetown provided the encouragement an idea needs to grow
and spread. In fact, the growth and spreading accelerated so that with time the increase now appears exponential. Literally hundreds of programs for deaf children have changed over from reliance on strictly oral instruction, if not to the use of natural sign language, at least to what they term 'total communication', which means that they will let signs be used in the presence of deaf pupils as one of many ways of transmitting what is expected to be correct English. Sign language courses, admittedly of the sign-for-word vocabulary kind, are being taught to prospective teachers and other hearing people who interact with the deaf. Simultaneous signing and speaking are being used with considerable success with several different language problems of nondeaf children, from autism to reading failure (see Sign Language Studies for 1978 and 1979).

With this attention to their language, deaf people themselves have more visibility, more public acceptance, more self-awareness (as this can be seen by outsiders), more pride in sign language linguistics, and more motivation to learn English well as a second language. More and better positions are open to qualified deaf persons, and the opportunities for them to qualify in a great many more lines of endeavor are open as well. Though deaf persons and their language and culture are still the object of study, the nature of the study and its emphasis and focus have changed. It is currently not a study of pathology and deficiency but a sympathetic study of humanity by linguists genuinely interested in signed language and by anthropologists finding a unique subculture. Best of all, deaf persons are finding real acceptance themselves as professionals in anthropology, its linguistic branches, and in many of the social and political decision-making positions formerly closed to them. Certainly in the nonhearing part of public life, although it may measure but one one-thousandth of the whole, linguistics has made a difference that Georgetown University Round Table linguists and CAL applied linguists can be proud of during their celebrations of this combined twentieth and thirtieth anniversary.

NOTE

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REFERENCES


EVALUATING LANGUAGE ASSESSMENT PROCEDURES:  
AN EXAMINATION OF LINGUISTIC GUIDELINES  
AND PUBLIC LAW 94-142 GUIDELINES  

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While the field of linguistics has made important contributions to public life, particularly in the area of language teaching, this field has reached only a fraction of its potential when one considers the critical and intimate role that language, the object of study for linguistics, plays in so many aspects of our daily lives. It is encouraging to point out that the situation regarding the serious underutilization of linguistic knowledge is being reversed, as evidenced by recent studies in the areas of language and law, language and medicine, language and advertising, language and insurance, language and testing, language and reading, language and writing, and linguistics and speech pathology.

This paper focuses on expanding the utilization of linguistic knowledge in the field of speech pathology. Specifically, I am going to examine the role that linguistics can play in the assessment of language problems as required by regulations of Public Law 94-142. First, I discuss the law and its requirements, after which I attempt to demonstrate that PL 94-142 cannot be successfully implemented without input from the field of linguistics.

1. Public Law 94-142. Part B of the Education of the Handicapped Act as amended by Public Law 94-142 includes provisions which are designed

(1) to assure that all handicapped children have available to them a free appropriate public education, (2) to assure that the rights of handicapped children and their parents are protected, (3) to assist states and localities to provide for the education of handicapped children, and (4) to
assess and assure the effectiveness of efforts to educate such children (p. 42474).

The provision which has the most relevance to the field of linguistics is the first one, which assures that all handicapped children have available to them a free appropriate public education. As defined by the law, this means special education and related or supportive services which are required to assist a handicapped child to benefit from special education. Services specified by the law include psychological services, physical and occupational therapy, recreation, early identification and assessment of disabilities in children, counseling services, school health and social work services, parent counseling, and speech pathology and audiology. The service which is of particular concern for this paper is speech pathology, since it is the area charged with the responsibility of assessing the language of handicapped individuals. In Section 4.2, I closely examine some language assessment procedures within the framework of guidelines specified by PL 94-142, but presently the key term, 'handicapped children', needs to be examined.

As defined by PL 94-142, handicapped children include the mentally retarded, the hard of hearing, the deaf, the speech impaired, the seriously emotionally disturbed, the deaf-blind, the multihandicapped, the learning disabled, the visually impaired, the orthopedically impaired, and the other health impaired. In order to approach the immensely challenging task of educating all of the children in the first eight categories and at least some of the children in the last three categories, language assessment and intervention will be a necessity, for knowledge of a language is a basic and fundamental prerequisite to the acquisition of even the most elementary skills presented in the formal educational setting. At this point I would like to propose that from a theoretical and a methodological standpoint, the field of linguistics is presently in the position to play an unparalleled role in the assessment and rehabilitation of the language problems exhibited by the nearly 5.5 million children who fall into the various subgroups defined as handicapped.

Given the role that language plays in the educational process, the first step then in the education of the handicapped child should be to determine the extent to which he knows the language of his speech community. Once his abilities have been revealed, a plan for language intervention can be developed. The significant issue here involves determining the extent to which the child knows the language, and the critical question is: how will his knowledge of the language be assessed? In other words, specifically what kind of tools will be utilized during the assessment process? Will such tools be valid measures of language development? Apparently, these and other questions have been considered within the framework
of PL 94-142 and, in an effort to protect the handicapped child from misevaluations, a number of guidelines which were developed to govern the use of assessment tools have been specified by the law.

In Section 4.2, I attempt to show that the law, though well intentioned, has presented a set of regulations which can be met by a disturbingly large set of formal but grossly inadequate assessment devices. In order to illustrate this latter point, I utilized an alternative set of guidelines based on linguistic research as a framework for evaluating seven tools that can be used to assess language development. The tools include The Houston Test of Language Development (HTLD) (Crabtree 1963), The Utah Test of Language Development (UTLD) (Mecham, Jex, and Jones 1967), The Peabody Picture Vocabulary Test (PPVT) (Dunn 1965), The Bankson Language Screening Test (BLST) (Bankson 1977), The Grammatic Closure Subtest (GCS) of the Illinois Test of Psycholinguistic Abilities (Kirk, McCarthy, and Kirk 1968), the Developmental Sentence Scoring procedure (DSS) (Lee 1974), and the Content, Form and Use Analysis (CFUA) (Bloom and Lahey 1978).

At this point, it is helpful to provide a fairly detailed description of two of the tools to be evaluated: the HTLD and the CFUA (descriptions of the other five tools appear in the Appendix). The former and the latter respectively received negative and positive evaluations when they were examined within the framework of the more rigorous linguistic criteria. After the tool descriptions, the linguistic guidelines are presented and aspects of the assessment tools which meet and fail to meet a specific guideline are discussed. Finally, the tools are evaluated according to the guidelines specified by PL 94-142 and the results of the two evaluations are compared.

2. Houston Test of Language Development. The HTLD is composed of two parts. Part I claims to assess language development from the age of 6 months to 36 months, while Part II purports to assess language development in children between the ages of 3 and 6 years. According to Crabtree (1963:1) the test 'was designed for the purpose of establishing a basis for the objective evaluation of language functioning in children'. In reference to Part II, Crabtree states that its purpose is to 'provide a language scale for the age levels of three through six', and points out that such a 'scale could be used to assist in the diagnosis of language disorders' (Crabtree 1963:2).

The 18 sections which comprise Part II are described in the following paragraphs. Examples of tasks are included in the description.

I. Self identity. The tasks include answering the questions 'What is your full name?' and 'How old are you?'
II. Vocabulary. The testee is asked to identify verbally 20 pictures representing objects, 9 pictures representing actions, 6 pictures representing colors, and 3 pictures which depict emotional states (e.g. happy, sad).

III. Body parts. Tasks included in this section are presented in two parts. In Part A, the child is instructed to identify the following body parts: chin, elbow, knee, and ankle. In Part B the child is instructed to answer questions about the function of the body, e.g. 'What do you see with?' and 'What do you hear with?'

IV. Gesture. This section contains nine tasks. The child is asked to clap his hands, to close his eyes, to show his teeth; to pretend that he is combing his hair, batting a ball, and eating an ice cream cone; to make a square (by placing his thumbs end to end and extending his forefingers at a right angle) and a circle (with the index finger and the thumb); to illustrate smallness with his hands (the exact instructions are 'Now with your hands, you show me something little'), to illustrate tallness with his hands (the instructions are 'Now with your hand, show me something tall') (Crabtree 1963:16).

V. Auditory judgment. The child is asked to answer the following questions: 'Which is bigger, a mother or a baby?' 'Which is faster, an airplane or a truck?' 'Which is older, a man or a boy?'

VI. Communicative behavior. The following materials are shown to the examinee: a miniature doll family, a bathtub, a dining room set, a truck, and several toy animals. The testee is then instructed to play with them for a little while. After five to ten minutes, the child is asked to tell a story about the toys. The test constructor notes (Crabtree 1968:18) that 'the examiner should try to get at least ten sentences or thought units which are not elicited by a direct question'. The following description of the expected response from the three-year-old provides an example of how the 'sentences' will be analyzed.

The three-year-old starts talking immediately upon the presentation of the objects. He does not attempt to communicate with the examiner, but appears absorbed in talking to himself, 'What's that? A bathtub, that's what it is'. He will not respond verbally upon demand (Crabtree 1963:19).

VII. Temporal content. This section involves further analyzing the data recorded in Section VI. The goal is to determine the child's ability to code time concepts linguistically. Examples of the specific instructions for analyzing and scoring a child's utterances are presented here.

The three-year-old does not express time, so does not score on this item.
The four-year-old expresses his thoughts in the immediate present time. He does not use the auxiliary verb. The past is expressed in the present. Examples: 'Baby playing in the bathtub.' 'The horsie fall down' (Crabtree 1963:20).

VIII. Syntactical complexity. Like Section VII, this section involves analyzing the constructions recorded in Section VI. The implied goal is to determine the syntactical complexity of a child's responses. A description of the expected responses for a three-year-old reflects the general analytical framework.

The three-year-old may use phrases, or short fragmentary sentences. In other words, the subject and/or the predicate are missing. For example: 'a little chair,' 'there a chair,' 'Hey, a boy!' 'Take shoes off' (Crabtree 1963:21).

IX. Sentence length. The goal of this section is to compute 'the average number of words used in each sentence or thought unit' recorded for Section VI. Five criteria for averaging were presented. Included in the fourth criterion was the following instruction: '...the sentence, "once upon a time a father rode in a truck," would be counted as having six words' (Crabtree 1963:23). No credit is given for 'once upon a time'.

X. Prepositions. The child's knowledge of specific spatial relationships is determined by requiring him to place a toy in, under, behind, and in front of a chair.

XI. Serial counting. The examinee is required to count, in serial order, to the highest number possible.

XII. Counting objects. The task in this section involves counting cards that are presented to the examinee. The number of cards presented must exceed the highest number counted in the preceding serial counting task, e.g. if a child counted to five, ten cards should be placed before him. When the examinee has finished counting, the examiner asks, 'How many cards are there?'

XIII. Repetition of speech patterns. The child is asked to repeat the following constructions: animal; I went to town; Mary goes to school on the bus; when school is out, I will go to the store to buy some candy.

XIV. Repetition of melody patterns. The child is asked to perform three tasks. The first involves repeating the examiner's production of bong, bong, bong. According to the manual, when presenting these words, the tester should let his 'voice rise a pitch up the scale with each word' (Crabtree 1963:26). The child is expected to copy the tone of the examiner. In the second task the child is asked to produce bo, bo, bo three times. Each production should contain the prescribed stress pattern illustrated by the examiner. For example, during the first production the initial bo of the bo, bo, bo pattern should be stressed, and during the second the second bo,
etc. In the third task the child is required to whisper *bong*, *bong*.

**XV. Geometric designs.** The examinee is asked to draw a circle, a cross, a square, a triangle, and a diamond. Illustrations are provided by the examiner.

**XVI. Drawing.** The child is instructed to draw a house, a tree, and a person. All verbalizations produced during this task are recorded.

**XVII. Verbalizations while drawing.** The responses recorded during the drawing task are analyzed and scored. The following examples of scoring criteria reveal the analytical framework.

- The three-year-old does not score.
- The four-year-old talks while drawing.
- The six-year-old inhibits speech until he is called upon to tell about his drawing (Crabtree 1963:30).

**XVIII. Tells about drawing.** Responses recorded during the drawing task (Section XVI) are further evaluated in this section. Upon finishing his drawing, the child is instructed to tell the examiner about his picture. Here are examples of the guidelines for the analysis of the four- and five-year-olds' responses.

- The four-year-old names the objects in the picture.
- The five-year-old names and in addition, uses descriptive words, such as 'a big house,' or 'a blue dress' (Crabtree 1963:30).

3. **The content, form, and use analysis.** The content, form, and use analysis is not a test but a procedure for analyzing a spontaneous language sample. Underlying the procedure is the notion that language involves interactions among three major components: language content, language form, and language use. The content of language, in the words of Bloom and Lahey (1978:14), is 'its meaning or semantics—the linguistic representation of what persons know about the world of objects, events and relations'. Language form is the code (signs, sounds, words, and larger units like sentences) used to express meaning. 'Language use consists of the socially and cognitively determined selection of behaviors according to the goals of the speaker and the context of the situation' (Bloom and Lahey 1978:20).

The goals for assessing language which emanate from the content, form, use interactions framework are to describe (1) the content of children's language, (2) the linguistic forms used to express content, and (3) the way in which children 'use forms to talk about ideas of the world and to interact with other persons' (Bloom and Lahey 1978:372). In order to achieve these goals, specific steps must be followed when
collecting and preparing the data to be analyzed, and when performing the multifocused analysis of the language sample.

During the collection of the language sample, the context in which utterances are produced should be carefully observed and recorded. For example, the investigation should note not only what the child says but also what he does, and what other persons are saying and doing when they are interacting with him. This expanded set of data is used as evidence to support the hypothesis regarding meaning and function in the child's system.

After collecting and transcribing the language sample, utterances which contain at least two of the major grammatical constituents, subject-verb-complement, are first classified according to the content categories of their verb relations, including the action relation (e.g. Gia ride bike), the locative action relation (mommy in this bed), the locative state relation (there's a bed), the state relation (he tired), and the existence relation (this mom). Utterances are also examined to determine whether they code other content categories (e.g. nonexistence, rejection, denial, recurrence, attribution, possession, and causality).

The form analysis involves determining the type and number of grammatical constituents that are included in an utterance. This evidence is then used to determine whether a content category is productive (i.e. represents systematic behavior) at a particular phase of language development. The number of constituents observed in an utterance is also compared with the number expected in the adult model in order to determine achievement. Productivity and achievement criteria were established by the authors.

The use component of the procedure involves analyzing a child's language according to the way in which utterances were used. The investigator is instructed to note whether utterances initiated by the child represent a response to a question or a response to a statement. In addition, the function of each utterance should be specified (i.e. note whether the utterance was used to comment, demand, pretend, etc.), and inappropriate responses to questions and statements should be noted.

The results of the content, form, and use analysis provide a description of the child's language system which can be used to determine whether the latter is developing normally.

4. Guidelines for evaluating language assessment tools. A number of issues must be considered when developing criteria for evaluating language assessment tools. The following guidelines based on findings from linguistic research represent a limited but fundamental set of criteria that all tools which claim to measure language development should be able to meet.
4.1 Proposed guidelines based on linguistic research

4.1.1 The assumptions about language which underlie the procedure are valid. Before constructing a language evaluation tool, the researcher at some point must ask the basic questions: what does it mean to know a language? or what does a speaker have to know before one can conclude that he knows language A or language B? Linguistic research has shown that to know a language involves (1) knowing the concepts which represent the objects, events, and relationships in the world; (2) knowing the linguistic forms which code these concepts; (3) knowing the set of rules (phonological and syntactical) which govern the possible combinations of forms; and (4) knowing the set of rules which govern the use of linguistic forms. If all or some of the assumptions about what it means to know a language are invalid, this underlying shortcoming will be reflected in the evaluation tool and this tool will be incapable of adequately assessing language development.

Do the seven assessment tools meet this basic guideline? Three of the tests, the UTLD, the HTLD, and the PPVT fail all aspects of this guideline. None of these tests provides a systematic procedure for evaluating linguistic concepts, for evaluating major rules which govern the combination of forms that code concepts, or for evaluating rules which govern the use of forms.

Twenty-two percent of the items on the HTLD are totally unrelated to revealing linguistic knowledge as represented in studies of child and adult language. Consider, for example, item XVI, which requires the child to draw pictures. His performance on this item is ultimately used to help make a general statement about his language development. Other blatantly inappropriate items include item XV, which requires the child to construct geometric designs; item XIV, which requires the child to repeat melody patterns; items XI and XII, both of which involve counting; and item IV, which involves gesturing. The inclusion of such items indicates that the assumptions about linguistic knowledge which underlie this test are invalid.

Thirty-nine percent of the items included in the UTLD are irrelevant to an assessment of linguistic ability. The numbers of these items and the tasks required are presented here.

<table>
<thead>
<tr>
<th>Item</th>
<th>Task required:</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Mark with a pencil or crayon.</td>
</tr>
<tr>
<td>19</td>
<td>Say a nursery rhyme from memory in the correct sequence.</td>
</tr>
<tr>
<td>20</td>
<td>Copy a cross.</td>
</tr>
<tr>
<td>26</td>
<td>Copy a square.</td>
</tr>
<tr>
<td>29</td>
<td>Identify (by naming) a penny, nickle, and dime.</td>
</tr>
<tr>
<td>30</td>
<td>Write numbers to 30.</td>
</tr>
<tr>
<td>31</td>
<td>Tell a familiar story.</td>
</tr>
<tr>
<td>32</td>
<td>Read words on pre-primer level.</td>
</tr>
</tbody>
</table>
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Item: Task required:
33 Recite numbers from one to 50.
34 Copy a diamond.
36 Identify (by naming) a quarter, a half dollar, and a dollar.
37 Repeat five digits.
38 Name the days of the week.
40 Write cursively with a pencil.
41 Rhyme words.
42 Repeat four digits reversed.
44 Repeat six digits.
46 Repeat five digits reversed.
49 Repeat a difficult sentence from knowledge.
51 Answer questions regarding direction.

A child's performance on the aforementioned tasks will not provide specific and direct information about his knowledge of language. A speaker may know the basic rules of the language but yet not be able to complete successfully any of the tasks described. The simple point is that the majority of the items included in the UTLD can be used to measure something, but not linguistic knowledge.

