2 Creating English-Only Policies
Ghostwriting, Templates, and Genre Choices

Local language policies emerge out of local governments, yet they also tend to closely resemble each other. Three different counties in the state of Maryland, for example, enacted nearly identical English-only ordinances between 2012 and 2013 (Appendix B). While each policy begins and ends slightly differently, the middle content is consistent and the genre is the same. To illustrate, consider similar clauses in each of the three ordinances:

> F. No law, ordinance, decree, program, or policy of Frederick County shall penalize or impair the rights, obligations or opportunities available to any person solely because a person speaks only the English language.
>
> 7. No law, ordinance, decree, program, or policy of Queen Anne's County or any of its subdivisions shall penalize or impair the rights, obligations or opportunities available to any person solely because a person speaks only the English language.
>
> G. No law, ordinance, decree, program, or policy of Carroll County shall penalize or impair the rights, obligations, or opportunities available to any person solely because a person speaks only the English language.

The shared purpose of these clauses is to prioritize the privileges of monolingual English users in a particular county. The only sources of variation are which county is named, the list structure (the alphabetic "F" and "G" vs. the numerical "7"), the optional phrase "or any of its subdivisions," and the optional serial comma after "obligations." How does it happen that all these policies look the same? Furthermore, how is it that a fourth county in Maryland, Anne Arundel, tried to enact a much differently written policy, only to fail? In this chapter, I explore the writing practices that led to these outcomes in Frederick County, Carroll County, Anne Arundel County, and Queen Anne's County (Figure 2.1).

What all these textual similarities suggest is that writing is a crucial part of language policymaking, not just in the sense that policies are written documents but also in terms of how people draft, revise, discuss, circulate, and respond to policies. Writing's role in local language policies is particularly important in the United States because so many now use language from the same written template. This template came to Maryland from a town 150 miles north of the state border – Hazleton, Pennsylvania. What began as

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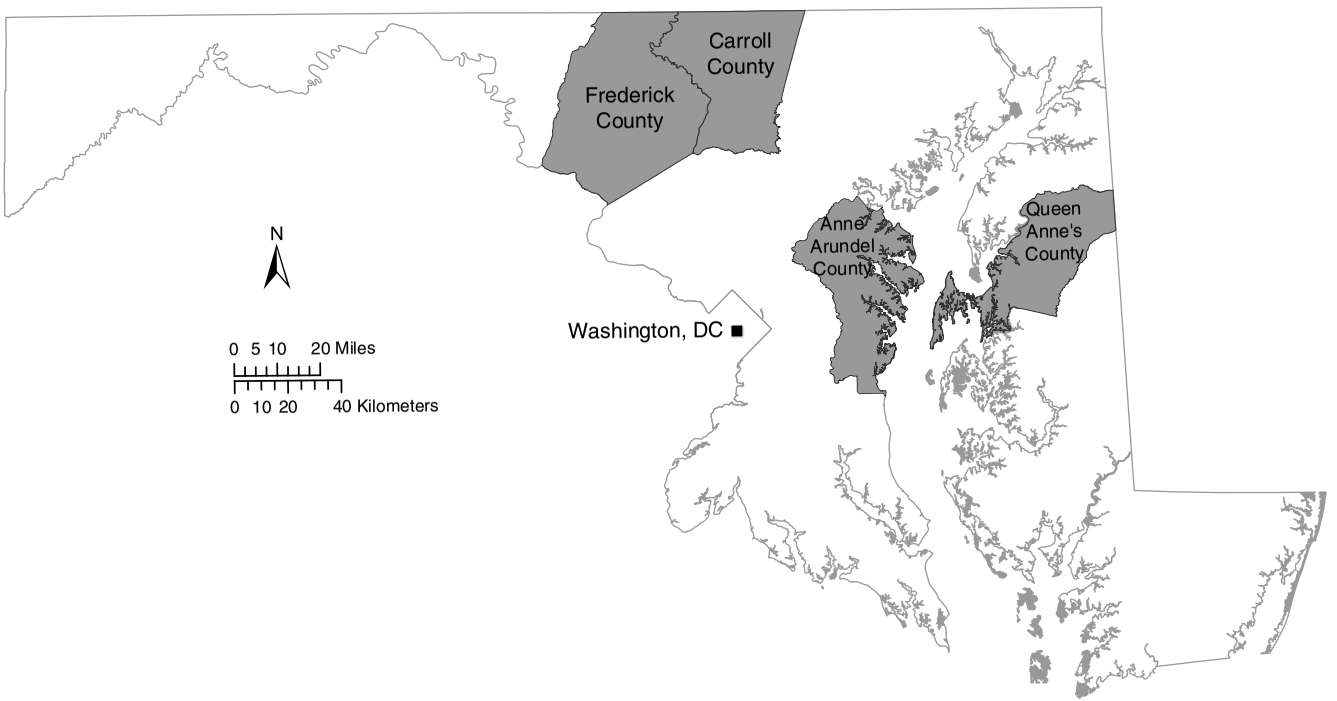


Figure 2.1 A map showing the location of the four counties in Maryland that passed or proposed English-only policies between 2012 and 2013: Frederick County, Carroll County, Anne Arundel County, and Queen Anne's County; Washington, DC, is marked as a point for reference

a 2006 ordinance in Hazleton evolved into a fill-in-the-blank template for the organization ProEnglish. From ProEnglish, the template spread even further. Going back to this starting point is important because when Hazleton partnered with ProEnglish, they laid the groundwork for a series of new English-only policies. Over the course of several years, people adopted and adapted many iterations of this template for their own purposes in their own communities.

As I traced the histories of how these matching policies emerged, I found that three writing strategies were particularly important: ghostwriting, working with templates, and choosing genres. These kinds of writing strategies have been part of the English-only movement since its origins, as I discuss in Chapter 1, but they play a particularly prominent role in the local language policies of the twenty-first century. At the same time, when people do not use these strategies and try to write something alone or from scratch, their efforts often stall or fail. For example, Anne Arundel County proposed a homegrown English-only policy, which was withdrawn before it could even come to a vote. Even in Frederick County, there was an earlier attempt to pass an English-only resolution, which went so awry that when it did come up for a vote, even the politician who had initiated the process voted against the final product. As I will discuss, however, even failure can be productive in unexpected ways: Anne Arundel's attempt inspired next-door Queen Anne's County, and Queen Anne's County did succeed; similarly, Frederick County's fraught early attempt in 2008 paved the way for its more successful 2012 policy.

My aim is to tell the stories of these policy campaigns in a way that captures their many twists and turns. By focusing on collaborative writing processes in and across communities, I hope to go beyond common dichotomies in discussions of local language policy. I believe language policy scholarship too often gets caught up in whether these policies are top-down or bottom-up, macro or micro, grassroots or astroturfing. For example, in an otherwise nuanced account of language policy in various domains, Spolsky (2009) dismisses "local governments which are more easily manipulated by activist groups than are higher levels" (p. 173). This model of a three-layered system of "activist groups," "local governments," and then "higher levels," as well as this notion of one group manipulating another, is more rigid than what tends to happen in practice. More recently, Spolsky (2021) has revised his approach and moved in the other direction, arguing persuasively that the individual might well be the fundamental unit for understanding language management. From my perspective, though, there is no need to identify one type of actor as having the most agency or playing the most important role. Instead, people usually play a variety of roles, and have a range of goals, and some policies have more impact than others, but in my research, there is no sense that any one person or group is really in control of another or that one person or group is acting more

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genuinely than others. Instead, like most people, language policymakers are constantly navigating between various collaborations, tensions, opportunities, and constraints.

By focusing on the nuts and bolts of the writing processes that make local English-only policies possible, I also show that language policies are not *merely* manifestations of language ideologies. Instead, policies are connected to personal and professional experiences, to genres, to systems of government, to technologies, to histories, to geographies, and to all other aspects of people's lives. For these reasons, language policy shifts are difficult to predict, or even plan. A corollary of this argument is that changing language policies requires much more than just changing language ideologies. In other words, it may be neither sufficient nor necessary to convince people of a particular language ideology. Policy campaigns can fail even with widespread community support, and they can succeed even if the majority of the policymakers are apathetic or even skeptical toward the text they are sponsoring. These observations are not meant to evoke a sense of hopeless relativism but rather to show that there are countless opportunities for negotiation, intervention, and serendipity in language policy.