When the PPVT is examined within the framework of this first guideline, one is quickly led to the conclusion that the basic assumptions about language which underlie this tool, like the devices heretofore described, are invalid. The test attempts to assess a speaker's receptive knowledge of the lexicon (vocabulary). This goal was not achieved because the selection of lexical items which make up the device was not based on principles which govern the order in which certain classes of words are acquired during the course of a child's development. While little is known about the details of lexical growth, research in language acquisition (Lahey and Bloom 1977) has shown that very young children use relational words (e.g. more, all gone, no) as well as substantive words (e.g. dog, cat, man) like those included in the PPVT. The former class of words code very important semantic notions in language and thus should be considered when evaluating a child's lexicon. The lexicon then is not just a set of isolated words but a set of forms which code meaning; when a child's vocabulary is not examined from this perspective, the results are likely to be unrevealing and misleading.

The GCS contains items which can reveal information about a child's knowledge of the morphological rules of the language. In Section 3, I comment on certain shortcomings of the Grammatical Closure Subtest; but when evaluated according to the first guideline, the items provide evidence that the specific assumptions underlying this device are upheld by child language research.

The BLST is divided into five parts. Parts I, II, and III assess aspects of semantic, morphological, and syntactic
knowledge, respectively. All of the tasks included in these sections, with the exception of those which focus on colors, are appropriate for assessing specific aspects of language development; however, the tasks included in Parts IV and V, which focus respectively on visual and auditory perception, are not directly relevant to assessing linguistic ability. According to the test constructor (Bankson 1977:2), the visual perception tasks were included because 'clinicians frequently utilize visual stimuli in the remediation of receptive and expressive language problems', and because 'children referred for oral language evaluations are often those who eventually are found to have disabilities in the area of written language'; therefore, according to the author, 'screening allows for early detection of those [children] needing an educational evaluation'.

When the scope of a test is expanded to include assessment of areas other than language, then the child's performance on the nonlanguage items should not be considered when evaluating his linguistic knowledge. Also, it is misleading to refer to a tool as a language screening test when it clearly assesses nonlanguage abilities. The results of the evaluation based on guideline (1) indicate that some of the linguistic assumptions underlying the BLST are valid and some are not.

Lee's DSS technique provides a procedure for analyzing eight grammatical categories. The latter include indefinite pronouns, personal pronouns, main verbs, secondary verbs, negative forms, conjunctions, interrogative reversal in questions, and wh-questions. The general theory underlying this method is consistent with accounts of grammatical acquisition, i.e. children acquire specific forms at certain points in their development. Overall, the assumptions about language reflected in this procedure are valid.

The assumptions underlying Bloom and Lahey's content, form, and use analysis emanate from careful descriptions of linguistic behavior. The purpose of the analysis is to obtain information regarding a child's knowledge of the content, the form, and the use of language. The comprehensive goals of the CFUA are based on thorough and valid linguistic assumptions.

Before closing this section, a comment is in order regarding the concept of validity as it is used in the preceding discussion. There I was referring to the content validity of language tests. Specifically, I was concerned with whether the items in an assessment tool are appropriate for measuring what it claims to be measuring. To reveal whether a test exhibits content validity, one must first explicitly define the behavior to be assessed and then examine the specific items in order to determine whether they are appropriate for assessing the target behavior. As I indicated in the foregoing discussion, the items on four of the standardized tests provide clear evidence that language (or some aspect of it), the behavior that the tests claim to be assessing, has been inadequately defined. It has
been seen that inadequate definitions give rise to invalid content; it should be noted, however, that the standardized tests evaluated in this section purport to be valid assessment devices. For example, according to Bankson (1977:4), 'content validity of the BLST is based upon the fact that the items included in the instrument were selected as representative of the kinds of tasks that language clinicians assess and remediate'. He states further that 'a review of pre-school and primary grade academic curricula would reflect the knowledge and skills measured in [the BLST]'.

Note that Bankson's criteria for establishing content validity exclude a sound definition of language, the behavior to be screened; thus it is not surprising that the device contains many inappropriate items for evaluating what I have described as linguistic knowledge. This comment is also relevant to the claims Dunn makes (1965:32) regarding the content validity of the PPVT. Dunn contends that 'content validity was built into the [PPVT] when a complete search was made of Webster's New Collegiate Dictionary (G. and C. Merriam 1953) for all words whose meaning could be depicted by a picture. The restriction was the omission of words which could not be illustrated'. The test constructor notes further that 'since a good cross section was obtained of words in common use today in the United States, and since care was taken to keep the final selection of response and decoy items unbiased, the final product is assumed to meet adequate standards for a picture vocabulary test'. It is clear that the validity criteria excluded a very important component, that is, a definition of lexical knowledge. As discussed earlier, one must first determine what a speaker must know before an assessor can conclude that the speaker knows the vocabulary of his language. As can be expected, only an invalid description of the behavior will evolve from an invalid evaluation tool.

The authors of the HTLD and the UTLD do not discuss whether these tools meet any criteria for establishing content validity; however, both test constructors describe validation procedures. Crabtree reports (1963:3) that the validity of the HTLD 'was based on a reliable difference of the percents passing from one age to the next'; and Mecham, Jex, and Jones state (1967:5) that 'validity of the [UTLD] was checked by the method of calibration'. They also contend that 'since all items of the scale had been selected previously from the standardized sources, it was felt that the items had good "face" validity'. As these comments indicate, no attempts were made to validate the content of the UTLD or the HTLD. Content validity is of primary importance for tools which assess knowledge (as opposed to predicting some future behavior); thus, when a language test cannot provide evidence for content validity, its reliability and concurrent validity become irrelevant features.
4.1.2 The procedure includes an analysis of a spontaneous speech sample (when an oral system is used to communicate). While a comprehensive evaluation of a speaker's language may include an examination of some controlled elicited responses like those extracted by the GCS, an analysis of a sample of spontaneous speech should be performed for every testee who uses oral language to communicate. Child language research has convincingly shown that a representative language sample is a necessary component of an evaluation process if an adequate description of one's linguistic ability is to be obtained. Thus, an assessment tool like the PPVT, which does not require the testee to talk (to produce linguistic forms), should never serve as the sole indicator of a child's knowledge of language. Of the seven tests being evaluated, only the DSS and the CFUA include procedures for analyzing a spontaneous speech sample. If the other five tools are to be utilized at all, they should be used only in conjunction with procedures that require an analysis of a language sample.

A comment is in order regarding the adequacy of the frameworks in which language samples are analyzed. Note that the framework proposed in the CFUA tool differs substantively from that proposed for analyzing the syntactical complexity of the spontaneous speech elicited by the HTLD. Recall that the CFUA tool provides specific procedures for describing the content of children's language, the forms which code content, and the way in which forms are used in children's language. The HTLD provides a set of unprincipled expectations about the types of syntactic constructions three-, four-, five-, and six-year-olds will produce. Consider the following criteria for assigning credit for the testee's spontaneous utterances: three years, uses phrases; four years, uses incorrect sentences; five years, simple statement of fact--complete sentences; six years, develops a sequence by the use of a theme or a plot (Crabtree 1963:23).

These criteria clearly show that the framework for analyzing syntax is grossly inadequate and incapable of providing an accountable description of a child's syntactic abilities. Thus, analyzing a language sample becomes a fruitless exercise when false assumptions underlie the analytical framework.

4.1.3 The procedure can account for language variation. Sociolinguistic research has shown that the forms of a language used to code concepts can vary as a function of age, sex, social class, ethnicity, and geographical region. Standard English, Black English, and Appalachian English are all varieties of the English language whose differences can be attributed to one or more of the factors just cited. Most assessment tools ignore language variation when specifying which forms are acceptable as evidence for a speaker's knowledge of specific language concepts. For example, the GCS penalizes a testee if he does not use the Standard English code. This is true also...
for the UTLD, the HTLD, the BLST, and the DSS. The author of the DSS emphasizes that the procedure is 'appropriate only for children learning standard American-English grammar' (Lee 1974:xix). While this statement protects speakers of other dialects from having the forms characteristic of their dialects evaluated according to the DSS Standard English norms, it also serves as a rationale for maintaining this unnecessary limitation. Studies of Black English, Appalachian English, and Puerto Rican English have described some of the features unique to these language varieties. Thus, it is possible to adapt a procedure so that it will be appropriate for examinees who speak nonstandard varieties of English. When adaptations are not provided, the title of the test should reflect the fact that it is appropriate only for a select group of speakers. For example, because of its focus the GSC should be called the Standard English Grammatic Closure Subtest. Such a title would boldly indicate that this test should not be used to evaluate the morphological systems of nonstandard speakers.

The fact that most language tests do not provide methods for handling dialect variations grew out of the erroneous notion that knowledge of a language involved not knowing linguistic forms in the universal sense, but knowing a particular variety of forms. If valid assessment tools are to be developed, language will have to be viewed from a more universal perspective, that is, test constructors will have to be more concerned about whether a child has acquired concepts like negation, possession, causality, plurality, etc., and less concerned about the specific variety of forms that are used to code such concepts.

4.1.4 The procedure reliably indicates whether a system is developing normally. In order for an assessment tool to indicate whether a system is developing normally, it must provide a method for evaluating the order in which specific linguistic knowledge appears in a child's system. For example, studies of phonological acquisition have shown that stops are generally acquired before homorganic fricatives; thus one would predict that if a child could produce fricatives he should also be able to produce stops. Violations of expected patterns often provide evidence of deviant development.

In addition to considering the order in which knowledge is acquired, an assessment procedure should also be concerned about the age at which linguistic information is acquired. Studies have shown a fairly wide range of variation with respect to age of acquisition. For example, Adam, Sarah, and Eve, discussed by Brown (1973), acquired the present progressive marker at the ages of 2;6, 2;10, and 1;9, respectively. Overall, the findings of the language acquisition research indicate a near invariant order with respect to the acquisition of linguistic knowledge; however, extensive variation in the age at which specific knowledge is acquired has been
reported. A reliable statement regarding when a child is expected to exhibit certain linguistic information should be based on observations of a fairly large number of children.

When the foregoing question is asked regarding the HTLD, the UTLD, the PPUT, and the GCS, it must be answered negatively, for none of these tools systematically addresses the issues regarding order and time of acquisition of linguistic knowledge. The results of the CFUA can be compared with some well-documented findings related to the order in which language abilities are acquired, particularly during the early phases of development. Because a limited number of studies have focused on the later stages, a less reliable order could be proposed. In general, though, the issue of order is a central concern of the CFUA. No reliable statements regarding time of acquisition are possible within the framework of this tool, for the principles underlying this procedure are based on data from a fairly small population of children.

Reliable statements about the order and time of acquisition of the eight grammatical categories assessed by the DSS can be made, for predictions about the sequence in which categories are acquired and when they are acquired are based on the speech samples of 200 children between the ages of 2-0 and 6-11.

4.1.5 The results of the procedure provide principled guidelines for language intervention. If the first guideline cannot be met, that is, if the fundamental assumptions underlying the tool are not valid, then no basis will exist for developing principled intervention procedures. Consider, for example, the lack of direction that the PPVT provides for language intervention. Although the examiner can calculate the testee's intelligence quotient, percentile score, and mental age, the results of the test do not provide any theoretically supported suggestions regarding which vocabulary items should be taught at different stages in a child's intervention program. These comments are also relevant for the HTLD and UTLD. For example, if a child uses only two-word utterances, how will information regarding his reading and writing skills aid in the construction of his language rehabilitation program? Obviously, such skills are not directly relevant to the task of expanding the child's linguistic knowledge.

Evaluation of the GCS within the framework of this question shows that while this subtest can reveal the specific morphological rules that have not been acquired by a Standard English speaker, no recommendations are provided regarding the order in which unacquired rules should be taught. It has been observed (Brown 1973) that the grammatical morphemes appear in a certain order and this order should be considered when intervention goals are being developed.

An examination of the DSS indicated that a general developmental sequence had been specified for the eight grammatical
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categories and their subcategories. A serious shortcoming of this sequence, however, is that its relationship to the developmental sequence of other grammatical categories, specifically those which have been excluded from the DSS procedure (adverbs, grammatical morphemes, and embedded sentences) is not discussed. Thus, if a child exhibits problems with personal pronouns and prepositions, no recommendations regarding the ordering of the former and the latter for language teaching are presented.

This guideline can be easily met by the CFUA, for Bloom and Lahey view their procedure as a subpart of an overall plan for language intervention. According to these investigators, the plan consists of three parts:

...a description of the language behaviors that are a part of language learning, a sequence of these behaviors based on normal development, which represents an hypothesis about the order in which they can best be learned...and a means for determining which behaviors, or rules, are an established part of the child's system and which are yet to be learned (Bloom and Lahey 1978:439).

The goal of the CFUA is to reveal what the examinee knows and what he does not know about the target linguistic system. The major rationale for developing the CFUA procedure was to provide information that could be used to construct principled guidelines for language intervention.

4.1.6 The procedure can provide an adequate description of some aspect of the child's knowledge of language. Given the enormous complexity of language, it would be unrealistic for a test to attempt to evaluate every aspect of a speaker's linguistic knowledge. An adequate test should have a clearly defined focus—that is, it should be specifically designed to assess the grammatical system, the phonological system, or subcomponents within these systems. The inability of a tool to elicit the appropriate data for revealing a speaker's knowledge about at least one of the components of language generally indicates that false assumptions about the nature of language underlie its theoretical foundation. When the UTLD and HTLD are examined within the framework of this guideline, it is seen that neither of these tools is capable of eliciting systematic information about a particular subsystem of language. Both tests contain an unfocused collection of items, many of which—as noted earlier—elicit behaviors that are totally unrelated to existing descriptions of linguistic knowledge.

While the PPVT focuses on a specific subcomponent of language, the test is incapable of providing an acceptable description of the latter. Its inability to characterize adequately a speaker's receptive knowledge of the lexical component is due in part to the absence of input from research on
lexical growth. A sound hypothesis based on empirical research would provide a principled rationale for the selection of items for a vocabulary test. An arbitrary set of items will only provide an arbitrary and often misleading description of the speaker's lexical knowledge.

The BLST was not designed to provide detailed descriptions of specific subcomponents of language. The test, as its name indicates, was designed to screen a child's knowledge of certain aspects of the linguistic systems. For example, items in the syntactic section elicit information regarding knowledge of rules for negation and subject-verb agreement, but evidence for other rules (such as those which govern embedding, conjoining, and question constructions) is not elicited. This test, like other screening devices, can be used during the first phase of an evaluation procedure; however, in order to obtain a complete picture of a child's abilities, more extensive data will have to be elicited.

The GCS provides a rather detailed description of a speaker's knowledge of Standard English morphological rules. The test elicits evidence for knowledge of regular and irregular plural markers, regular and irregular past tense markers, prepositional forms, pronominal forms, the possessive marker, the present progressive marker, comparative and superlative markers, and a nominalization marker.

While the DSS does not provide a full description of the grammatical component, information about eight subsystems of this component is revealed. The procedure has the capacity to describe adequately the subsystems that are examined.

The CFUA is capable of providing accountable descriptions of the child's semantic, grammatical, and pragmatic knowledge. This procedure is exceptional in that it provides a method for describing aspects of the pragmatic component. This latter method is not as well developed as those utilized for the analysis of the semantic and grammatical systems. For example, specific criteria should be presented to determine whether a response is 'appropriate' or 'inappropriate'. While revisions in the method used to analyze the pragmatic component are needed, this component in its present form represents a major step forward in the area of language assessment.

Table 1 provides a summary of the results of the evaluation of the seven assessment tools according to the criteria discussed in the foregoing sections.

I realize that more specific and detailed evaluations could have been presented for each test, but such a task was not attempted for the goal was to provide a general set of guidelines which could serve as criteria for the first but most important phase of test evaluation. When the guidelines I have proposed cannot be met by a particular test, secondary problems like poor pictures, confusing scoring systems, and inadequate instructions need not be considered. The point is that once a potential user of a test realizes, for example, that
the assumptions about language underlying a tool are invalid, then the questions regarding whether the pictures are of good quality or whether the scoring system is confusing become irrelevant.

Table 1. Results of the evaluation of seven assessment tools according to some proposed guidelines based on linguistic research.

<table>
<thead>
<tr>
<th>Proposed guidelines</th>
<th>UTLD</th>
<th>HTLD</th>
<th>BLST</th>
<th>PPVT</th>
<th>GCS</th>
<th>DSS</th>
<th>CFUA</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) The assumptions about language which underlie the procedure are valid.</td>
<td>-</td>
<td>-</td>
<td>+</td>
<td>-</td>
<td>+</td>
<td>+</td>
<td>+</td>
</tr>
<tr>
<td>(2) The procedure includes an analysis of a spontaneous speech sample (when an oral system is used to communicate).</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>+</td>
<td>+</td>
</tr>
<tr>
<td>(3) The procedure can account for language variation.</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>(4) The procedure reliably indicates whether a system is developing normally.</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>+</td>
<td>-</td>
</tr>
<tr>
<td>(5) The results of the procedure provide principled guidelines for language intervention.</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>+</td>
<td>+</td>
</tr>
<tr>
<td>(6) The procedure can provide an adequate description of some aspect of the child's knowledge of language.</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>+</td>
<td>+</td>
<td>+</td>
</tr>
</tbody>
</table>

UTLD: Utah Test of Language Development
HTLD: Houston Test of Language Development
BLST: Bankson Language Screening Test
PPVT: Peabody Picture Vocabulary Test
DSS: Developmental Sentence Scoring
CFUA: Content, Form, and Use Analysis
GCS: Grammatic Closure Subtest of the Illinois Test of Psycholinguistic Abilities

4.2 Guidelines specified by PL 94-142. I now turn my attention to the criteria for evaluating language assessment tools that were set forth by PL 94-142. The discussion follows the format of that utilized in Section 4.1. The guidelines are stated and the results of the evaluation of the seven tests are discussed.

4.2.1 The test has been validated for the specific purpose for which it is used. The law does not present any criteria that a test should meet in order to be considered valid. Thus, invalid tools (like the UTLD, the HTLD, the BLST, and the PPVT) which purport to be valid are able to meet this guideline.
4.2.2 The test is administered by trained personnel in conformity with the instructions provided by its producer. The five standardized tests can easily meet this criterion, for specific instructions regarding the administration of these tests have been provided and the latter are straightforward and simple. Instructions provided by procedures which require the analysis of a spontaneous language sample like the DSS and the CFUA are generally more complicated than those included in formal tests; however, the former type can be followed by trained personnel.