To tell the stories of these policies, I find it helpful to think in terms of what Lillis and Curry (2010) call text histories. Rather than analyze individual texts in isolation or, on the other end of the spectrum, try to construct history writ large, what matters to me here is being able to understand how a text changes over time as it changes hands, changes form, and changes in function. In the section that follows, I introduce some ways that text histories depend in large part on policymakers' particular circumstances and ideologies about writing and writers.

I then turn to the text histories themselves, which I share in four parts. First, I discuss the origins of the template and the role of ghostwriting in the 2006 Illegal Immigration Relief Act of Hazleton, Pennsylvania. Next, I move to one of the first efforts to emulate Hazleton's example, which met with mixed results because of a dispute over which genre to use: the 2008 Official Language Resolution of Frederick County, Maryland. In the third section, I analyze how Frederick switched from a resolution to an ordinance in 2012 and how that genre choice paved the way for the policy's success. I then expand the scope to consider three other counties in Maryland that drew on templates and strategies from Hazleton, Frederick, and each other in 2012–2013, two of which ultimately succeeded and one of which did not. Carroll County adapted the same template and playbook as Frederick County, and that campaign went fairly smoothly. On the other hand, in Anne Arundel and Queen Anne's Counties the process was more troubled, in part because there were multiple templates in play. What happened in those two counties exemplifies how governments copy each other in addition to organizations. I conclude by synthesizing how

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different writing strategies shaped these text histories and by posing some new questions raised by these findings.

Text Histories of Language Policies

The notion of a text history originally came out of Lillis and Curry's (2010) groundbreaking long-term study of global academic publishing, but language policy can be a bit different from academic writing. Part of my work has been to expand and reconceptualize what this framework could look like for language policy. What remains consistent is the goal of "exploring the trajectories of texts toward publication" by gathering "as much information as possible about the history of a text, including the drafts produced, the different people involved … the chronology of involvement and the nature of their impact on the text and its trajectory" (Lillis and Curry, 2010, p. 4). A text history includes not just drafts, feedback, and revision but also broader practices of entextualization, recontextualization, and circulation (Silverstein and Urban, 1996; Prior and Thorne, 2014; Vieira, 2019).

One feature that does separate policy texts from many others is that they are highly shareable (Urban, 1996, p. 24). Any elected official can copy or otherwise emulate any government policy without explicit citation or attribution, and it is not generally considered problematic or suspect. Government documents in the United States are not under copyright. In lobbying and nonprofit organizations, it is common to post templates for anyone interested in or willing to use them. In other words, policy plagiarism is almost an oxymoron. Of course, copied legislation can still fail, be amended, be superseded, or be deemed unconstitutional, but it is always on grounds other than the policy's originality or lack thereof.

Another specific feature of policy text histories is that while policies are tied to governments and organizations, they are not necessarily included in the domain of authorship. People who help shape language policies in the United States are what Brandt (2015) calls everyday writers, or those who may write prolifically, influentially, and profitably but who do not expect or even necessarily desire authorship credit for that writing (p. 12). They are professionals who may

> write as a routine part of their work, whose pay depends to some degree on their writing literacy, who often write anonymously and ephemerally, and who may not necessarily feel the designation of writer is even appropriate to their situation, given their place in a culture where that term is usually reserved for published professionals associated with a few, highly regarded genres. (p. 12)

In other words, while they may technically be "published professionals," they are not writing in genres where they can expect to have their names publicly

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attached to their work. So, while Lillis and Curry (2010) find that some of their academic writer-participants were reticent about "report[ing] the involvement of others in their text production" (p. 5), writers outside academia may hesitate to even report their *own* involvement in writing texts.

On one occasion, for example, I contacted a county employee because his supervisor had told me that he had helped craft the first draft of a proposed policy. After I emailed him to introduce my study and ask if he would be available for an interview, he replied that his role "was limited to assisting … with the wording" and then referred me to several other county committees and offices. Of course, he may simply not have been interested in participating, but the point is that it is difficult to imagine an academic or creative writer demurring by saying they merely helped "with the wording." To some extent, it is normal for people to not identify as a writer (Eubanks, 2011). For instance, people who write a lot of text messages, diary entries, social media comments, emails, or post-it notes often do not identify as writers. The writers I am focusing on, however, have additional cultural and legal motivations for their stances on their writing.

Most US workers have effectively no copyright claims over the texts they create. While an employee may receive some internal recognition (whether positive or negative) within an organization for what they produce, legally and officially they are usually not the author or the owner – "copyright turns inside out" (Brandt, 2015, p. 20). This system reaches its logical conclusion in ghostwriting, where writers work behind the scenes with some shelter from public scrutiny. So, coming up with a policy idea, conducting legal research, finding an appropriate template, tailoring the template, composing new sentences, publicizing the policy, revising the text, and voting on the actual bill or ordinance may all be done by different or overlapping groups of people.

In policy contexts, Hall and Deardorff (2006) argue that providing templates and talking points is "a form of legislative subsidy – a matching grant of policy information, political intelligence, and legislative labor," where the goal "is not to change legislators' minds but to assist natural allies in achieving their own, coincident objectives" (p. 69). Legislative subsidies of this sort are ubiquitous in US politics, in part because many local and even state politicians receive only a part-time salary and so usually cannot not write all of their own policies even if they wanted to. The American Legislative Exchange Council (ALEC) is the most prominent source of policy templates in the United States, but ALEC focuses primarily on conservative policies around labor, business regulations, guns, and voter registration (Hertel-Fernandez, 2014). While ALEC has put out anti-sanctuary-city policy templates (which are essentially anti-immigrant policies) (Collingwood, El-Khatib, and O'Brien, 2018), they do not focus on language policy per se. That gap leaves plenty of room for an organization like ProEnglish to carve out a niche.

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While some of the practices differ between academic publishing and policy writing, the timespans, numbers of people, technologies, and drafting processes are quite similar, which is why the text history is an apt unit of analysis for exploring how people create and circulate local language policies. In other words, text histories are well-suited for studying a few texts that emerge over a few years with the participation of a few dozen people. I have conducted interviews with writers, collected "as many drafts as available," and gathered evidence of "correspondence" (Lillis and Curry, 2010, p. 4). I now turn to the text histories of the policy template and its offshoots.

Hazleton, ProEnglish, and Ghostwriting a Template

The template's origin story begins with a 2006 language policy in Hazleton, Pennsylvania (see Table 2.1 for a timeline of the policies discussed in this chapter).

One could argue that the story goes back even further,[1] but I focus on Hazleton because that was the point where the key template materialized. Hazleton is an industrial town of roughly 25,000 residents, although its population and economic landscape have fluctuated significantly in recent years. Like many communities in the United States, Hazleton's immigrant population was negligible for several decades, due in large part to restrictive federal immigration quotas and a struggling coal-based economy (Dick, 2011). More immigrants began to move to Hazleton in the 1990s, and while this shift bolstered the town's economy, many existing residents resented the demographic shift. This pattern of resentment is similar to what happened in Dade County, Florida. According to Mayor Lou Barletta (who later became Congressman Barletta), the straw "that broke the camel's back" and inspired him to sponsor formal anti-immigrant legislation was a murder case where the alleged perpetrators were undocumented immigrants (although those charges were later dropped) (Associated Press, 2007, July 7). In addition to these local demographic shifts and events, spring 2006 was a period of heightened national discussion about immigration reform and language policy in the federal government, nationwide news coverage, and protests in several large US cities (Tardy, 2009, p. 268; see also Bleeden, Gottschalk-Druschke, and Cintrón, 2010; Dayton-Wood, 2010; Cisneros, 2013).