4.2.3 Tests should include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient. A valid language test can be utilized to assess linguistic knowledge, a critical area of educational need. Since all of the tools being evaluated claim to assess language or some aspect of it, and since none of the tools uses the single general intelligence quotient to report the results of the evaluation, this criterion can be met by all seven devices. When the form in which results are reported was considered, it was noted that the HTLD provides a basal score (the lowest age at which all items were passed), an upper score (the highest age at which any item was passed), and a language age (obtained by summing all correct responses).

To cite another example, the results of the PPVT can be expressed in the form of an intelligence quotient, a percentile score, and a mental age.

4.2.4 Tests used for the evaluation and placement of handicapped children must be selected and administered so as not to be racially or culturally discriminatory. This important criterion provides evidence that the issue of language variation has been seriously addressed by PL 94-142; however, my examination of the seven tools selected for evaluation indicated that they all contained items and procedures that would be inappropriate for speakers of dialects (e.g. Black English, Appalachian English) other than Standard English. If the linguistic principles underlying a tool are basically sound, then it would be worth revising it in order to make it appropriate for a wider population of speakers. For example, given the results of the linguistic assessment, I would recommend a revision of the CFUA, the DSS, and the GCS; however, the overwhelmingly negative results of my analysis of the UTLD, the HTLD, the BLST, and the PPVT clearly show that these tests are not worth revising. It should be pointed out that the revised version of a test should be normed on the appropriate population; otherwise, the scores cannot be viewed as reliable measures of the behavior that was assessed.
An additional set of guidelines which refer to the general evaluation procedure, and not specifically to formal tests, were also specified by PL 94-142. A discussion of these follows.

4.2.5 Tests are provided and administered in the child's native language or other mode of communication, unless it is clearly not feasible to do so. This criterion addresses the critical issue of assessing the language of non-English-speaking children. If a child's native language is Spanish or Navaho, then only a Spanish or Navaho procedure would be appropriate for evaluating his linguistic system. If formal procedures are not available, then the necessary steps should be taken to provide an alternative but valid assessment of the speaker's language. Such steps could involve analyzing a spontaneous sample of the child's language and comparing the results with descriptions of the target language. If the analyst is not a native speaker of the language, the aid of a native speaker should be sought in dealing with translations and predictions regarding the time and order of appearance of linguistic forms.

The clause 'unless it is clearly not feasible to do so' (i.e., to administer a test in a child's native language) should be deleted from this guideline, for it gives institutions permission not to provide valid assessments of non-English-speaking children's linguistic abilities.

4.2.6 No single procedure should be used as the sole criterion for determining an appropriate educational program for a child. This guideline requires the evaluators to utilize at least two procedures for the purpose of evaluating a child's abilities and developing a challenging educational program. While the number of procedures utilized is indeed important, the ability of particular tools to meet rigorous validity criteria should also be a primary concern, for if two or even three invalid tests are used to assess a child's knowledge in a specific area, only invalid results will be obtained. Suppose, for example, that the UTLD, the HTLD, and the PPVT were all used to evaluate a speaker's language. One would certainly meet the criterion of using more than a single procedure, but it will be impossible to meet the goal of providing a true picture of the child's linguistic knowledge.

4.2.7 The evaluation is made by a multidisciplinary team or group of persons, including at least one teacher or other specialist with knowledge in the area of the suspected disability. A specialist in the area of the suspected disability should always be a member of the evaluation team. The recommendations of a competent specialist can provide the necessary evidence for placing a child in an appropriate program. The results of the evaluation of the seven language assessment devices according to a subset of the guidelines (those
related to formal procedures) of PL 94-142 are summarized in Table 2.

5. A comparison of the results of the two evaluations. As Table 3 shows, a comparison of the evaluations of the seven tools according to the two sets of guidelines revealed opposing results for five tests; that is, the UTLD, the HTLD, the BLST, the PPVT, and the GCS were able to meet more than half the guidelines specified by PL 94-142, but the converse was not true regarding the guidelines based on linguistic research. How can one account for this dramatic mismatch between the results of the two evaluations? The latter can be attributed to the more rigorous requirements that are set forth in the linguistically based guidelines. A guideline (specified by PL 94-142) which requires that a test be validated for the specific purpose for which it is used, but which does not specify any validity criteria, can be met by superior as well as inferior assessment devices. A useful set of criteria for assessing language and other evaluation procedures must be able to distinguish between adequate and inadequate tools; otherwise, the assessment process will be reduced to a meaningless exercise. Overall, the comparison of the two evaluations clearly illustrates that the lack of input from linguistic research has resulted in the construction of a set of guidelines which cannot protect the handicapped, as PL 94-142 intended, from misleading and invalid linguistic evaluations.

APPENDIX

Utah Test of Language Development

The UTLD provides the clinician with an objective instrument for measurement of expressive and receptive verbal language skills in both normal and handicapped children (Mecham, Jex, and Jones 1967:1). According to the authors, the test utilizes the developmental approach for appraisal of language readiness.

The test consists of 51 items which are subdivided according to the expected age of acquisition. The items for each age level are listed here.

The examiner determines whether the child can perform the following tasks.

1-2-year level

1. Respond to name and no-no.
2. Follow simple instructions.
3. Mark with a pencil or crayon.
4. Recognize names of common objects (e.g. ball, hammer, marble, pencil, gun, and cup).
5. Recognize parts of the body when named.
6. Recognize parts of the body not named in item 5.
7. Identify common pictures when named (e.g. hammer, gun, ball, pencil, cup, and doll).
8. Use word combinations of two or more.

2-3-year level

9. Name common pictures (e.g. wagon, cat, dog, shoes, car, book, boy, girl, house, and candy).
10. Name common pictures (child is expected to name more pictures than were named in item 9 in order to receive a score).
11. Repeat two digits.
12. Respond to simple commands.
13. Identify action in pictures.
14. Name one color.
15. Point to pictures named (e.g. table, bird, ball, sitting, leaf, catching, hitting, fly, and peeking).

3-4-year level

16. Repeat three digits.
17. Say full name.
18. Name common pictures (e.g. wagon, cat, dog, shoes, car, book, boy, girl, house, light, candy, hand, and fence).
19. Recite at least one nursery rhyme.
20. Copy a cross.

4-5-year level

21. Name colors.
22. Repeat four digits.
23. Carry out three commands.
24. Repeat a 12-syllable sentence.
25. Draw with pencil or crayon.

5-6-year level

26. Copy a square.
27. Print simple words.
28. Point to pictures depicting: freckle, argument, tumble, and signal.

6-7-year level

29. Identify (by naming) penny, nickle, and dime.
30. Write numbers to 30.
31. Tell a familiar story.
32. Read words on pre-primer level.
33. Recite numbers from 1 to 50.
34. Copy a diamond.

7-8-year level

35. Point to pictures depicting the following: tackling, refreshment, cheerful, loser, liquid.
36. Identify (by naming) quarter, half-dollar, and dollar.
37. Repeat five digits.
38. Name the days of the week.

Bankson Language Screening Test

The BLST 'was developed to provide a means by which a number of psycholinguistic as well as perceptual skills could be surveyed in children...' (Bankson 1977:1). The author also notes that the test was designed to assess expressive language.

The test consists of 17 nine-item subtests organized into five general categories: semantic knowledge; morphological rules; syntactic rules; visual perception; and auditory perception. The subsections for each category are listed here. Examples of tasks are also described.

I. Semantic knowledge

A. Body parts: the testee is asked to name nine body parts.
B. Nouns: identify pictures of nouns.
C. Verbs: name actions depicted pictorially.
D. Categories: classify objects.
E. Functions: indicate the function of a set of objects.
F. Prepositions: identify the location of a set of objects.
G. Colors/quantity: identify six colors, indicate knowledge of the concepts more and most, and count to 15.
H. Opposites: give the word which codes the opposite meaning of a set of concepts, e.g. big, easy, heavy.

II. Morphological rules

I. Pronouns: respond to items which are constructed to elicit the following: her, them, both of them, him, she, they, he, hers, theirs, his.
J. Verb tenses: respond to items which are constructed to elicit the present progressive marker, the third person singular marker, and past and future markers.
K. Plurals, comparatives, superlatives: respond to items which elicit regular and irregular plural markers, and comparative and superlative markers.
III. Syntactic rules

L. Subject-verb agreement/negation: respond to items which elicit knowledge of rules which govern subject-verb agreement (e.g. *He walks. They ___ (walk), and knowledge of rules for coding negation (e.g. *This cake was eaten, but this cake ___ (wasn't)).

M. Sentence repetition, judgment of correctness: testee is asked to repeat five sentences and indicate whether a set of four sentences are grammatically correct.

IV. Visual perception

N. Visual matching, discrimination: after examining a set of five objects the testee is required to identify the matching ones. The discrimination task requires the child to identify objects which should not be included in a particular category.

O. Visual association, sequencing: child is required to categorize objects based on their functional similarity to other objects. The sequencing task involves examining a specific sequence of items, studying alternative sequenceings of the same items, and finally selecting the original sequence presented.

V. Auditory perception

P. Auditory memory: child is asked to repeat sets of single words and sentences presented by the examiner.

Q. Auditory sequencing, discrimination: a series of events are related to the testee and he is instructed to retell the events in the same sequence in which they were presented. The auditory discrimination tasks involve distinguishing between words that are minimal pairs, e.g. the testee is shown pictures of a *key, *cup, and *bee, and instructed to point to the *key.

Illinois Test of Psycholinguistic Abilities
(Grammatic Closure Subtest)

The ITPA is a comprehensive assessment device that was developed within the framework of Osgood's model of communication (1957). It consists of 12 subtests but only one, grammatic closure, is focused on here.

According to Kirk, McCarthy, and Kirk (1968:11), the grammatic closure subtest was designed 'to assess the child's ability to make use of the redundancies of oral language in acquiring automatic habits for handling syntax and grammatic inflections'.

The subtest includes 33 sentence completion tasks which elicit responses that can reveal information about a child's
knowledge of the morphological rules of Standard English. The presentation of the completion tasks is accompanied by a picture which represents the specific form being elicited. For example, the examiner points to a picture of one bed and says 'Here is a bed', then points to a picture of two beds and says 'Here are two ____'. The child's expected response is beds.

The Developmental Sentence Scoring Procedure

The Developmental Sentence Scoring technique provides a procedure for analyzing eight categories of grammatical forms. These include indefinite pronouns, personal pronouns, main verbs, secondary verbs, negative forms, conjunctions, interrogative reversal question types, and wh- questions. Data for the analysis consist of a set (50 or more) of complete sentences (must contain a subject and a verb) which are extracted from a spontaneous speech sample. Detailed instructions regarding the scoring of the sentences are provided in Chapter IV of Lee (1974:132-163).

Peabody Picture Vocabulary Test

According to Dunn (1965:25), the PPVT was 'designed to provide an estimate of a subject's verbal intelligence [emphasis in the original] through measuring his hearing vocabulary'. The test contains 150 plates and each includes four pictorial representations of vocabulary items. For example, plate 33 includes representations of a letter, a trunk, a pitcher, and a saw. The examiner says the name of one of the pictures and the testee is instructed to identify the item by pointing or giving its corresponding number.

NOTE

1. This figure represents an estimate of the number of handicapped children in the school-aged population. It was cited in the Liaison Bulletin (1979:2).

REFERENCES


Table 2. Results of the evaluation of seven assessment tools according to a subset of the guidelines of Public Law 94-142.

<table>
<thead>
<tr>
<th>Guidelines</th>
<th>Language assessment tools</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>UTLD HTLD BLST PPVT ITPA DSS CFUA</td>
</tr>
<tr>
<td>(1) The test has been validated for the specific purpose for which it is used.</td>
<td>+ + + + + + +</td>
</tr>
<tr>
<td>(2) The test is administered by trained personnel in conformance with the instructions provided by its producer.</td>
<td>+ + + + + + +</td>
</tr>
<tr>
<td>(3) Tests should include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient.</td>
<td>+ + + + + + +</td>
</tr>
<tr>
<td>(4) Tests used for the evaluation and placement of handicapped children must be selected and administered so as not to be racially or culturally discriminatory.</td>
<td>- - - - ☄ ☄ ☄</td>
</tr>
</tbody>
</table>

+ Procedure can meet guidelines.
- Procedure cannot meet guidelines.
⊄ Procedure can be adapted to meet guidelines.
Table 3. A comparison of the results of the evaluations of seven assessment tools according to the guidelines of PL 94-142 and those based on linguistic research.

<table>
<thead>
<tr>
<th>Percentage of guidelines met</th>
<th>Language assessment tools</th>
</tr>
</thead>
<tbody>
<tr>
<td>Met at least 50% of the subset of the guidelines specified by PL 94-142</td>
<td>UTLD HTLD BLST PPVT GCS DSS CFUA</td>
</tr>
<tr>
<td></td>
<td>yes yes yes yes yes yes yes yes yes</td>
</tr>
<tr>
<td>Met at least 50% of the proposed guidelines based on linguistic research</td>
<td>no no no no no* yes yes</td>
</tr>
</tbody>
</table>

*This procedure would be able to meet 50% of the guidelines based on linguistic research if it could account for language variation.
METAPHORICAL AGGRESSION: 
BLUENOSES AND CoffIN NAILS

Dwight Bolinger
Harvard University, emeritus

This essay is about metaphorical applications and their use in establishing our reality—by us and for us, but particularly for us, because that is the basis of linguistic persuasion: the names that are given to things, the categories they represent, our reactions to them, and how they can be manipulated.

Before launching my prize example, I start with another as remote as possible from Lady Nicotine to show the universality of the problem, and from there I proceed to what I believe are the ways in which metaphor takes shape in the process of making sense out of things, at the earliest stages of cognitive growth.

The trial of Dr. Kenneth Edelin in Boston in 1975 was a showcase. Edelin had performed an abortion on a young woman at Boston City Hospital, and was arrested and accused of not having done enough to keep the fetus alive. Prosecution and defense each had its favorite metaphors to accommodate the fact of abortion to its view of the world. The prosecutor insisted on calling the whatever-it-was a baby or a child; the defense called it a fetus or a product of conception. The question of life also came up—was the whatever-it-was a living being, or something less than alive? There was also the question of ending life—if the fetus was alive, was the doctor guilty of murder? The question of infants' rights came up too—the right to life, as one side called it—and that was balanced against the right of choice and control over one's own body. Superficially, this looks like just a bandying about of labels, but it is more than that; it is rather a question of psychological themes or metaphorical complexes that pick up slogans as we try to talk about them; but the slogans in turn influence the thinking. Not to dwell too long on this particular example, I should mention a letter to the editor that appeared a short time ago in our local daily, in which
the writer used most of these well-worn expressions but added a new one: she called the fetus a pre-born baby. It is obvious where she is trying to put the dividing line in the question of life before birth. If you say unborn baby you are using a negative prefix un- that has a subtle implication of negating the babyhood. Pre-born simply stretches the separation between the living and the non-living so that living includes everything from the moment of conception on.

We face dilemmas of this sort every day. They are the heart of most legal disputes. One person kills another. Was it murder or self-defense? The State of California imposes a sales tax on most items sold, but not on food. Is candy a food? For many years the sales of candy were taxed; naturally, the sweets industry resisted—what really distinguishes a box of chocolates from a package of some other confection such as chocolate-coated marshmallow with a cookie base? The state finally capitulated and accepted candy as food.

The dilemmas make news when feelings run high. Ask most people whether they believe in the right to life and they will say yes, and will give the same answer if asked whether they think a woman should have freedom of choice or control over her own body. The conflict between the two positions does not become apparent until some other value intervenes—the rights of the unborn, the need to avoid overpopulation, the interests of the state in maintaining its armies, religious doctrine, sentimental attachment to young and small things. Then the epithets begin to fly: slum-breeding, racial suicide, clerical meddling, socialized medicine.

My point is that when we name something we perform a comparison. If you think about what happens when you have a new experience, you cannot miss the part that metaphor plays in fitting it in with your view of the world and in modifying the world view as you go along. Every new experience has to 'go' somewhere in your mental filing system. How do you decide what folder to put it in? When an old experience is repeated, you know where to put the repetition. But a new one will not quite match the contents of any of those folders, and you are faced with having to stretch your conception of one of them to find a place for it. Or maybe you have to assign a new folder, but then you have to decide what other folders it shall be close to—which is to say that you not only classify things in folders but you have an arrangement of the folders themselves. This kind of operation is simply comparison on an elaborate scale, and it goes on all the time. Even when you try to escape by treating the new experience as something entirely unique and giving it a unique name, you discover that you are still in the same trap because in spite of yourself you are probably going to invent a name that resembles in some way the names of things that happen to resemble the thing you are naming. If metaphor does not apply directly, it applies indirectly; it is a metalinguistic metaphor.
It is pretty clear that we make these comparisons every hour of the day, but I maintain that it is more than a casual occurrence—that it is actually the mechanism through which reality is organized and the whole construct of language is built, in all its forms and rules and applications. The world we carry in our heads is a vast elaborated metaphor. If that is true, the business of metaphorizing must get a pretty early start. The nucleus of metaphor seems to be the sorts of things a child cannot help noticing. Certain objects and actions are conspicuous because of the body's innate equipment and its interaction with the environment.

For instance, Herbert and Eve Clark point out (Clark 1978) that there are certain 'best' colors for the human visual system; these are noted first, and all languages have names for them. Other colors may or may not be named, according to how important color is in the culture; but when they are, they tend to be named by comparison with the basic colors—light yellow, deep green, greenish blue. Besides best colors there are also best shapes—open shapes of line and curve, closed shapes of square and circle. When a child misuses a name of something, it is apt to be on the basis of one of these shapes—some other round thing will be called a moon or some other long thing a stick—and the same shapes turn out to be the very ones that some languages use to classify all objects. English does it sporadically—a stick of candy, a round of applause, a length of rope. There are also natural dimensions—verticality, for instance: the child feels this as the pull of gravity, the sensation of falling, the maintaining of equilibrium in walking; and this in turn defines the directions of up and down.

Our conceptions of space are built around these perceptions from childhood. Besides up and down we have over and under, here and there—hereness is built on contact and separation. There is also the motion that goes with contact and separation, which gives us from and to. Then come the intervals between operations—the from and to of a pendulum, or the delay between two periods of contact with the mother—this is the basis of time, and since it comes after the organization of space, we find universally the use of space metaphors to classify time: before and after, long and short, near and remote (Traugott 1978). The whole string of prepositions comes from spatial comparisons. As the child's grasp of phenomena widens, we find metaphors of causation, power, measure, value, adherence or loyalty, preference, and all the vast catalog of principles that enables us to make sense of the world largely by imposing sense on it—and by imposing our metaphors on other people and having theirs imposed on us.

This happens whenever we explain something, which comes down to relating what a person already knows to what we want him to know. Just the choice of a term for something unfamiliar makes use of this by drawing on the listener's ability to make a comparison between a concept he knows and the situation that
happens to be in front of him at the moment. This is the way tools and parts of tools get named, by transfer from other tools. Suppose you have a stapler that misbehaves by not clinching the staples properly and leaves the points exposed so that you are liable to prick your finger. You take it in to complain and you want to refer to the little grooved part that the points are pressed into by pressure from above and that is supposed to bend them and curl them upward. You have no name for it, but suddenly it occurs to you to call it an *anvil*. Of course, it is not that in the blacksmith's sense, but you have made a comparison in your own mind and you know that your hearer will resonate. We may not think of this as metaphor because it is not far-fetched—we might be tempted to say that that part of a stapler 'really is' an anvil. *Metaphor* and the indefiniteness of categories go hand in hand.

If experience comes together in a tissue of metaphors, there must be linkages between them, metaphors that belong in larger complexes. I use the word 'theme' for such a metaphorical complex. This is not to draw a strict line between a theme and a metaphor, but rather to take 'theme' as an associative principle; so if I use the name of a metaphor as the name of a theme, it is only because that metaphor is typical of that theme. For example, the theme of Youth ties in with comparisons not only of age but of strength, beauty, newness, daring, and maybe a streak of rebelliousness. Look for what happens when people free-associate, and you have a clue to the ganglionic ramifications of metaphors and themes.

Now if metaphorizing is not only our means for organizing our world but also, as I suggested, the means by which we bring our conceptions into line with others' and others' in line with ours, through language, this is where the propagandist steps in. It makes no difference whether this person is an advertiser or a political operator—the idea is that if your world is up for grabs in the matter of being organized, it might as well be organized to his advantage. There is nothing necessarily conspiratorial in this—everyone does it when trying to convince someone of something. The only difference is in the scale and power of mass communication, where most of us are consumers and not producers.

My main example is the success story of the tobacco industry and the propaganda for and against the use of tobacco. What makes tobacco such a good case history of the power of certain themes to sway us is the colossal paradox of the place it occupies in society. Here is a government that will not permit you to drive a car that produces certain emissions, that forbids a garment manufacturer to put a fire-retardant chemical in clothing, that allows no residue on food of any pesticide that poses even the slightest risk of cancer, that prohibits the sale of food colorings, that even for a time banned the sale of saccharine, and at the same moment not only permits the sale of a product linked with the deaths of a quarter million persons a
year, but supports it through subsidies and with the encouragement of no less a person than the chief executive. It is inconceivable that this could come about otherwise than through a massively successful metaphorical fitting of the use of tobacco into our conceptions of our society. I want to maintain that it has been accomplished through the kinds of metaphoric attachments that have been made with both the use and the opposition to the use. If you want to convince someone that your position is the right one, you have to play not only on the themes that are favorable to you, but on the ones that are unfavorable to your opponents.

The first theme in my inventory goes all the way back to the beginnings of tobacco use in the sixteenth century. Tobacco was thought by the American Indians to have curative powers, and this notion was imported along with the product. But it was also used for gratification, which put it in the category that is covered by the Drug theme. An instance of this was a story published in the Anti-Tobacco Journal after the assassination of President Lincoln, claiming that 'one of the assassins ...confessed to having smoked a cigar before the deed was committed'. The Drug theme was the chief weapon against tobacco in the nineteenth century exactly as it has been invoked against the use of marijuana in our times, with one difference in the associated metaphors: besides health, it was then linked to sinful pleasure, whereas now the connection is with antisocial behavior. Tobacco and other similar agents are no longer connected in the secular mind with the notion of sin—we can ask with Karl Menninger, What ever became of sin?—and over the years it became so ritualized that it was no longer regarded as antisocial. So it has been able to fight free of the Drug theme. There appears to have been a bit of skillful manipulation on the official scene as well, where drugness is concerned: former Senator Maurine Neuberger notes that in the 1890 edition of the U.S. Pharmacopoeia, tobacco was listed—that is, officially it was a drug; but in the 1905 and later editions, it was dropped (Neuberger 1963). She speculates that this was to ensure passage of the 1906 Food and Drug Act, for which the votes of tobacco state legislators were needed. This had the result that the Food and Drug Administration would have no regulatory control over the product. It was not a drug, and it certainly was not a food.

But Drug theme aside, the Health question remained, and up to about 1950 you could find doctors on both sides; a favorite form of magazine advertising in those days featured white-coated figures with test tubes and such slogans as 'More doctors smoke Camels than any other brand'. There were positive claims for tobacco as an aid to digestion and a treatment for asthma. But as the evidence built up, such appeals became more and more difficult to justify. Actually, most of the serious ills associated with tobacco had already been identified before the end of the last century--cancer of the mouth and throat in
the 1850s, heart disease in the 1880s; and carbon monoxide, whose effects were emphasized by Secretary Califano in his television interview in January, 1979, was already under suspicion in 1909 (Slocum 1909:31, 35). To go back a few more years for some general impressions, you can read an often-quoted passage from my favorite monarch, James the Sixth of Scotland and First of England: 'A custome lothsome to the eye, hateful to the Nose, harmefull to the braine, dangerous to the Lungs, and in the blacke stinking fume thereof, nearest resembling the horrible Stigian smoke of the pit that is bottomlesse' (James I 1900:52).

But the industry survived that and all the other counterblasts, and it was not until this century, when clinical and population studies began to be made with refined statistical techniques, that the Health question became a one-sided threat and the tobacco industry no longer found it advantageous to mention health in any context at all. Tobacco advertising had a supply of safer themes and their use was stepped up with the aid of motivational research. But the Health issue still had to be met when it was pressed by government and other agencies, and here the industry countered with an astute manipulation of the theme of Cause. This metaphor has a particularly keen linguistic interest, and is worth dwelling on for a moment. I can put the case in the form of a riddle: what do paranoia, a pile of blocks, the philosophy of the tobacco industry, and God have in common?

The pile of blocks takes us back to the origins of the metaphor—one of those primitive ones that involve the spatial perceptions of childhood—movement, direction, nearness, sequence. A child pushes a pile of blocks and it falls. This can be repeated indefinitely, almost always with the same result. The merely temporal sequence of push plus fall is cemented into a causer-causee one, where an animate mover produces an effect. The causer, being animate, is felt to be unique—that is, the child senses the result as coming not just from his push but from his intention. There are other predisposing elements in the situation, such as the shakiness of the pile and the pull of gravity, but they are ignored because they are not endowed with intention.

This primitive notion of the intending agent leads to the folk view of causation which is enshrined in the language with the notion of singularity. The word cause comes to be treated in the same way as the words truth and law—to be used most comfortably with the singular definite article. We say 'He broke the law' when all he broke was one law; or 'She told the truth' when all she told was one truth. Similarly, when something happens we want to know 'the cause', carrying over into our adulthood the childish belief in the possibility of pinning the responsibility of something down to a single agent, a little man in the machine who reaches out and pushes over the pile of blocks. Part of this linguistic complex is what I suspect is a
universal confusion of cause and reason. The same words are used for both: 'Why did the blocks fall?—Because the wind blew or Because I pushed them. Why did you push them?—Because I wanted to'. The fallacy of animacy is just as prevalent in our conceptions of causation as the post-hoc fallacy, and is a lot more pernicious.

Here is where the tobacco industry pulls its defensive switches. If proving causation is proving the cause of something, you can never prove anything, because causation is always multiple. So when all the counting is done and the medical statisticians have shown that people who smoke are most liable to get cancer of the lungs, you counter by saying that this only shows that people who are predisposed to cancer are also predisposed to smoke. It gets more and more difficult to say this as more and more correlations are made—for instance, it would also have to be true that people who smoke are predisposed not to be Seventh Day Adventists—but the industry never gives up on this line of argument. According to the UPI account of the Surgeon General's report last January, the Medical Director of the Tobacco Institute, Dr. Charles Waite, said that while he was not an advocate of smoking (if he had not conceded this much I suspect he would have been lynched by his fellow doctors), nevertheless he 'sees an absence of total scientific facts' that would lead him to discourage smoking in general. There is a beautiful obfuscation in that passage that has nothing to do with causation but is just the effect of putting a modifier where it will do the least harm—'an absence of total scientific facts', the unprosecutable version of 'a total absence of scientific facts'. Dr. Waite went on to say—and this is where the industry still stands on the main question—that 'risks are not causes', referring, according to the report, to 'what the Institute called conflicting evidence as to a link between lung cancer and cigaret smoke'. It is fair to say that the tobacco industry might be prepared to admit that a cigaret had caused a cancer if the cancer sued and the cigaret voluntarily appeared in court and confessed: that cigaret and that cancer.

The tobacco industry was not so naive as not to realize that its position was bound to look dangerously close to a denial of the possibility of proving the cause of anything scientifically—that is, to denying the very concept of cause as it is used in science and hence denying science itself. It would not do to try to oppose science in this day and age, so science was enlisted on the side of the industry. When the first Surgeon General's report came out in 1964, the tobacco industry contributed ten million dollars to the American Medical Association for research on the effects of smoking, and it has continued its research efforts for the past 15 years. Without admitting that cigarets were unsafe, it channeled much of this research into discovering ways of reducing the elements that the anti-cigaret forces kept coming up with as causes of disease. This
enabled the industry to employ another metaphor that was not only defensive in that it helped to deflect the Health issue, but could be used promotionally as well.

This was the metaphor of 'newness', which is a perennial one in advertising—the new, improved model. Its defensive value was that it implied an escape from the old and maybe dangerous model. To every charge that cigarettes are harmful, the tobacco industry has responded—without emphasizing the connection to anything so negative as the Health problem—by saying, in effect, 'We're doing something about it': lengthening the tube, lowering tar, lowering nicotine, attaching filters, recessing the filters to prevent 'filter feedback', adding synthetic tobacco, and so on. Here we see the metaphor of 'newness' coupled to the theme of white-frocked, Argus-eyed Science, working tirelessly to improve the quality of life. It did not matter that these measures were mostly useless and that the effects of some were positively harmful (as when farmers were compelled to switch to a darker leaf to make up for the weakening of the smoke as it was filtered); the smoker felt reassured, and also in tune with the latest fashion.

Newness was one indirect way of getting around the Health question and at the same time making a positive promotional appeal. Another indirect appeal was nonverbal—images of sun and sand, hard-hat worker and plaid-shirted sportsman—suggesting a link between cigarettes and healthy people. Earlier visuals of this kind had contained outright testimonials by sports figures, and merely had to be adapted to a more subtle technique. Tobacco advertising was part of the general shift to nonverbal communication, which is the last step on the road away from propositional language. It is hard to prove misrepresentation when an ad makes no explicit claims, and both verbal and nonverbal imagery do this nicely.

But there are themes that have a deeper relevance than these comparatively superficial appeals; some of them go back to the very beginnings of tobacco use and have only needed to be slightly transformed to be invoked again with each new generation. The three that stand out most are Fashion, Freedom, and Fun, and they interlock. They are also conduits to some of our innermost and least questioned desires and allegiances.

Fashion is two-edged. It asserts most of what is good about a social practice and most of what is bad about the opposition to it. On the positive side the associated metaphors include youth, unconventionality, and daring. On the negative side are the frowzy, the intolerant, and the fuddyduddy.

The tie to youth can be seen in the words that cohere with fashion and fashionable. We readily say a fashionable young woman or a fashionable young man; but a fashionable child is odd and a fashionable old man or old woman is almost a contradiction in terms. So to the extent that cigarette smoking can be presented as fashionable, it appeals both to youthfulness—to everyone's desire to appear young—and to youth, meaning
young people. This is important for an industry that has to persuade young nonusers to become users if it is to survive. The advertising that employs visual metaphors to emphasize health also purveys youth—the robust types in the ads are young and highly presentable.

The two other associated metaphors I mentioned are unconstitutionality and daring. These are the growing end of fashion. And they are also fully shared with the second theme I mentioned, that of Freedom. Unconstitutionality and daring appeal to those who want not only to be in the swim but to be the leading swimmers. Fashion bestows in this way the illusion of exclusiveness without actually excluding anyone who accepts the point of view. You can feel fashionable just by looking at all the unfashionable people, those whose ideas and tastes are circumscribed by traditional authority. Daring as part of the fashionableness of smoking goes back to the beginnings of the habit, and has constantly been renewed as segment after segment of society—previously excluded—finally makes it. First, there were the men who smoked against the men who did not; then, the women who were bold enough to defy the sex taboo on smoking. This happened in the early nineteenth century in France and spread to the smart set in England and America. Later, it completed its swing through all social classes by spreading downward through age groups—very early for boys (for them it was an initiation into manhood and was held in check only by the inhibition of 'Children should not smoke'), much later for girls (who still had to face the taboo of 'Females should not smoke'). I cannot resist the temptation to put in a little wisdom of my own at this point by way of trying to explain something that seems to puzzle the medical people who have observed it, the fact that women find it harder to quit smoking than men do. I think it reflects the ease of acquiring the habit in the first place. With fewer taboos, men find it more a matter of easy come, easy go. With women it has been much more an affirmation of their individuality—harder to acquire and harder to let go of.

However that may be, you can see a connection here between Fashion and Freedom by way of daring. Daring to smoke is one of the ways women have had of proving themselves free of the social restraints that for them represented male domination. What keeps the rallying cry of Freedom alive is the resistance it has to overcome, and even within the feminist movement there has been a challenge. The feminists themselves were divided—one of the early forms of feminist activism was the temperance movement, which on the whole opposed tobacco as it did alcohol. A famous ad of the 1920s—one of the earliest aimed at women—coupled style with an apology for boldness: 'Women, when they smoke at all, quickly develop discriminating taste'.

Nowadays, when we think of tobacco the first thing that comes to mind is the cigaret, and I have neglected the
metaphorical associations that have turned it into the vehicle of universal smoking. The relevant metaphor is that of strength and weakness. The cigaret was regarded as a weak smoke, which was one reason why women took it up and why there was not more resistance to its use by boys. There was also a practical side—it was a cheap smoke: cigarettes could be made from leavings, or bought five for a penny. Paradoxically, the supposed weakness of the cigaret turned out to be its most terrifying characteristic—you could inhale the smoke.

To get back to the factors that have kept the daring metaphor so vital generation after generation, we now find a new one—the addition of physical to social risk. One psychiatrist who specializes in helping people kick the habit notes a kind of Russian roulette mentality: some people climb cliffs because it is dangerous, others smoke (Javers 1978). In fact, there is a sort of linguistic moral in the word dangerous itself. Dangerous forms a group with three other adjectives: wicked, naughty, and bad; spoken with the right intonation, these four words turn a threat into an invitation:

It's dangerous!

Put a glint in your eye and this says 'Let's try it!' Other adjectives will not work: It's risky (harmful, chancy, injurious, damaging). So when the cigaret companies were required to post the warning 'The Surgeon General Has Determined that Cigaret Smoking Is Dangerous to Your Health', they were not discouraging the use of cigarettes as much as might have been expected. This is just one more example of how intricate the network of associations is in language and how easy it is to slip through the net or to trap others in it if you know the tricks.

The upshot of the multiple inhibitions—social risk by way of age and sex plus physical risk—is that the daring metaphor plus all that goes with style, chic, youthfulness, unconventionality, and social protest has been good for prolonged exploitation.

The theme that I have classed it with, Fashion, has been just as useful to the tobacco industry in stigmatizing the opposition. The mainspring of fashion is a constant break with tradition, and anti-cigarette forces were from the beginning aligned with the crusading arm of traditional religious groups. They were the same ones who were responsible for the prohibition of alcohol, and their rigidity made it easy to caricature them as moral busybodies, more worried about sin than about hygiene. An episode from 1920 shows the attitudes beginning to prevail toward those who opposed cigarettes. In Kansas during the Prohibition era, it was against the law either to sell or to give away cigarettes. The law was not repealed until 1927, but in
1920 the Capitol post of the American Legion in Topeka openly gave away 20,000 cigarettes to hospitalized veterans as part of their Christmas packages. The Bluenose image was firmly fixed—the anti-tobacconist was everything that the fashionable person was not: outdated, moralistic, prating, a meddler and a killjoy. And there was more than a little anti-feminism in the construction of the Bluenose image: in the beginning it was chiefly male smokers and drinkers whose pleasures were being interfered with, and the crusaders were mostly women. Getting people to accept cigarettes as fashionable had the effect not only of spreading their use but of depriving the opposition of its troops.

We were treated to a revival of the Bluenose theme in the 1978 Proposition Five campaign in California. (Proposition Five was a measure to limit smoking in public places.) It was cunningly managed. The temperance movement had been dead for half a century, so there was no way to breathe new life into the old image in the name of Sin. But there was a handy contemporary bogey, the double bogey of Big Brother and Big Government. In the past, reformers have drawn authority from religion; now they draw it from government, and government keeps interfering in our lives more and more. The California Voters Pamphlet played on this theme in the 'No on Five' side: 'You will be voting on whether you want a big brother government, making personal decisions and controlling private property'. The coalition that opposed the measure included an indirect version of the Bluenose theme in the name it gave itself: 'Californians for Common Sense'. The members of the coalition were not really intending to pose as advocates of common sense in all walks of life—the power of their title lay in the imputation of its antonym: the people on the other side were extremists who lacked common sense—today's version of the Bluenose. Even the English pronoun system was recruited to put this point across. In two of the most publicized ads the sinister pronoun they appears: 'They're at it again! Vote No on 5', and 'Have they taken leave of their senses? Vote No on 5'.

One last observation about Fashion, to underscore its importance. The industry knows all too well how dependent it is on sustaining this theme. Its greatest fear is that smoking could become unfashionable. It happened once before. In the eighteenth century, upper class England gave up smoking and turned to snuff. Though there were many unfashionable smokers among other classes, smoking was in disfavor till well into the nineteenth century.

The sister of the Fashion theme is the Fun theme. Smoking is pleasurable and daring to smoke provides a thrill of sorts besides being the in thing. The sexual emphasis of modern advertising linked all these up: sexual freedom—and here we get the Freedom theme again—involved the same rejection of moral authority as smoking. Much cigarette advertising is
sexually suggestive both visually and verbally: the disembodied lips embracing a cigarette, the wording 'Don't filter your fun—like your pleasures big'—which the Institute for Motivational Research called 'a conscious attempt to send a latent sexual message enclosed in the language of manifest innocence' (Neuberger 1963:37). Fun is a theme that holds its own against the health scares, as one can see by the ads portraying 'macho figures in workshirts and Levi's who proclaim...that they smoke because they like it. Mortality statistics be damned...' (Javers 1978).