Mayor Barletta initiated a long series of events when he enacted the original "Illegal Immigration Relief Act." This policy transformed and expanded local governmental authority in a number of ways, from introducing fines

[1] In fact, Hazleton's first attempt at a policy was itself a close copy of an anti-immigration policy that the government of San Bernardino, California, had considered but ultimately rejected earlier that year (Dick, 2011, pp. 46–47; Tarone, 2015, October 18).

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Table 2.1 *A timeline of the key language policies discussed in this chapter. Information includes dates, sponsors, names, genres, outcomes, and whether the policy shares language with a template*

Date	Sponsor	Full policy name	Genre	Outcome	Shares language with template?
9/12/2006	Hazleton, PA	Official English Ordinance, 2006-19	Ordinance	Passed	Yes
2006	ProEnglish	Model Municipal Official English Ordinance	Template		
4/15/2008	Frederick County, MD	A Resolution by the Board of County Commissioners for Frederick County, Maryland, to Initiate an Ordinance to Provide that English Is the Official Language of County Government	Resolution and Ordinance	Failed	No
4/24/2008	Frederick County, MD	Resolution "Proclaiming English as the Official, Primary and Common Language," 08-13	Resolution	Passed	No
2/22/2012	Frederick County, MD	Frederick County Official English Ordinance, 12-03-598	Ordinance	Passed; repealed in 2015	Yes
3/5/2012	Anne Arundel County, MD	Official Language, Bill 13-12	Bill	Withdrawn	No
5/8/2012	Queen Anne's County, MD	An Act Concerning Recognition of English as the Official Language of Queen Anne's County	Ordinance	Passed	Yes
1/24/2013	Carroll County, MD	An Ordinance Adopting Amendments to the Code of Public Local Laws and Ordinances of Carroll County, Maryland, 2013-01	Ordinance	Passed	Yes

for landlords who rent to undocumented immigrants, to restricting employers' hiring practices, to establishing the city as "English Only." Later, the original policy was split into two, one covering language policy and the other covering everything else. How did Hazleton's local *immigration* policy turn into a widely used *language* policy *template*? In an interview with Robert Vandervoort, who was the executive director of ProEnglish at the time of the interview, we discussed how the shift happened. I began by asking about the template, and then we discussed the role of the American Civil Liberties Union (ACLU). When I asked, "About the model ordinance that's on the website, do you know who wrote it?" Vandervoort replied:

VANDERVOORT: I believe, and I'd have to double-check to be sure, but I believe it was written by an attorney named Barnaby Zall. I believe that…

FLOWERS: Oh!

VANDERVOORT: It was, I believe he had helped for many years on these issues. And my understanding is that … when Hazleton, Pennsylvania, introduced their language … I believe the ACLU tried to challenge it, and so Barnaby Zall went back and I believe he tried to correct some of the things that were at issue and, and it was resubmitted with the changes that he had helped create, and … the changes that he made in that legislation, or that, you know, for the official law, were pretty airtight, to the point where the ACLU actually dropped their … challenge on the Official English ordinance at Hazleton … So that's that language we've been using and promoting ever since.

This exchange suggests that Barnaby Zall authored the new Official Language ordinance and this ordinance in turn became the basis for ProEnglish's model ordinance. His role appears multifaceted: Vandervoort describes him as having "written," "helped," "tried to correct" things, and "creat[ed]" changes. He emphasizes the fact that the new text was "pretty airtight," even from the ACLU's perspective. The trajectories between the two halves of the original law also began to diverge at this point: The housing and employment parts were the subject of the lawsuit *Lozano* v. *Hazleton* through 2014 and were ultimately ruled unconstitutional, while the language policy survived intact.

When Vandervoort mentioned Zall, I exclaimed "Oh" because I recognized the name but was not expecting to hear it in this context. In retrospect I should not have been so surprised to hear about Zall's role in Hazleton: He had been involved in similar kinds of writing for at least twenty-five years, going back to the early years of Federation for American Immigration Reform (FAIR) and U.S. English. In 1979, he began working with John Tanton and Roger Conner while he was still in law school (Conner, 1989, pp. 39–40; Tanton, 1989, p. 61). He weighed in on Tanton's early plans to work with Senator Hayakawa (Zall, 1981, December 3). A 1983 biographical note in a law review article identified him as the "Director of Government Relations" for FAIR (LeMaster

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and Zall, 1983). The *Los Angeles Times* described him as an attorney for both FAIR and U.S. English (Trombley, 1986, October 20).

Zall did not just support or defend language policies; he wrote language policies. And not just in Hazleton. In a book chapter he cowrote on "the English Language movement,"[2] his biography stated that he was "the author of California's Proposition 63 and several other official language provisions," as well as "the general counsel to U.S. English and other official language organizations" (Zall and Stein, 1990, p. 268). Proposition 63 was the ballot initiative that made English the symbolic official language of California in 1986 (HoSang, 2010). In a special issue of Tanton's journal *The Social Contract* on the theme of "The battle for Official English," Park (1996) explained how Zall "worked with the legislature's lawyers to craft an initiative amending Arizona's constitution to declare English the official language" (p. 245).[3] In describing this writing process, Park (1996) described Zall as U.S. English's "top lawyer," someone "who performed miracles time and time again" (p. 248). In a newsletter, ProEnglish (2007, April) recounted how Hazleton's ordinance "drew heavily on the legal expertise and work of ProEnglish's general counsel, Barnaby Zall" (p. 4). To summarize, Zall has a long history of writing language policies that become law and of mediating between organizations and legislators. He also continued this kind of work after Hazleton. In 2009, for example, he wrote a brief on behalf of ProEnglish and other organizations in the Arizona bilingual education case *Horne* v. *Flores* (Zall, 2009). Zall (2017) has branched out from language; he mentions a medical-malpractice-related "ballot initiative I drafted in Florida" (p. 45). Most recently, he founded the Public Policy Legal Institute, which he continues to run (Zall, 2023).

The way people characterize Zall's role (including Zall himself) depends heavily on the audience and the venue. The sources that identify him as a policy writer (cited earlier) are aimed at two particular (although overlapping) audiences. The first is scholars, as in Zall's chapter in Adams and Brink's (1990) academic edited collection on language policy and in Vandervoort's interview with me. The second audience is people sympathetic to the English-only movement, as in parts of Tanton's archives, the special issue of Tanton's journal, ProEnglish's newsletter, and Zall's descriptions of himself.

In contrast, news coverage and elected officials tend to be more circumspect about Zall and about ghostwriting. For example, in a piece about the proposed "English law" in Jackson, New York, the journalist describes ProEnglish as "the organization that helped draft Hazleton, Pa.'s [*sic*] English ordinance"

[2] Elsewhere in the article they call it "the official language movement" (Zall and Stein, 1990, p. 268).
[3] This proposition held for ten years (1988–1998) but was ultimately ruled unconstitutional in *Ruiz* v. *Hull*. However, in 2006, Arizonans voted on a similar proposition that passed, and is still intact.

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(Taube, 2010, August 4). This kind of coverage mentions the organization but not individual people and uses more general terms like "help." These two different kinds of description suggest that having a ghostwriter who can write for different jurisdictions around the country is an asset for an organization and for the overall social movement but that ProEnglish and elected officials usually prefer to emphasize the role of local actors more, particularly while the policy campaign is still unfolding. Zall's work is thus key to the broader English-only movement, and his discretion is key to the localism permeating that movement. Yet while Zall's role was important, the collaboration between ProEnglish and a local government was by no means unprecedented or even exceptional. As I discuss in Chapter 1, ghostwriting has always existed in organizations like Citizens of Dade United and U.S. English. Zall's focus on actually writing government policy texts is therefore in keeping with the English-only movement's broader prioritization of writing.

After hearing Vandervoort's account of how this template started, I was still curious about the precise nature of Zall's collaboration with Hazleton's elected officials so I continued that line of inquiry. Vandervoort elaborated, saying that the ACLU challenged Hazleton's original ordinance and then Hazleton "contacted us for some help and assistance, and Barnaby Zall, who at that time was working with us on these issues, looked at it, made the changes and corrections based … on what the ACLU had found as problematic, and that was resolved and resubmitted and then the ACLU dropped the challenge." Here Vandervoort reemphasizes how multifaceted ProEnglish's role was in the writing process: There were "changes" and "corrections," and the new policy was "resolved and resubmitted."