Most tobacco advertising plays up the satisfactions of smoking, leaning on the closely linked themes of Fashion, Freedom, and Fun. But we find increasing in popularity a different kind, institutional advertising; it touts the practical advantages and services offered by the product and the producer. Industry groups generate good will by making known their contributions to society—dairy associations speaking of nutrition, power companies extolling the cheapness of electricity, oil companies advising the public on how to conserve energy. The tobacco industry has two metaphors that are useful for this purpose and for blunting any hostile moves on the part of government: revenue and jobs, both attached to the theme of Business (the Economy, etc.).

Revenue is a manifestation of the metaphor of value, which underlies all monetary systems. If I trade you my bubble gum for your baseball cap, you and I have made a comparison, saying that these two objects are the same for a given purpose. Governments abstract that comparison and reify it in the language of money. We can speak of a product as generating revenue or money as if it meant that something of real worth were being created. Where tobacco was concerned, revenue came on the scene when cardinals and princes tried to stamp out the use of tobacco by taxing it to death. They failed, but succeeded in enriching their treasuries, and tobacco sales and taxes have been one of the main supports of governments ever since. Count Corti in his History of Smoking describes another device, the state monopoly, first created in Venice, which was such a success that secular and religious authorities gave up their ban on tobacco, and governments ended by urging 'their subjects to smoke more and more' (Corti 1931:151). Coming down to the present, tobacco taxes in the United States are about six billion dollars a year, and tobacco sales abroad are a factor in the balance of payments.

The other institutional metaphor, that of jobs, parallels value in that it brings all occupations down to a single level, without distinction of worth in product or service: to have a job is an economic common denominator, whether you assemble pipe organs or dream up jingles for children's television. The tobacco industry employs about four million people in agriculture, advertising, research, and marketing in the United States. The appeal to jobs is a powerful one.
Figure 1 shows the principal themes and metaphors and their approximate relationships: The Xs show negative correlations—that is, smoking is not the cause of disease, the Bluenose theme is opposed to that of Fashion and the Big Government theme is opposed to that of Freedom. It is a formidable apparatus for its simplicity as much as for the psychological depth of the appeals that it makes. Nothing less could have molded our reality for us to the point of allaying the misgivings that are attached to drugs in general, or made it possible for government to subsidize that product and at the same time strike down implacably such things as colorings and sweeteners on much less evidence of potential harm.

Figure 1.
NOTES

This paper is partially adapted from a forthcoming book by the author.

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LANGUAGE AND ADVERTISING

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The fact that Chinese television broadcast its first commercial in early March, 1979, was deemed newsworthy in this country. The radio newscaster, through whom I learned of this latest event in the continuing revolution of Chinese culture, reported that a soft drink had been advertised during a sports event. After noting that the Chinese probably have not realized yet what they have been missing all these years, he went on to say: 'More news after this'. What followed was, of course, a commercial.

During that commercial, about which I can now recall nothing more than the fact that it was a commercial, I wondered about the similarity of the Chinese advertisement to Western advertisements and how long it would be before the Chinese language would have its own identifiable advertising register. In contrast to the Chinese situation, it is estimated that more than 42,000 new TV commercials were produced in this country in 1978. In the United States, despite the distinctiveness of advertising language and the profusion of advertising messages to which we are exposed daily, the attention devoted by linguists to the subject has been slight and the depth of our understanding shallow. It is with great pleasure that I, as a researcher interested in both legal and advertising language, find an entire Georgetown University Round Table on Languages and Linguistics devoted to a consideration of language in public life. I have been asked, in the time allotted to me, to discuss my own research on advertising which began just over two years ago and to consider specifically what role linguists might play in the advertising profession, as well as what contributions to linguistic theory might be expected from studying advertising.

A review of how I became interested in this topic will explain why I have chosen to emphasize certain aspects of advertising language more than others and why my concerns differ somewhat from those of other linguists who study it.
My interest in language and its relation to the operation of public institutions really began in the mid-1960s when I was a graduate student conducting field research in East Africa. Although linguistic anthropology and sociolinguistics had been important parts of my graduate work, I had specifically gone to East Africa to study local responses to national development programs. My work focused on local councils and courts and the role of these institutions in linking the national government with rural communities. In attempting to understand this, I continued to note the saliency of language both as an issue and an obstacle in the national development process. I found that I could not understand very much about how councils and courts operated without first dealing with the facts that they were multilingual, that a highly institutionalized form of double-talk was used to resist outside incursion, that the government required Swahili for all public fora and was prepared to fine violators, and so on. In short, to understand public life necessitated dealing with language.

Since then, I have pursued this interest, kindled in East Africa, in a variety of ways here in the United States. In 1974, I began working on language in American trial courtrooms. And in 1977, I expanded the scope of my research to include advertising language. The link throughout has been a concern with language as a political resource, a manipulative tool, a device for persuasion. With these issues in mind, American courtrooms and commercial advertising seem very similar to the issues which interested me in East Africa.

About two and one-half years ago, I was asked by a large American advertising agency, Foote, Cone and Belding, whether I would be interested in studying the language of commercial advertising along lines similar to those used in my earlier work on courtroom language. My work on persuasive language in legal contexts had come to their attention through a press report, and the question was posed directly: Would I have any interest in expanding my research to include advertising?

My first reaction was a flat 'no'. I had, after all, turned my back on the world of business to become a scholar. My interest in American courtrooms had originally been a pragmatic decision, as I justified it to myself, allowing opportunity for refinement of the questions and issues prior to returning to East Africa. Having worked for nearly two years in Africa, I longed for a research site closer to home. My more seasoned reaction, after talking with several linguists and anthropologists (some of whom had either studied or wanted to study advertising language), was that the opportunity to cooperate with an advertising agency, to have access to its staff and other resources, was almost unparalleled and should not be dismissed too quickly. I was reminded by some colleagues that although anthropologists are usually thought of as professional ex-patriots, many among us were arguing that we ought to study our own culture more, and not simply those parts of it which
are easiest or least able to resist our incursion. Especially im-
portant, but largely ignored, have been domains of power and
influence. 6

Thus, to my initial surprise, I found considerable support
for this endeavor from colleagues in both linguistics and anthro-
pology. Some even argued that the far more responsible posi-
tion was to use this opportunity for understanding if I could
work out an arrangement which included full rights to make
public any findings of the research. To my further surprise,
Foote, Cone and Belding agreed. I wrote a proposal, which
they funded initially for one year, and subsequently renewed
for a second. Since January, 1977, I have been working co-
operatively with the agency on a study of advertising language.

The goals which FCB set for our cooperative work on language
and advertising were general at best. I spent a couple of days
in their Chicago office, talking with several people and examin-
ing the sorts of data which were available through the agency
for study. Then, I did a good deal of reading about advertis-
ing and talking with academics more knowledgeable than I about
the subject. The proposal I wrote put the matter simply: 'The
major goal for both parties is a better understanding of the
language of advertising, especially persuasive language in com-
mercial contexts'. This fit both my interest in understanding
the role of language in the operation of institutions and the
agency's interest in determining what, if anything, might be of
relevance to them in the work of an anthropologist/sociolinguist
who was willing to examine advertising language along lines
similar to those he had used in his previous work on language
in legal contexts. I am frequently asked what the advertising
agency expects to gain through supporting my research. To
answer as well as I can, let me quote from an early letter I
received prior to any face-to-face discussions.

FCB's interests are multiple. We are genuinely interested
in learning more about our craft, especially if we can in-
crease the benefits of advertising without accentuating or
increasing its negatives. We are also interested in making
our company better than our competitor agencies, or more
knowledgeable sooner, and/or in obtaining some publicity
or public recognition for our efforts.

I continued looking for a hidden agenda in all this. I had
been, after all, accustomed to public funding of my research.
Having read Vance Packard, David Ogilvy, and a few other
books on advertising, I assumed advertisers knew virtually
everything there was to know. 9 I came to realize that, although
they had not defined their concerns very specifically, the agency
was actually interested in funding a small amount of exploratory
research—which might yield some interesting or suggestive
leads along lines different from those currently used in adver-
tising, but which at the very least could be used with their
own clients as an example of their efforts not only to keep abreast of any developments which might be relevant to advertising, but also to foster, in a limited way, further understanding of how advertising works.

Over the past two years, our joint efforts have focused on a consideration of the patterning of language in advertising contexts and the role of language in the total commercial message. Most advertisers I have talked with think language really is not all that important in the total communication, but only one of many elements in the communication of commercial messages. Yet, language is the single element common to all three of the most frequently used media: print, television, and radio. Most people who work with television commercials feel the video component is far more important than the audio channel, which, in addition to language, frequently contains music and/or sound effects.

Estimates of the relative importance of audio and video components of a TV commercial vary considerably, but one datum suggests the relative weight given to the two in the business. If, for example, on national television, a commercial were to be aired in prime time and only the audio or video channel were to play, the schedule of charges would be 25 percent for audio only, 75 percent for video only. This gives a rough estimate of the working assumption in the profession about the relative importance of the two. Despite the greater role believed to be played by the video channel, it has been pointed out to me that altering reactions of a television audience by only a few percentage points may still mean millions of persons. Thus, any light which could be shed on what are more effective modes of presenting commercial messages would be of considerable interest.

Having laid out the way in which I got involved in this work, I turn now to review some of the work which has been done to date. First, let me report the sorts of data which I have been able to obtain.

1. Interviews with writers of commercials. A benefit of working cooperatively with advertisers has been that I have been able to conduct extensive interviews with many people involved in various aspects of the advertising business. Of particular interest to me have been the 'creatives', the term used in the profession for writers, producers, directors—those who take the selling proposition, whatever it may be, and turn it into a commercial. As a prying outsider, I have not always been welcomed by these people with great hospitality, since they are usually quite busy, and those who are not make considerable efforts to give the impression that they are. Further, it has not made the task easier that many were instructed to talk with me about how they do their work. (Their suspicions and reticence, incidentally, were more like East Africa than I had ever expected!) With a little effort, however, I found
many 'creatives' both willing and able to talk quite openly about the language of TV commercials. What I did not find was a great deal of agreement about the specifics.

One highly reflective writer, known in the business for being especially good with long copy, offered some rules of thumb he used: no adjectives if possible—use verbs instead; no sentences longer than 12 words; and so on. Another 'creative', known for her innovative style and consistently good performance, either could not or would not talk about the language she used in commercials. Despite two interviews lasting more than three hours, she said no more than: 'I don't think about language per se', and 'I just got that idea in the middle of the night, headed for the typewriter, and the rough commercial was done in a few minutes'. Most 'creatives' fall somewhere between these two extremes. While able to talk to a limited degree about language in commercials, it is not usually a conscious part of the process. I eventually found the question which warmed even the most reticent person. It was: 'Of all the things you've done, what do you consider your best piece of work?' With the ice broken, most were willing to talk about the role of language. From my perspective, these discussions have been quite helpful. I have learned a good deal about how 'creatives' think, how they work together, their role in the advertising process, and their estimation of what is important in advertising. The general finding from these discussions has been that while there is agreement among 'creatives' that words and language are important, most believe that language is only a small part of the total equation.

2. Development of an archive for studying commercial language. Over the past two years, we have recorded a large number of commercials from the air and have been given video tapes or films of many FCB commercials. The archive at Duke University now contains more than 2,500 commercials on video tape or film. In addition, FCB has provided copies of more than 2,000 commercials on photoboards (that is, printed versions of commercials, containing transcripts and still photographs from the commercial). Thus, as we have become interested in particular topics, we are able to turn to a rich archive to study patterns of variation.

3. Access to research reports. Another benefit of cooperative research has been that I have had access to research reports in FCB's own library. I have read extensively in these reports and learned considerably from them about the development of marketing strategies; I have been able to follow campaigns through their various stages, and even to follow some which never made it to the airwaves for one reason or another. These reports have helped me understand the overt concerns of advertisers in the planning, development, and execution of marketing strategy. Most importantly, they have provided
insights into some of the reasons for changes of direction in advertising particular products and the factors which, at least on paper, enter into the decision-making process. I have been able to read detailed analyses of audience responses to specific commercials. This kind of information would simply not be available if I were not working cooperatively with an agency.

4. Playing the role of participant/observer. In addition to using their library, I have also been able to play the role of participant/observer in watching what are termed 'focus group interviews'. These are interviews conducted with randomly selected small groups of consumers—say, users of a particular product in a certain age, sex, and socioeconomic category—who are interviewed for up to two hours. A major purpose of these interviews is to learn how consumers think and talk (although too little attention seems from my point of view paid to the latter) about their needs, likes and dislikes, products used, brand preferences, etc. Information collected in this fashion is used by 'creatives' and account managers in developing advertising strategies.

As a social scientist, I lament the fact that these data on American consumer behavior, attitudes, and language are not systematically preserved. But, I have been reminded, an advertising agency is a business, not a university. The amount of research put into the development of a commercial, specific knowledge about a product—the generic category and the competing brands, consumer opinions, preferences, and so on—make advertising agencies among the best of ethnographers. The problem, as I see it, is not so much a lack of data, but too often a failure to use it fully. In this regard, advertisers are no different from the rest of us in facing great temptation to make the most of data when it supports preconceived notions and to ignore it when it does not.

I spent several months talking, reading, and watching commercials. A newfound interest in commercials transformed TV watching habits in my family. Although it has been noted that young children may show preference for commercials over programming, mine became one of those few American households in which talking is allowed during programs and strictly forbidden while commercials air.

Early months revealed several interesting patterns of language used in commercials. I found many similarities in American TV commercial language to that described by Geoffrey Leech for British commercials a decade earlier. A number of current issues in sociolinguistics pointed me in certain directions. I took note of pronominal usage in commercials and began to wonder why some commercials employed the second person (even when the on-camera speaker was talking about himself/herself) while other quite similar ones used first person or alternated in unusual ways between the two. As I would note these patterns, I would ask 'creatives' about them; usually, I was told either
that they were unaware of such differences or that linguists were certainly interested in peculiar things. I looked at sexism in commercials, finding a great deal in role-stereotyping but not much in language itself. By 1978, TV commercials had, for the most part, taken account of the fact that all babies were not 'he's' and that pluralizing and other forms of circumlocution could be used to avoid awkward references to persons of both sexes with third person singular masculine pronouns. A tendency for some commercials to use a great deal of announcer commentary while others minimized the announcer's role was noticed. And so on it went. Almost anything which could be identified seemed to be patterned in interesting ways. I continued to ask of advertisers: why is it done this or that way? does it matter? do you think about these things in making commercials? Invariably, the answer was the same: 'Never thought about it, but show me that it matters, and I will'.

If commercial writers and others in the advertising profession did not think much about language, then what did they think about? What standards do they normally use to evaluate commercials? The following list of techniques associated with successful commercials was drawn up from articles appearing in the last year of Advertising Age, the major trade journal, and illustrates the sorts of things advertisers do think about. Here are some factors which have been said to be associated with successful commercials.

A. Use attention-getting devices to engage the audience to make people want to listen. Although it was generally agreed that this is important, the specific techniques suggested to accomplish it vary. The last year of Advertising Age has included discussions of the importance of proper lighting for mood setting, memorable music themes associated with products, and the use of dancing to add flair. More exotic devices include such things as mimicking the styles of famous movie directors like Bergman, Fellini, or Altman. Seldom are the discussions of technique very precise. A quote from an article recommending the use of dancers is typical.

Just let some dancers dress up like coffee cans or house paint or toilet paper or frankfurters, and you've got more fun than a barrel of monkeys. Plain dancers are great, too, lilting in and out of your product story and reminding viewers that it's time to waltz to the bathroom.

All this can be summed up, with the precision typical of the articles, in these words of one writer: 'The objective is to grab people's attention and to get the name up front...'

B. Associate an identifiable personality with the product. The personality may be a celebrity or merely a continuing central character. A strong personality image is especially
important when the product category has only small differences among specific brands. Jane Ellen Murray writes:

Take shampoos, for instance. As you walk down the supermarket aisle, you will see many different product personalities smiling out at you. Earth Born is a sweet young girl. Head & Shoulders is a young man taking care of his dandruff. White Rain is a smart young housewife who watches her pennies. Ultra Max is a unisex shampoo for the smart sophisticates who know how to handle themselves with their blow dryers.\(^{17}\)

Timex used John Cameron Swayze for 22 years; Tony-the-tiger has been around that long; the Marlboro man, while not a specific person, is a strong personality image linked to the brand; Polaroid regularly depends on celebrities to demonstrate its cameras; etc. In linking a continuing character to a large number of successful commercials, Henry Wayne McMahon recently wrote: 'If you can't afford a star name, just develop your own. Pillsbury did just that with the Doughboy—and today he's valued as a $20,000,000 property'.\(^{18}\)

C. Keep the message simple, clear, and well organized. Avoid the trap of entertaining at the expense of the message. Trying to say too much in a single commercial can be confusing.\(^{19}\) One writer warns against what he terms 'video doodling', which pulls the viewer's mind astray and distracts from the basic selling message.\(^{20}\) Perhaps some of the best advice is also some of the simplest: 'When in doubt, leave it out'.\(^{21}\) Too much simplicity, however, runs into another problem: talking down to the audience, treating them as ignorant or unable to understand.\(^{22}\)

D. Make the elements of a commercial mutually reinforcing. The content of a commercial is always important, but incongruous elements can determine the basic message. How you say it is as important as what you say. All this is summed up well by Julius Harburger in an article discussing the 'vibes' of a commercial. Harburger advises against 'vibrations' in a commercial which may communicate the opposite of what is intended. For those of us needing a little help in understanding 'vibrations', Harburger defines them as 'the unspoken, unpictured, unsung element in [a] commercial that communicates at an intuitive level, loud and clear'. He goes on to rate a number of common production elements in commercials as to whether they give 'up' or 'down' vibrations. For example, close-ups, indoor scenes, smiles, and the color red all give 'up' vibes, while long-shots, outdoor scenes, frowns, and blue emanate 'down' vibes.\(^{23}\)
E. Use emotions to convince. Advertisers differ on the relative importance of emotional as opposed to rational appeals. A recent article argues that business purchasers can be motivated by emotional appeals. After all, says the author, Marlboro is talking to the same guy who is considering a million dollar proposal for International Harvester trucks. Another advertiser reminds us, however, of the need for 'hard-core, scientific, no bull information' when communicating to women. Women no longer respond to simple emotional appeals like 'Nothing says lovin' like something from the oven' advertising. In general, however, there continues to be a strong predisposition for heavy reliance on emotions. The newer trend would appear to be in the direction of emotionalism in combination with facts.

F. Use jingles to increase recognition and memorability. H. W. McMahon, after viewing about 14,000 of the more than 42,000 TV commercials produced in the United States in 1978, selected the 100 he considered to be best. He claims that more than two out of five marketing successes have used jingles in their advertising. In addition to adding an important element to a TV commercial, the jingle is easily transferred to radio and gets, according to McMahon, 'a few free broadcasts around the house' as well. McMahon summarizes the importance of jingles this way: 'As Madison Avenue said it, long ago: If you have nothing to say, sing it!'

G. Animate to make a commercial distinctive. McMahon found animation also associated with successful commercials—perhaps as frequently as one in four of the campaigns that 'made cash registers ring' used animation. Another advertiser put it this way:

...[I]n addition to longevity, a well designed animation leaves a wonderfully positive feeling with most viewers. There is something basically charming and good about artwork—and that's a nice emotion for a potential buyer to experience.

H. Use caution in comparative advertising. Although increasingly familiar in recent years, advertising which makes specific comparisons between the product and its competitors can be dangerous. It may define the brand by its relation to its competition rather than in terms of its own attributes and potential consumers.

I. Don't alter a successful campaign. Most writers agree that when a product is selling well and the company is happy with the advertising, the last thing to do is alter the campaign. McMahon, in his consideration of commercial success, asserts that most advertisers change campaigns too often. Some of the
most successful campaigns did their best five to eight years after introduction with only minor improvements along the way.  

J. Emphasize the product. The jargon of advertisers includes a relatively new term: 'product-as-hero', which describes the type of commercial which places the product in the spotlight. It requires no actors nor any special sets. As production costs rise, new ways are being found to make the product the 'hero' of the commercial—and save money at the same time.  

What is especially interesting about all this is the difference between the factors which advertisers apply to commercials to evaluate them and those which linguists might identify as important and worthy of consideration. Although I am happy, in part, to study patterns of variation in the language of commercials, my background in political anthropology pushes me toward another question as well. It is one which I often feel compelled to ask whenever I read yet another account of language variation. Put simply, it is: so what? Does this really make any difference to anything of consequence? Does this form of variation affect in any way the operation of the social situation or institution in which it occurs? If not, it may still be of concern to those of us interested in understanding the socially patterned nature of language variation. But if it can be shown to be of consequence to the operation of a social institution as well, then we accomplish two things at once. In studying advertising language, I have attempted to deal with both issues: the nature of variation and its consequences. I want to answer the challenge of that advertising copywriter who said, 'Show me it matters, and I'll take notice'. Doing so, however, requires something more than description.

After careful consideration of the possibilities for linking variations in language used in commercials with measures of effectiveness (attention, recall, and/or persuasion), the agency and I settled on a study of various discourse features in commercials which we would attempt to correlate with measures of effectiveness. For their part, Foote, Cone and Belding came up with about 350 commercials (on film or videotape) for which there exist scores measuring recall and/or persuasiveness of the particular commercials. For my part, I have proposed a set of nearly 20 discourse features which occur in these commercials. We are currently engaged in an analysis of the commercials, studying the presence or absence of these specific features. We hope to show that at least some of them are correlated with significant differences in measures of commercial effectiveness. From the agency's point of view, what is interesting about these particular features is the fact that they are not the usual factors which are noticed in commercials. They represent a different way of looking at commercials.
In brief, the sorts of variables which are being examined include the following.

(1) Framing of the message. This is basically the question of how the consumer/listener is related to the message about the product. Here my debt to both Leech and Goffman is considerable. We are asking whether those messages addressed directly to the consumer (whether sung or spoken, given in the form of a testimonial or an announcer's commentary, passing over the amount spoken on- and off-camera) differ from those addressed indirectly. In indirect address, playlets (usually termed 'slice-of-life') are performed for the benefit of the audience. The consumer is more properly thought of as 'overhearer' in such situations. Usually, these commercials addressed in the indirect mode also include at least a summary commentary made by the announcer who draws out the 'moral' of the play—in these cases, it is, of course, a selling message. We are attempting to determine whether commercial messages expressed directly to consumers, through whatever means, evoke different responses from those expressed indirectly. Further, we are exploring differences among types of direct address—looking for correlations of test scores with commercials which basically report information as opposed to those which exhort the consumer/listener to take some action, or which ask a rhetorical question for which the commercial, of course, provides the answer, and so on. Again, what is different here is the fact that we are looking not at the customary variables like the use of jingles, celebrity presenters, appeals to emotion, etc., but at the way of framing the commercial message.

(2) Structure of the message. Here the issue is the internal structure of the parts of the selling message. Our attention focuses on modes presenting the product, the conditions supposed to necessitate or require its use, and the qualities or benefits said to derive from it. In his book, Leech distinguished between types of cohesion in the structure of selling messages. He explored, for example, the differences among parataxis, opposition, and other forms of linking in commercial messages. The issues we are studying are essentially similar. But we are asking another question as well. We want to know whether abilities to get attention, to recall information later, and/or to change opinions are in any way associated with variations in the structure of the information presented in 30 seconds. I remind you that we are working with a finite set of commercials, about 350 in number, on which these measures already exist. What we should know soon is whether different ways of putting selling arguments together make any differences.

Some examples of the sorts of questions we are asking illustrate this. Is it generally more persuasive or better remembered when information is presented by asking a question and answering it than when reporting information in some more
straightforward manner? (One advertiser suggested to me that the reason many commercials ask questions and then answer them is that it is probably a better attention-getting device. He went on to say that attracting attention to the message was one of the greatest problems of all, and that nowadays it had become necessary to resort to the most extreme measures. This was why, he said, he would not be surprised to see a commercial which showed a man walking down a staircase with a sock in his mouth!)

For our purposes, we have found it convenient to think of all commercials as having a similar underlying structure: the linking of A (the condition or problem necessitating use) with B (the product or service advertised) and C (the qualities or benefits to be derived). These may be linked in various ways, as, for example, in this hypothetical message: 'If your hair is greasy, use new Washo, and you'll have brighter, cleaner hair!', where the structure is: If A, use B, then C will result. It is also the case that either the A or C components may be deleted, although the implication of their existence remains. For example: 'Use new Washo, and your hair will be brighter and cleaner', or 'If your hair is greasy, use new Washo'. And so on.

We have devoted a good deal of attention to the means of linking parts of the selling message and are about to embark on a test of several hypotheses about different forms of argumentation and their relation to measures of effectiveness. We will be asking whether a message which exhorts works better than one which promises a result if the product is used or one which has a reference to previous conditions or states as well as descriptions in the present. Familiar forms of linking parts of the message include: If ..., then ...; Then ..., now ...; Do/use X, then ...; etc. Less highly structured but nonetheless frequent advertisements omit or use weaker structural links among parts of the message, giving forms like: B because A; or B--that is why C.

(3) Several other aspects of form. In addition, we are looking at several other aspects of commercial messages. Again, the effort is both descriptive and concerned with testing hypotheses about how these features relate to effectiveness as measured by advertisers. These include such topics as: comparative and superlative adjectives as opposed to simple, positive ones; verb tenses; inductive versus deductive presentation of the selling proposition; presence of strong summaries or memorable tag lines; and so on.

If this were six months from now, I could report specific findings. As it is, I can only report work in progress and tell you that our initial efforts have shown promise in linking language variables with conventional measures of commercial effectiveness. But I have said enough, I think, to make my case
that there appear to be some things to be learned in both directions from cooperative work between linguists and advertisers.

NOTES

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5. Language and Politics explores the relation between language and the operation of certain public institutions in three developing countries: Tanzania, India, and Papua-New Guinea.

6. Several papers based on this project have been published, while others are currently in press. For a general description of the project, see William M. O'Barr and E. Allan Lind, 'The social significance of speech in the courtroom', in Language and Social Psychology, edited by Howard Giles and Robert St. Clair (Oxford: Basil Blackwell, 1979), pp. 66-87. An up-to-date bibliography on the Law and Language Project can be obtained by writing to W. M. O'Barr, Department of Anthropology, Duke University, Durham, N.C. 27706.

7. Other anthropologists have recently published on the relation of language and politics. See, as examples of the variety.


10. Hooper White, 'Are storyboards blue prints, hope chests or razzle dazzle?', *Advertising Age*, January 8, 1979, p. 54.


18. McMahon, op. cit., p. 54.


27. Ibid.
31. Ibid., p. 76.
33. Leech, op. cit., especially chapters 12 and 16.
LINGUISTIC INNOVATION IN THE ARABIC ADAPTATION OF SESAME STREET

Edward L. Palmer
Children's Television Workshop

The Arab world is made up of 22 different countries and has a combined population of some 140 million people. In the early fall of 1979, a considerable number of these people will be watching an original Arab version of Sesame Street. The new television series, Iftah Ya Simsim (Open Sesame), is the result of the efforts of the newly formed Arabian Gulf States Joint Program Production Institution (AGSJPPI), of Kuwait, in cooperation with Children's Television Workshop. The 130 half-hour programs, designed specifically to meet the educational needs of Arab preschoolers, represent an enormous volume of quality production within the context of the Arab television offering. One of the most unusual features of the series is that its language is not any of the lively local dialects in terms of which popular entertainments are almost without exception presented. It is, rather, a register of Arabic quite markedly higher than that of popular discourse, even among the well educated. The story behind the decision of the AGSJPPI to adopt this radical linguistic approach is to me as a layman—both in linguistics and with respect to knowledge of Arab culture—most fascinating, and the results as the series goes on the air will be interesting to observe.

Iftah Ya Simsim is the seventh non-English adaptation of Sesame Street, and follows the pattern of the most thoroughgoing of these adaptations. (For an extended treatment of the various processes by which Sesame Street is adapted internationally, see Palmer et al. 1976.) Each half-hour program is made up 50 percent of live-action film, animation, and muppet segments selected from the U.S. Sesame Street and dubbed into Arabic, and the remaining 50 percent of newly produced films, animations, and studio segments all produced in Arabic, with an Arab cast of characters, and the Arabs' own
counterpart of Big Bird, a lovable roly-poly creature that looks like a cross between a camel and a teddy bear.

Iftah Ya Simsim is sure to be a standout and a remarkable presence in the context of Arab television. Most Arabs who have televisions or access to them—perhaps a third to a half overall, with great differences from country to country—can see one or two channels for only a few hours each evening, comprised heavily of foreign programming, mostly from the United States, and presented in English with Arabic subtitles. The great majority of Arab-produced television originates in Egypt, as does most of Arab cinema. These programs virtually always play in the Egyptian dialect, which differs considerably from the Arabic spoken in the other three major dialect regions of the Arab world.

Because local audiences are relatively small, and because there is little commercial support for television anywhere in the Arab world, production budgets are small, and production quality is therefore necessarily poor, for the most part. It is all the more commendable then, in light of the historically underdeveloped state of television and the consequent lack of precedents for calling upon the medium to address social problems, that a consortium of Ministers of Information from the Gulf region saw fit to invest in the expensive planning, research, and production which have made the creation of Iftah Ya Simsim possible.

It does not take long in traveling about the Arab world to learn that language is treated with love and reverence, and that the slightest mention of it will trigger long and passionate musings and debates. A question we asked frequently on our earliest survey trips into the area was whether or not a single language or dialect could be used in a series for children of the entire Arab world, or alternatively, whether it would be necessary to produce multiple dialect versions. The answer was far from straightforward. We learned early from linguists specializing in Arabic that language usage there conforms to a pattern known as diglossia. This is a term first advanced by Ferguson (1959) and later refined and extended by Gumperz (1966). It refers to the existence within a single country of multiple languages, or of multiple dialects of the same language. The latter are often distinguished along the lines of high and low registers, employed respectively to express religion, education, and culture (on the high level), or everyday matters of the home and workplace (on the low level).

Classical Arabic, the language of the Koran, is the basis for the higher form in the Arab world, and in fact, the Koran is the ultimate prescriptive authority in matters of language usage. There are, in addition, four main regional dialects, including the Gulf, used in such easternmost countries as Saudi Arabia, Kuwait, Qatar, and the United Arab Emirates; Levantine, in the area which includes Syria, Lebanon, and Jordan; Egyptian, in Egypt; and Mahgreb, found in wide use in the remaining
countries along the northern rim of Africa. When well-educated Arabs from the same dialect region talk to one another, they always use their local dialect. Discourse across dialect boundaries, on the other hand, is carried out in a modernized form of Classical Arabic, variously referred to as Modern Standard Arabic (MSA), diplomatic Arabic, or newspaper Arabic.

Our inquiries into Arabic were motivated by the need to develop an early understanding of linguistic forms and customs, especially as these relate to television, to entertainment, and to education. We had also to reckon with children in the age range from three through six. We knew all along that we would not be making the final decision about the language or dialects of the Iftah Ya Simsim television series. That decision ultimately could be made only by the AGSJPPPI. To inform themselves in this regard, the institution set up a linguistic advisory committee, under the able direction of Dr. Mohamad Jawad Rihda of Kuwait University, and hired on staff as key project linguist Dr. Abdullah Al Dannan, now also of Kuwait University.

Our own preliminary inquiries into the linguistics issues left us with a number of important questions. And while we were neither linguists nor speakers of Arabic, we felt a sufficient concern for the educational effectiveness of the television series, and a sufficient proprietary interest to want assurances that these issues were being responded to properly. We were concerned that all aspects of the matter should be studied with great care before announcing a final decision. One line of advice was to employ the Egyptian dialect, on the grounds that Egypt traditionally has produced the great majority of Arab film and television, and that it is, therefore, the one dialect most Arabs are accustomed to hearing. It would have been possible to produce the series in each of the four major Arabic dialects, but this would have required that the series be produced in one of the four and then dubbed, at considerable expense, into each of the other three.

The matter of economy led us very early to explore the possibility of producing the series in a simplified version of Modern Standard Arabic. We soon learned that MSA is the language of reading and writing—in fact, the sole language of reading and writing, it being forbidden on religious grounds to use any but the language of the Koran or the modernized register most immediately derivative of the language of the Koran to set language down in print. We learned further that the prohibition against writing in the colloquial is so strictly enforced that when young Arab children go to school to learn to read and write, they are taught from the very start in MSA, a language none of them speaks. We learned of one recent effort to create an initial reading system in the Levantine dialect, which was an attempt to make the language of initial reading more accessible to young children. However, the project reportedly received so much criticism on religious grounds that the effort was abandoned.
The decision was not to be at all straightforward. There was, first, controversy as to whether preschoolers could understand or quickly come to understand a program presented in simplified MSA. Secondly, there was the question of how acceptable it would be to present entertainment and everyday interactions among show characters in MSA. Would the result be cardboard characters, who would come across as stiff and unnatural? Would performers, especially child performers, be able to speak and interact comfortably (or at all) in MSA?

Throughout these inquiries into Arabic and its customary patterns of usage, we were sorely aware of the barrier to understanding which resulted from our inability to speak the language. We had no way of knowing just how different the four major dialects are from one another, nor how distant MSA is from the dialects. At one point, we pressed Dr. Al Dannan, the chief linguist to the project, to describe these distances to us. The result is that with all due precautions about its imperfect nature, he did come up with a kind of rule of thumb to help us along. He first explained that the language of the Koran is the highest register, followed by MSA, with the local dialects lowest. He characterized the four dialects as roughly equal in distance from MSA. The four dialects are more distant from each other than is each from MSA. The structure of MSA is the same as that of the language of the Koran (i.e. in syntax, morphology, and pronunciation). The MSA lexicon is similar to that of the Koran, but for the addition of modern terms and expressions. These modern terms are often given Arabic inflections. The plural of film, for instance, is aflam. People look upon MSA with reverence, 'as a holy language'. One source told us the difference between dialects is roughly equivalent to that between modern American English and Chaucerian English. Pressed further on this same point, Dr. Al Dannan agreed to fill in the chart in Figure 1, but only with a number of qualifications, and with the understanding that the exercise was undertaken strictly to provide a method for helping me to understand the dialect situation. The chart shows an estimate of the time it will take for an ordinary person with six to seven years' education to acquire a receptive (only) understanding of another dialect.

Figure 1. Time to acquire a receptive understanding of another Arabic dialect.

<table>
<thead>
<tr>
<th>Dialect</th>
<th>Egyptian (lower)</th>
<th>Gulf</th>
<th>Levantine</th>
<th>Mahgreb</th>
</tr>
</thead>
<tbody>
<tr>
<td>Egyptian (lower)</td>
<td>15 days</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Levantine</td>
<td>10 days</td>
<td>7 days</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Mahgreb</td>
<td>20-25 days</td>
<td>20-25 days</td>
<td>20 days</td>
<td>-</td>
</tr>
</tbody>
</table>
Dr. Al Dannan offered a number of qualifications due to tribal distribution, geography, and the like. He pointed out also that Egyptian is nonreciprocal with respect to the other three dialects because it is unique in being widely heard throughout the Arab world in cinema and television. Thus, the figures given in the chart are for Egyptians traveling to other dialect regions.

A further illustrative point assumes a hypothetical person X who speaks only Levantine Arabic. This person does not exist as a pure case, unless it is a foreigner who has learned only the Levantine dialect, because native Arabs, even if illiterate, all know at least some MSA in addition to their local dialect. It takes person X many months of immersion in the Mahgreb dialect to be able to converse (requiring the acquisition of productive language ability). On the other hand, if X knows Levantine Arabic plus MSA, it requires only days for him to be able to converse in the Mahgreb dialect. Terms that differ from dialect to dialect include such common words as 'what', 'why', 'when', and 'how', as well as terms of negation.

A key question in this linguistic exploration was whether or not preschoolers could understand a series couched in MSA. The first and most obvious advantage, in case they could do so, is that children of the Arab world would then for the first time arrive at school with an extensive receptive understanding of the language of reading and writing. Thus, Iftah Ya Simsim might make a significant contribution toward diminishing the great linguistic barrier faced by every beginning reader of Arabic. This cause for hopefulness was offset by a concern that in adopting MSA, we would be placing a linguistic barrier of unacceptable proportions between the viewing child and the subject matter of the series, which includes a variety of educational goals in the social, emotional, intellectual, and spiritual domains. After all, if Arab children were to have to struggle too much to understand the language of the series, they might gain little of its carefully planned educational content.