What did the ACLU find problematic? In the initial ordinance, race and legal immigration were absent on the surface, but they were implicitly quite relevant. As Dick (2011) meticulously describes, these absences allowed "[c]hampions of local immigration restrictions" to claim that there was nothing unjust about the policy: The law applied equally to everyone and did not discriminate against any particular race(s) (p. 50).[4] On the other hand, the policy's meaning is not just in its referential language but also in what other discourse and texts it indexes. The policy cites and resembles federal laws that disproportionately harm people of color, whether they are immigrants or not. Furthermore, Dick (2011) notes that terms like "Mexican immigrant" and "illegal alien" are so "conflated" in US discourse that the policy does not have to directly mention Latinx people in order to send harmful messages to and about them (p. 35). Amid local public outcry against the Illegal Immigration Relief Act,

[4] The original Illegal Immigration Relief Act *does* explicitly discriminate against undocumented immigrants, of course.

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local landlords and employers began filing lawsuits against the city, and the ACLU filed a lawsuit of its own (Tarone, 2015, October 17).

In response, the government took a number of steps to immunize the policy against legal complaints. First, and perhaps most significantly, they split the ordinance into two: No longer was the official language provision fused to the other provisions about housing, employment, and law enforcement. An article in Hazleton's newspaper, *The Standard-Speaker*, hinted that the soon-to-be-passed "revisions are fairly substantive" (Tarone, 2006, September 8). Tarone (2006, September 8) paraphrases Mayor Barletta as saying that "if he'd had to do it over, he'd have introduced it [the language policy] as a separate bill" from the beginning but that "the group ProEnglish … has volunteered its help in defending that bill if it is challenged in court." However, the revisions were also "designed to make the bills more likely to withstand the court challenge filed by" the ACLU and Latinx advocacy organizations, thereby obviating the need for further legal help (Tarone, 2006, September 8). Specifically, they revised the official language policy. Somewhat counterintuitively, making the language component more palatable involved not trimming it down but actually adding much more content.

Zall made Hazleton's new language policy different from the original in almost every way. The first one was two sentences; the revised one is three pages. New sections include an "Official English Declaration," "Exceptions," "Private Use Protected," and "Interpretation." There are two innovations in this policy that may have made it more difficult to legally challenge, for the ACLU and other plaintiffs and activists, and more appealing to other local governments. The first major innovation is that the revised text describes spatial and political scales with more nuance. The scope of the policy is more explicitly local; the city is mentioned fourteen times, while the state and federal government only appear three times. Furthermore, unlike in ProEnglish's 2000 model policy (see Chapter 1), here the point of mentioning those other government scales is to acknowledge exceptions and limitations, not to ask for higher offices to adopt the same language policy. Paradoxically, then, this more locally oriented policy became the more widely usable template.

The second key difference is that this ordinance depicts English as an at-risk language and English speakers as an at-risk group. This theme was not at all present in the initial ordinance, and it is an odd addition, given that English is the world's most commonly used language and the number of English users is rising, not falling. There are four specific clauses that create this sense of vulnerability. On the first page, the policy states that "in today's modern society, the City of Hazleton may also need to protect and preserve the rights of those who speak only the English language to use or obtain government programs and benefits." The opening phrase suggests that English speakers may

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have been safe in the past but not necessarily anymore. Later on, the policy elaborates on these protections for monolingual English speakers by establishing that they are "eligible to participate in all programs, benefits and opportunities, including employment" and that no local government agent or policy "shall penalize or impair [their] rights, obligations, or opportunities." In addition, there is one clause that focuses on the language itself (not just its users): The government "shall make no policy that diminishes or ignores the role of English." This new stance makes the policy sound less like an imperialist or evangelical attempt to spread English and more like an innocent plea for mercy (a theme I return to in Chapter 3).