The eventual decision to adopt a simplified form of MSA as the language of the series was arrived at only after an extensive process of research, deliberation, and review. One contributor to the development of the series, the Arab Fund for Social and Economic Development, expressed a desire to see MSA used, if possible, on the grounds that it would help promote facility in this the standard language of Arab commerce and cultural exchange. The AGSJPPI formed and convened at least twice a linguistic advisory committee. Two half-hour-long experimental programs were produced in MSA and tested with children from different dialect regions, with special attention to their comprehension of the MSA. Other linguistic tests were devised in addition, and administered to samples of children from different dialect regions. This field research was carried out by the project's Associate Director of Research for Linguistics, Dr. Abdullah Al Dannan, under the direction of the Chief
of the Academic Advisory Committee and Director of Research, Dr. Mohamad Jawad Rihda. The test shows also afforded an opportunity to try out MSA from a production point of view, especially from the point of view of assessing the use of MSA in the informal context of light television entertainment, and in light of the need to locate acceptable speakers as performers, including child performers. On the basis of these various investigative procedures, the institution's staff researchers and producers, with the support of its management and advisors, opted for producing the series in a single language, MSA, over the alternative of producing four different dialect versions. This decision was ratified at a major review seminar, attended by outstanding educators from all regions of the Arab world.

That this linguistic experiment has been entered into with a great deal of caution and care does not at all diminish its status as a bold departure from earlier custom. It is noteworthy how remarkably well the test programs served as an instrumentality for reaching a clear decision. A drama director of many years' experience from Damascus, Mr. Asaad Fadda, is director of all theater in Syria, and is responsible in the government for folklore. The project's chief linguist reports that upon seeing one test program, he exclaimed: 'You have answered the question we have been trying to answer for 15 years: Can MSA be the language of the theater? You have proved that MSA can be applied to the context of humor'. Moreover, the actors, including the child actors, felt reasonably comfortable conversing in MSA, and reportedly came across as lively and enjoyable.

A real surprise to the team of CTW advisors was the remarkable unanimity among Arabs from all backgrounds after their having viewed the test programs. We were surprised especially in light of the intensity of the earlier controversy. We were sufficiently surprised, in fact, that we were at first prompted to inquire as to whether we were witnessing a genuine unanimity, or merely some polite form of consensus-reaching peculiar to Arab culture. We are now quite convinced that the decision to produce Iftah Ya Simsim in MSA is the correct one. We have come a long way since the time in the early planning days when we listened with trepidation to warnings from one linguist, who surmised that MSA just might come across as artificially in an entertaining television program as did Esperanto in competition with natural languages.

We can only speculate as to the impact Iftah Ya Simsim will have. An obvious factor is the climate of public and professional opinion concerning the place of MSA in Arab culture. All the indications of which we are aware, however, suggest an enthusiastic acceptance. The comment of one reading teacher who viewed the test programs gives poignant expression to one possible form of positive impact. Her comment points up how difficult it must be at present for Arab youngsters to learn to read the unfamiliar language of MSA. She said simply, 'The
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MSA from Iftah Ya Simsim will help the children learn to read. Now they will know as they read what sounds right'. The actual effects of the series on reading deserve to be evaluated with the use of rigorous methods of measurement and experimental design. Indeed, initial plans for such an impact study currently are being made. Adopting countries surely will need to follow closely—or better yet, anticipate—the impact on initial reading instruction.

Basic funding for the institution, which produced the series, is provided by six Gulf states: Saudi Arabia, Kuwait, Iraq, Qatar, Bahrain, and the United Arab Emirates. Educational television throughout the Arab world now suffers, according to a report to the Arab States Broadcasting Union, due to the need for a greater amount of cooperative inter-Arabic program development. From an organizational point of view, the series, assuming a very successful reception, will stand as an endorsement of the consortium funding arrangement which made its production in high quality possible. Its success also will affirm the value of the model of careful research and planning which guided its development.

Perhaps the greatest impact will be to impress upon government agencies, the public, and key professionals the great potential of television as an instrument for human betterment in such areas as health and education. In most Arab countries currently, the broadcast day for television is quite restricted and the range of available channels highly limited. However, this situation is changing rapidly. Careful planning is needed right now if adequate funds and adequate air space are to be set aside for the realization of this potential.

These are among the many outcomes this series may help bring about. A more immediate and more tangible sense of its possibilities is reflected in a comment by the project's chief linguist, Dr. Abdullah Al Dannan: 'There is something special about the Arab language in the minds, the lives, and the emotions of Arabs. This is equally true for all Arabs. People look upon MSA as a holy language. When the mother of a young child sees Iftah Ya Simsim, she will be pleased and will support it'.

We at CTW look forward with great interest to the unfolding story of the impact of Iftah Ya Simsim, and particularly the impact of its innovative linguistic approach. Issues concerning the most effective and acceptable uses of Arabic in educational radio and television, of course, extend far beyond the specific case of Iftah Ya Simsim. Even now, the institution is contemplating a new television series in health for an adult audience that extends across dialect boundaries. In the event such a series is, in fact, produced, it will be fascinating to see if MSA can be used in it for airing in different dialect regions. It seems highly likely that expressions for common maladies and remedies will be found to be quite localized and therefore quite varied from region to region. But all that is for the next
chapter in the continuing and fascinating saga of language and the media in the Arab world.

NOTE

The author personally and on behalf of Children's Television Workshop extends grateful acknowledgment to Dr. Richard Tucker of the Center for Applied Linguistics and to the Ford Foundation for their consultation, which helped us to better understand Arab language and culture.

REFERENCES

LOOTING AND LIGHTNING:
THE LANGUAGES OF PERSUASION
ON NEWSPAPER EDITORIAL PAGES

Jack Rosenthal
The New York Times

I am not a linguist but I have been coming to the Georgetown University Round Table on Languages and Linguistics for years as Marilyn Rosenthal's husband. So perhaps you will understand how honored—and nervous—I feel now to be addressing so distinguished a group of scholars. It leaves me feeling like Zsa Zsa Gabor's latest husband, on his wedding night: I know what to do, but I'm not sure I can make it interesting.

On occasion in the next few minutes, I will be saying 'we'. I will not mean Marilyn and me, or even Zsa Zsa and me. It will be, rather, the Editorial We. And I will be talking also about the Editorial You, for I believe that the power of a newspaper's editorial pages comes not merely or even so much from its editorials. True influence lies in the interaction of several audiences, or several modes of expression or, if you will, several languages of persuasion. I would like today to define and appraise these, first abstractly and then against the backdrop of a real event of rare emotion.

The newspaper editorial is an overrated art form. If you doubt that, let me ask two questions. First, name a famous editorial. All of you can probably answer easily, citing 'Yes, Virginia, There is a Santa Claus'. Now the second question: name another one. I doubt that you can; and if you do know one, it is probably recent, and on a subject of parochial interest. Consider also how editorials generally are regarded by the public—with a trace of amusement, as the work of stuffy pulpiteers who, when confronted with events which no one can control, 'face with equanimity', 'view with alarm', or 'greet with gratification'.

Nonetheless, the process of influence begins with the logic and language of the editorial. It performs a variety of functions.
Typically, of course, an editorial passes judgment on events and people. I am struck by how public officials clamor for our attention, for a public report card. They wish, of course, to be judged favorably but it often seems that, even more, they wish to be judged, period.

Editorials can, when there are events of great complexity, also serve as yesterday's news in review. Or they can call attention to the seemingly insignificant. Or they can, through irony or writing skill, seek affective as well as analytical impact. Or they may seek no great point at all, aiming merely to satisfy a sense of humor; or occasion; or nobility. Yes, Virginia.

Nevertheless, editorials are still editorials, somebody's opinions. All readers seem to recognize editorials to be those of the newspaper's management, and opinions that not all give a fig about. Like going to the polls, people read the editorial page more the older they get. Younger readers seem less interested in the civic issues that editorials center on; and, in any case, less interested in received opinion.

The second language of persuasion is that of the columnists. They function very much like editorial writers and their idiom likewise varies from portentous to whimsical, but generally they speak for themselves rather than their newspaper. That is true whether they are employed by the newspaper, as is the case with The Times' columnists, or whether their columns are purchased from a syndicate.

The third tier is one invented by The Times a decade ago, and widely adopted since, the 'op ed' page. It is a forum for people with judgments to pass or idiosyncratic views to express, but who are generally not writers at all, either for the newspaper or anyone else.

It is distinct from the more familiar fourth tier, letters to the editor. Op ed articles are generally on ideas or subjects initiated by the writer and are often longer. Letters are generally meant for views provoked by the newspaper and are usually shorter.

There is generally not much interaction between these four languages. But there are times when all are being spoken at once; and passionately, a kind of journalistic glossalalia. But it is not an incomprehensible Babel. There is dialogue. And it is then that editorial pages wield their truest, most beneficial power. One such occasion has occurred while I have served on The Times' editorial board. It was more than two years ago, and it affected only New York. But the issues it presented remain instructive today.

On July 13, 1977, at 9:35 p.m., Muriel Stokes had just gotten out of the shower in her New York apartment and, while listening to the radio, was about to do her hair. She switched on her dryer and Poof! the lights went out. 'My God', she thought, 'I've blown the electricity for the whole building'. She was, of course, twice mistaken. She had not caused the blackout; and
it was far larger than one building. All of New York was instantly paralyzed and nearly 24 hours passed before most people had their power back.

Some streets saw good cheer, as residents reveled. Many streets saw good citizenship, as residents took turns acting as human traffic lights. But in other areas, there was wild, endless looting. Hundreds of stores were picked clean, if not also destroyed; losses were estimated at two hundred million dollars. The police behaved with remarkable restraint; not one shooting was reported. But they succeeded in arresting more than 3,000 looters.

There was widespread public interest in the cause of the blackout. Power company officials suggested it was thunderbolts hitting main transmission lines—an Act of God. The Mayor, eight weeks away from a hotly contested primary election, asserted the cause was gross negligence by the power company. But the technical answers took months to find. (They showed that Mayor Beame came closer to the truth than Con Ed.) And in any event, the public was much more interested in the looting than in the lightning. It was in the expression of that interest that the power of an editorial page achieved something approaching its full potential.

In its blackout editorials, The Times looked for explanation. Why was there so much looting, of black stores and white, unlike anything experienced during the famous 1965 blackout?

We expect that the police and the prosecutors will continue to exert every effort to identify and punish as many criminals as possible. But having said that, it must also be observed that ... at least some of the scars are self-inflicted.²

Some described the looters as rotten scum, animals. The Times sought editorially to make the obvious point.

The 'Animals' and 'scum' are people not bound to this society's values even by the semblance of equal opportunity in life ... We may continue to ignore the terrible problems of poverty and race, but we must do so aware of the risks to both justice and peace.³

We also addressed a corollary question: why had the police been so seemingly soft? The editorial style here was ironic, a mock Socratic dialogue between one citizen who insisted on law and order and another one who knew something about it.

The problem is the politicians. Why did they let the cops surrender the streets to the looters?

Surrender? Is that what you call 3,000 arrests? Anyway, how many policemen do you think there are?
Big deal. A lot of those cases won't stand up in court. And as for policemen, they should have shot the looters. Even their neighbors call them animals.

Are you kidding? Do you know how many of those young hooligans have guns? If the cops started shooting -- the way they used to -- there'd be riots all over the city that wouldn't be over yet."

Considering how intimate and universal the blackout's effect, it was hardly surprising that the outside opinions began pouring in immediately. For the first few days, that meant reaction to the event. Then came the reactions of writers, inside and out, and readers to each other. Interestingly, as the days passed, the level of passion and intensity seemed to increase.

On the op-ed page, a black writer suggested why black youth, who had spared black stores in the riots of the Sixties, engaged in indiscriminate looting this time:

To the kids who picked a black-owned men's boutique clean of every stitch of clothes ... there is probably no meaning whatever to the notion of a black brotherhood pitted against the white establishment. There are simply three-piece suits to be copped, along with big hats and ascot scarves -- the attire of gentlemen who live in the comfort of distant suburbs.⁵

The next day, columnist Bill Safire went further. Yes it was, as his headline agreed, Christmas in July. But why?

The looters looted because of the spreading non-ethnic that stealing is O.K. if you can get away with it, as you usually can; that only a jerk passes up an opportunity to rip off his neighbor; that society not only owes you a living, but the good life.⁶

On July 20 and again on July 23, *The Times* published collections of letters from the public. The first round reacted to the event, mirroring the early press reaction. The second round reacted to our comment -- and reflected extensive, repressive passion.

A man from a well-to-do suburb wrote:

... [T]he poor of New York ... give nothing and expect everything as their right. They are speeding up the downfall of Western civilization as we know it ... They have destroyed the schools and are destroying the rest of the city ... I have never met anyone who came from the poor and met with success in life who was not responsible for his behavior and didn't know the rules of the game.⁷
Another suburbanite wrote more simply:

Let us stop analyzing the problems of the wolves while they are slaughtering the sheep. Rather, let us treat the wolves like wolves while there are still more of us sheep.  

A New York City man wrote:

What happened July 13 was fascism and revolution and it should be dealt with as such. The warning should have gone out that every looter would be shot on the spot. You still try to justify their behavior ... The Puerto Ricans can go back to P.R. ... and if the blacks do not shape up they can go back to the South. It probably would be an educational lesson for them.

That view, America for Americans, was remarkable in its directness but was hardly unusual. Deep racial feelings were coming to the surface—and in public. That has been rare in recent years. But such feelings boiled over.

On July 21, the op ed page published an article by an historian. He began by quoting another New York Times editorial:

These rioters were plainly desperate. They meant to defy the police and were ready for severe treatment. They did not get treatment nearly severe enough, and they are therefore far more dangerous than they were before.

The editorial he cited was published May 24, 1902, in response to rioting by immigrant orthodox Jewish women over jumps in the price of kosher meat on the Lower East Side of New York. They broke into butcher shops, poured kerosene on the meat and prevented nonboycotters from buying meat. A reporter described them as 'a pack of wolves'.

This article, and an editorial of July 21, 'My Grandfather and the Looters', provoked yet another wave of letters, perhaps more intense than the earlier waves. By now, argument and rebuttal had become wholly mixed; the interaction of writers and readers was complete. Some readers were insistently unwilling to try to understand the black rioters of 1977. Others meanwhile demanded understanding for the immigrant rioters of 1902. An educational historian wrote:

There is a vast moral distinction between purposeful civil disobedience, undertaken by those prepared to take the consequences of their actions, and the pillaging of those who rob their neighbors, destroy local businesses and stockpile the booty for resale ... [There's a] difference between a hoodlum and a dissident.
Then, the discussion began to peter out. We asked 'Why were there no white looters in white neighborhoods'? but no writer or reader proffered an answer.

The last word, the last eloquent and bitter word, turned out to be that of John Slote, a reader in Ann Arbor, Michigan, whose letter was published on August 3. He wrote:

This country has always thought of the poor as baggage to be dragged in the wake of progress. Welfare is an arrangement between government and baggage. Put the money into the bag and keep going. When human beings are treated like receptacles, they behave like receptacles. What the looters were really saying, I think, was 'We are takers. We take'...

People who live on other people's money will always feel justified in taking furniture out of other people's stores, no matter how much money they have. Prehensile human beings cannot be treated like gaping bags. We cannot let a nation of takers inherit our cities. This country will have to learn not to tolerate poverty.

It is depressing how farfetched that sounds.

I do not know how many people agreed with Mr. Slote, or our editorials—or any of the range of contrary views. In a way, it seemed to me that something more important than agreement had been achieved. All four languages of persuasion were at work here and in their interaction they exposed every facet of the issue. It may be that many people altered their views as a result; or that not one mind was changed. No matter. All the languages of persuasion, all the modes of discourse together demonstrated the value of that most important form of speech of all, the one called 'free'.

NOTES

1. Francis Church (1839-1906), editorial, 'Is There a Santa Claus?', New York Sun, September 21, 1897.
6. Ibid., column 1.
8. Ibid., Edward Cherney, Syosset.
9. Ibid., Hendrik M. Ruitenbeek.
11. Ibid., column 1, July 27, 1977, article by Diane Ravitch, a historian at Teachers College, Columbia University.
Le problème posé dans cette présentation se caractérise par sa complexité ainsi que par la multiplicité des facteurs qui interviennent et qui débordent largement le domaine éducatif ou linguistique pour verser dans le domaine social, politique et économique. C'est pourquoi je voudrais limiter mon exposé à quelques considérations de principe, basées sur des documents adoptés par l'Unesco et l'Organisation des Nations ou sur des recommandations de caractère non prescriptif, formulées par des groupes d'experts convoqués à cet effet et adressées principalement à l'Unesco. Par conséquent, il s'agit là d'un choix personnel, opéré parmi les problèmes et les recommandations, qui, tout en adoptant les vues de l'Organisation, n'engage pas sa responsabilité et reste limité.

Aujourd'hui, le problème épineux du choix des langues de l'éducation dans les pays multilingues est reposé avec force, parallèlement au développement multilatéral des pays récemment libérés et réapparaît dans les pays ayant une longue tradition dans l'organisation de l'éducation et de la vie de l'État et qui l'avaient considéré comme résolu une fois pour toutes avec l'établissement d'un système éducatif bien structuré dès la fin du siècle précédent.

C'est surtout dans les pays en développement que le rôle de l'éducation est reconsidéré et qu'elle devient l'un des facteurs essentiels du développement endogène garantissant aussi bien le maintien de l'identité culturelle, l'épanouissement de l'individu, l'ouverture sur le monde que l'industrialisation rapide du pays, son développement et indépendance économiques. Cette nouvelle vision de l'éducation, associée à la poussée vers le changement dans les pays industrialisés, conduit au réexamen du rôle des langues qui participent à tous les niveaux du processus éducatif. Ce rôle apparaît encore plus nettement lorsqu'on
cherche à assurer les droits fondamentaux à l'éducation, à l'expression et à la communication.

La démocratisation de l'éducation est devenue un impératif du monde moderne. Cependant, elle est comprise non comme une extension numérique seule des possibilités offertes à un nombre toujours plus grand de personnes, mais plutôt comme un réexamen des objectifs et du rôle de l'éducation, comme le droit d'être soi-même, de maintenir son identité culturelle et d'accéder au monde du savoir à travers sa propre langue. La démocratisation comprend également l'exercice du droit de participer au développement multi-dimensionnel de son pays: elle en est la condition essentielle.

La démocratisation de l'éducation suppose, d'autre part, une réforme des structures et contenus éducatifs hérités du passé, une réforme qui aborde inévitablement les problèmes des langues --instruments ou matières d'enseignement. Par conséquent, l'attitude vers la ou les langue(s) est considérée comme une composante essentielle du processus de démocratisation. La connaissance ou la méconnaissance d'une langue peut devenir un facteur déterminant dans la vie, la carrière, les chances de réussite de milliers de personnes.

Le souci de démocratisation exige une nouvelle attitude vis à vis de la langue maternelle et son rôle prioritaire dans les activités éducatives. Toute réforme de l'éducation, et ceci essentiellement dans les pays en développement, devrait en principe tenir compte des langues maternelles et du rôle irremplaçable qu'elles jouent en tant que source, support et véhicule de l'authenticité culturelle et d'une civilisation propre, la langue étant considérée comme facteur d'identification ethnique ou d'un groupe particulier.

Le recours à la langue maternelle assure l'autonomie; elle donne aux individus et aux groupes le maximum de conscience, de connaissances et de compétence; elle confère l'assurance et la pleine utilisation de toutes les capacités résultant de la civilisation particulière enrichie par l'apport des sciences et la connaissance du monde moderne. L'usage de la langue maternelle aide à établir un système d'éducation permanente enraciné dans la communauté où des liens réels existent entre les différentes activités éducatives formelles ou non formelles, entre l'école et le monde du travail; il permet d'exploiter l'ensemble du potentiel éducatif de la société et de la vie culturelle. Il n'y a donc pas de doute que le véhicule idéal de l'enseignement pour un enfant qui vit dans son milieu linguistique naturel, tout comme pour ceux qui n'ont pas reçu une éducation scolaire, c'est la langue maternelle. En tout état de cause, on ne saurait se connaître ni se réaliser a travers ou par le relais d'une langue étrangère.

Mais une option sans équivoque en faveur des langues maternelles n'implique nullement l'exclusion ou l'opposition à toute autre langue. L'apprentissage des langues autres que la langue maternelle devrait se faire dans la perspective de
l’enrichissement et de l’émancipation de l’individu, de sa promotion sociale et culturelle à travers l’ouverture sur le monde, sur d’autres civilisations et cultures à travers la valorisation des différences.

L’étude des langues autres que la langue maternelle est conçue par ailleurs comme un moyen important de communication et de compréhension mutuelle; elle devrait se réaliser en termes de complémentarité et d’enrichissement mutuel et permettre de favoriser non seulement le développement de la personnalité, mais encore de dépasser une vision ethnocentrique et autarcique de la culture et de la vie, de convoir l’unité et l’universalisme de la civilisation du monde pour aboutir à une leçon d’altérité, à une image objective de l’autre. C’est justement cette attitude qui est encouragée dans l’ensemble des instruments internationaux. La Charte des Nations Unies, ainsi que la "Déclaration universelle des droits de l’homme", adoptée le 10 décembre 1948 par l'Assemblée générale des Nations Unies, tout en insistant sur la nécessité d’assurer la jouissance des libertés fondamentales, y compris le droit à l’éducation, se dressent contre toute distinction fondée sur la langue (Art. 2 de la Déclaration). Celle-ci met en relief le rôle de l’éducation dans le respect, la reconnaissance et l’application de tous les droits, y compris les droits linguistiques. Le droit à l’éducation est explicité dans l’Art. 26 de la même Déclaration. Deux Pactes des droits de l’homme, adoptés le 16 décembre 1966, complétés par un Protocole facultatif, établissent les différents droits économiques, sociaux et culturels d’une part et les droits civils et politiques de l’autre. Ce dernier Pacte est complété par un Protocole facultatif qui établit les procédures par lesquelles peuvent être portées et examinées des plaintes alléguant des violations des droits de l’homme. Ces deux Pactes réaffirment que les États qui en font partie s’engagent à garantir les droits énoncés, sans discrimination aucune fondée sur la race, la couleur, le sexe, la langue (souligné par moi), la religion, l’opinion politique ou toute autre opinion, l’origine nationale ou sociale, la fortune, la naissance ou toute autre situation (Deuxième partie, Art. 2 des deux pactes et Art. 26 du Pacte international relatif aux droits civils et politiques). Ce même Pacte explicite dans l’article 27 le droit des minorités ethniques, religieuses ou linguistiques d’avoir, en commun avec les autres membres de leur groupe, leur propre vie culturelle, de professer et de pratiquer leur propre religion ou d’employer leur propre langue (souligné par moi). De même les droits relatifs à l’éducation sont mis en relief par les articles 13 et 14 du Pacte des droits économiques, sociaux et culturels. L’idée de l’importance des langues dans la matérialisation des droits démocratiques et le droit à l’éducation est reprise également dans plusieurs documents de portée mondiale, élaborés et adoptés aux Conférences générales de l’Unesco.

Après la condamnation de toute discrimination basée, entre autres, sur la langue (Article Premier de l’Acte constitutif de
l'Unesco), l'Organisation a adopté plusieurs conventions et recommandations, abordant de façon directe ou indirecte les problèmes de langue. Ainsi, lors de sa onzième session en 1960, la Conférence générale adopte la "Convention" et la "Recommandation" concernant la lutte contre la discrimination dans le domaine de l'enseignement. La convention insiste sur l'importance de reconnaître aux membres des minorités nationales le droit d'exercer des activités éducatives qui leur soient propres, y compris la gestion d'école et, selon la politique de chaque État en matière d'éducation, l'emploi ou l'enseignement de leur propre langue (souligné par moi) à condition toutefois:

(i) que ce droit ne soit pas exercé d'une manière qui empêche les membres des minorités de comprendre la culture et la langue de l'ensemble de la collectivité et de prendre part à ses activités, ou qui compromette la souveraineté nationale;

(ii) que le niveau de l'enseignement dans ces écoles ne soit pas inférieur au niveau général prescrit ou approuvé par les autorités compétentes; et

(iii) que la fréquentation de ces écoles soit facultative.

La convention et la Recommandation concernant la lutte contre la discrimination dans le domaine de l'enseignement ont été suivies par d'autres instruments internationaux élaborés et adoptés par l'Unesco et qui traitent, de façon directe ou indirecte, les droits à l'éducation et les problèmes de langue. Il s'agit, notamment, de la "Recommandation concernant la condition du personnel enseignant" (1966), de la "Recommandation révisée concernant l'enseignement technique et professionnel" (1974), de la "Recommandation sur l'éducation pour la compréhension, la coopération et la paix internationales et l'éducation relative aux droits de l'homme et aux libertés fondamentales" (1974), de la "Recommandation sur le développement de l'éducation des adultes" et de la "Recommandation concernant la participation et la contribution des masses populaires à la vie culturelle", les deux dernières adoptées à la 19e session de la Conférence générale de l'Unesco en novembre 1976.

Europe (Helsinki, 1975). D'autre part, des conférences intergouvernementales, de caractère régional, réunies par l'Unesco, reprennent les problèmes de démocratisation de l'éducation et du choix d'une langue pour les activités éducatives, avec des références à la place à accorder à la langue maternelle. Ainsi, par exemple, pour n'en que quelques unes parmi les plus récentes, il est possible de se référer à:

--la Conférence des Ministres de l'éducation et des Ministres chargés de l'application de la science et de la technologie en développement en Amérique latine et dans la région des Caraïbes (Vénézuela, 1971);
--la Troisième Conférence régionale des Ministres de l'éducation et des Ministres chargés de la planification économique en Asie (Singapour, 1971);
--la Conférence intergouvernementale sur les politiques culturelles en Europe (Helsinki, 1972);
--la Troisième Conférence internationale sur l'éducation des adultes (Tokyo, 1972);
--la Conférence intergouvernementale sur les politiques culturelles en Asie (Yogyakarta, 1973);
--la Conférence intergouvernementale sur les politiques culturelles en Afrique (Accra, 1975);
--la Conférence des Ministres de l'éducation des Etats membres d'Afrique (Lagos, 1976);
--la Conférence des Ministres de l'éducation et des Ministres chargés de la planification économique dans les Etats arabes (Abou-Dhabi, novembre 1977);
--la Conférence intergouvernementale sur les politiques culturelles en Amérique latine et dans les Caraïbes (Bogotá, janvier 1978).

Les deux récentes conférences en Afrique (Accra (1975) et Lagos (1976)) méritent un examen plus détaillé car le problème des langues de l'enseignement y est longuement traité et elles marquent un moment décisif dans la conception de la politique linguistique dans les pays en développement. Leurs recommandations, tout en visant en particulier l'Afrique, permettent de dégager des principes de valeur générale pour les communautés bi- ou plurilingues. La Conférence sur les politiques culturelles en Afrique a adopté 42 recommandations relatives aux problèmes culturels mais, dès la première, et ceci dans huit d'entre elles, le problème des langues est posé comme problème central. Nous y lisons:

"de redonner aux langues africaines la place qui leur revient dans la vie culturelle" (Recommandation 1),
"de choisir, au niveau des Etats qui ne l'ont pas encore fait, une ou plusieurs langues nationales, ce choix nécessaire devant être fait avec courage;
"d'utiliser progressivement les langues africaines comme langues d'enseignement au niveau des différents cycles", 

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"de donner une impulsion nouvelle à l'alphabetisation des masses dans les langues africaines" (Recommandation 3),
de veiller à ce que leurs langues nationales deviennent, par leur dynamisme interne et dans le cadre du développement économique et social de leurs pays, de véritables langues de culture, s'imposant à tous leurs partenaires, pour un dialogue efficace des cultures" (Recommandation 10, et ainsi de suite).

La Conférence des Ministres de l'éducation (Lagos, 1976) aborde largement, elle aussi, le problème des langues. La Déclaration adoptée par les participants pose comme impératif d'un enseignement national, démocratique, authentique et moderne...la restauration des langues nationales comme langues d'enseignement. La Recommandation 2 préconise aux États membres:

"la démocratisation de l'enseignement afin que l'école cesse d'être le privilège de quelques enfants... et "l'introduction et le développement de l'emploi des langues nationales comme véhicules de l'instruction dans les écoles et les universités". Ces recommandations poursuivent et développent les idées fondamentales ayant présidé à l'adoption par la 17e Conférence générale de l'Unesco en 1972 d'un "Plan décennal pour l'étude de la tradition orale et les langues africaines", véritable programme de rénovation et de démocratisation de l'éducation en Afrique. A ceci s'ajoutent plusieurs recommandations issues de réunions d'experts, convoquées par l'Unesco et qui conseillent l'Organisation sur les divers aspects des activités vouées aux problèmes de langues dans les pays en développement, multilingues dans leur majorité. Il n'est pas possible de dresser leur liste exhaustive; toutefois, celles traitant des problèmes africains sont regroupées et peuvent être consultées dans "Langues et politiques de langues en Afrique noire", publié en 1977 avec le concours de l'Unesco (Nubia/Unesco, 474 pages).

L'ensemble des documents nous conduit aux constatations suivantes, susceptibles d'être acceptées comme principes de base pour une planification linguistique à l'école dans les pays multilingues:

1. La pratique des droits démocratiques et des droits à l'éducation dans les sociétés plurilingues ne saurait se faire sans un exercice réel du droit à l'expression et à la réalisation de l'individu à travers la langue maternelle. L'éducation en langue maternelle est un droit inaliénable dont l'exercice devrait être effectif pour tous.

2. Le choix d'une politique linguistique à l'école est de la compétence exclusive d'un pays; elle relève de la volonté de ses citoyens et résulte des conditions historiques socio-culturelles et économiques particulières.

3. Le modèle adopté dans un pays n'est pas nécessairement transférable à un autre pays pour les raisons exposées ci-dessus.
4. La planification linguistique dans un contexte plurilingue fait partie intégrante de la planification sociale et économique d'une société donnée. Par conséquent, la formulation d'une politique linguistique à l'école et la réalisation des droits linguistiques s'insèrent dans une vision globale d'un projet de société et dans le cadre d'un système éducatif national, tous les deux fonctions d'une volonté politique. Elle nécessite, par conséquent, la participation dans la prise de décisions de tous ceux qui sont concernés.

5. L'égalité des langues dans un pays et la promotion des langues maternelles dépendent essentiellement de facteurs non linguistiques. Toute langue par définition est apte à traduire les besoins en communication et en expression de la civilisation particulière à laquelle elle est liée.

6. Le principe d'un état centralisateur et les besoins de l'administration ne sauraient être considérés comme une justification valable pour l'usage exclusif d'une langue au détriment des autres.

7. L'égalité des langues dans un pays est juridiquement possible quel que soit leur nombre.

8. La programmation de l'enseignement des langues et dans les langues du pays devrait se faire avec un souci de complémentarité et de répartition équitable des fonctions éducatives, qui puisse garantir un pluralisme linguistique non assimilateur.

9. L'utilisation rationnelle des ressources d'un pays en matière d'éducation et leur limite face à l'ampleur des problèmes et des besoins imposent des choix, parfois difficiles et douloureux, exigent l'établissement d'une hiérarchie des objectifs dans la réalisation des droits linguistiques, exigent des décisions où les facteurs quantitatifs jouent un rôle important. Toutefois, la nécessité d'opérer des choix ne devrait pas jouer à l'encontre ou porter préjudice au principe du libre choix ou de la promotion de la langue maternelle.

10. Les ressources étant nécessairement limitées face à l'ampleur des besoins à satisfaire, il y a lieu de concevoir, dans un cadre planifié, des systèmes d'éducation linguistiques et de formation, fondés, de façon également adaptée, d'une part sur les intérêts à long terme des individus, quels que soient leur âge, leur sexe, leur langue, leur situation professionnelle ou leur lieu de résidence, et d'autre part, sur les intérêts de la société.

Ces quelques réflexions conduisent à la conviction que le bi- ou multilinguisme à l'école serait la solution idéale des pays plurilingues et qu'il permettrait de concilier aussi bien les droits individuels et les droits collectifs que de répondre aux
besoins spécifiques de l'individu et de la société, de pro-
mouvoir l'égalité de chances pour tous.

Le multilinguisme répond, d'ailleurs, à un besoin profond de pluralité des moyens d'expression et atteste de la diversité utile et féconde des trésors culturels d'un pays, mieux que ne le ferait une uniformité de pure convenance et répondant aux contingences du moment.

Par conséquent, la promotion dans leurs fonctions éducatives variées des différentes langues coexistant sur un territoire donné, la promotion d'un bi- ou multilinguisme assumé et maîtrisé, nous semble répondre à une nécessité objective et c'est vers cela que s'orientent la plupart des pays en développement.

La présence de plusieurs communautés ethniques et linguistiques en contact peut poser la langue comme facteur d'unification ou de différenciation politique. La politique coloniale ayant imposé une langue étrangère comme facteur d'unité nationale et même comme outil dans la lutte contre le système colonial, un grand nombre de pays en développement ont préféré, au lendemain de leur libération, maintenir cette langue au lieu d'éveiller les vieux démons de l'antagonisme ethnique. Dans certains cas, l'unité nationale est recherchée à travers l'unification linguistique et l'on maintient le mythe du pouvoir absolu fondé et conditionné par l'existence d'une seule langue, tout en oubliant les leçons de l'histoire où la multiplicité des langues n'a jamais empêché la communication. D'ailleurs, l'existence d'une seule langue dans un pays n'a jamais empêché les guerres intestines.

Le multilinguisme, au lieu d'être une source d'enrichissement mutuel, devient source de conflit uniquement en cas de traitement inégal manifeste des langues. Il ne crée la tension qu'en l'absence de normes et pratiques de l'utilisation des langues dans les domaines administratif, éducatif, économique ou culturel, ou par les moyens de communication de masse. Il ne conduit au conflit que lorsque les oppositions et contradictions de caractère linguistique sont liées aux attitudes et actions politiques, lorsque, dans un contexte socio-politique déterminé, la langue devient ressource pour manipulations. Le multilinguisme ne saurait conduire au conflit si les membres des divers groupes linguistiques acceptaient l'importance du principe du multilinguisme institutionnalisé et le considéraient comme essentiel pour la préservation de leur état ou du pays, s'ils acceptaient d'étudier les langues des autres, plutôt que d'imposer leur propre langue.

**ANNEXE**

Liste des conférences ou réunions de haut niveau organisées avec le concours de l'Unesco et abordant le problème des langues
Conférence des Etats africains sur le développement de l'éducation en Afrique (Addis Ababa, 1961)
Conférence sur l'éducation et le développement économique et social en Amérique latine (Santiago du Chili, 1962)
Conférence des Ministres de l'éducation en Afrique (Abidjan, 1964)
Congrès mondial des Ministres de l'éducation sur l'élimination de l'analphabétisme (Téhéran, 1965)
Conférences des Ministres de l'éducation et des Ministres chargés de la planification économique des pays d'Amérique latine et des Caraïbes (Buenos Aires, 1966)
Conférence sur l'éducation et la formation scientifique et technique dans leurs rapports avec le développement en Afrique (Nairobi, 1968)
Conférences des Ministres de l'éducation et des Ministres chargés de l'application de la science et de la technologie en développement en Amerique latine et dans la région des Caraïbes (Vénézuela, 1971)
Troisième Conférence régionale des Ministres de l'éducation et des Ministres chargés de la planification économique en Asie (Singapour, 1971)
Conférence intergouvernementale sur les politiques culturelles en Europe (Helsinki, 1972)
Troisième Conférence internationale sur l'éducation des adultes (Tokyo, 1972)
Conférence intergouvernementale sur les politiques culturelles en Asie (Yogyakarta, 1975)
Réunion de Hauts Fonctionnaires des Ministères de l'éducation des vingt-cinq pays les moins développés (Paris, 1975)
Conférence intergouvernementale sur les politiques culturelles en Afrique (Accra, 1975)
Conférence des Ministres de l'éducation des Etats membres d'Afrique (Lagos, 1976)
Conférence des Ministres de l'éducation et des Ministres chargés de la planification économique dans les Etats arabes (Abou-Dhabi, novembre 1977)
Conférence intergouvernementale sur les politiques culturelles en Amérique latine et dans les Caraïbes (Bogotá, janvier 1978)
IVe Conférence des Ministres de l'éducation et des Ministres chargés de la planification économique en Asie et en Océanie (Colombo, juillet-août 1978)
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