When ProEnglish adopted Hazleton's paper ordinance as its online template, there were few revisions, other than the step of removing all mentions of Hazleton and replacing them with blank stretches in brackets. For example, one of the first lines in Hazleton's ordinance began with "The People of the City of Hazleton find and declare…" and the ProEnglish template begins with "The people of [NAME OF JURISDICTION] find and declare that…." Other minor changes including the following: The ProEnglish version does not have a "Title" section, the punctuation on the numbered/lettered lists is slightly different, and there are two instances of "that" that were changed to "which." The most substantive change in wording was in a phrase that went from "a government of the people" to "a government accountable to the people," although it is difficult to say how that might substantively change the meaning.

Once ProEnglish had extracted the template's language from its original Hazleton context and recontextualized it on its website, it quickly began to circulate to more sites and more geographic locations. The website smalltowndefenders.com posted the template, as did the anti-undocumented-immigrant site illegalaliens.us (Model Ordinances, 2006; Small Town Defenders, 2006). Barletta also advertised the policy on talk radio (Dick, 2011, p. 47).

The template did not circulate alone or just with casual commentary; people both within and beyond English-only organizations emphasized that legal consulting was crucial in order for a new policy to succeed. Internally, ProEnglish posted an offer of free consulting and their contact information on the same page as the template, which is still there in a similar form as of 2023. At the time, the more general site illegalaliens.us (2006) warned that it was "*essential* that a local government representative, ideally a local attorney representing the government" (emphasis in original) reach out to ProEnglish "as far in advance as possible, to discuss critical technical issues in confidence," so as to avoid "legal liability, including civil rights claims" (Model Ordinances, 2006). ProEnglish's offer and this site's warning highlight the fact that circulating and copying a policy text are not enough; the growing network also needed to

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involve introductions, conversations, legal expertise, "technical" troubleshooting, and tailoring by local lawyers for local governments.

In the months and years to come, other communities emulated Hazleton's policy. In some ways, those communities were following Hazleton just like Hazleton had followed San Bernardino. The differences, though, were that now ProEnglish was involved, now the policy was airtight, now the template was available on multiple websites, and now Hazleton was getting significant news coverage due to the multiyear-long lawsuit *Lozano* v. *Hazleton*. The earliest example of uptake that I found was from one of Hazleton's neighboring communities, Shenandoah, in summer 2006. In a balancing act that other city- and county-level elected officials would also attempt in the upcoming years, Shenandoah representative Joseph Palubinsky said to a reporter, "I don't want to come out and say that we're going to copy Hazleton's ordinance, but we're going to use it as a guideline" (Light, 2006, June 19).

Choosing between Genres in Frederick County

When I interviewed Frederick County activist Hayden Duke about his county's series of attempted language policies, he brought up the subject of Frederick's first foray into this area. He mused, "There had been some type of English-only something, if I recall correctly." I wanted to jog his memory and so I filled in the gap: "There was a resolution." "Yes!" he exclaimed. I asked if he remembered the details of when that resolution passed, in 2008. "Vaguely," he replied. In this section, I piece together the story of this "vaguely" remembered 2008 policy, which was fraught in terms of genre and murky in terms of purpose.

This phase of the story is about language policy texts that took up the Hazleton ordinance's general *discourse* more than its precise *written form and function*: The wording was all different, and the final product was a resolution rather than an ordinance. Charles Jenkins, the initial sponsor, had proposed both an ordinance and a resolution, but only a much-revised and much-diluted resolution won out, much to his chagrin. In tracing how this genre debate unfolded, I hope to signal the broader importance of genre choice as an important aspect of language policymaking.

Genre is key. Like many other writers, people who write language policies can be knowledgeable enough to make informed choices about which genre they want to use (Shipka, 2011; Tardy, Sommer-Farias, and Gevers, 2020). Devitt (2004) notes that "[m]ost professional communities … have genre repertoires" (p. 57). Within a given community, people can deliberate over which genres to select, adapt, or invent (Miller, 2023, p. 17). Genre repertoires are not predetermined or set in stone; rather, they emerge out of writers' goals and actions. In this phase of the English-only movement, the desire to develop policies that have teeth but are not illegal created a situation where people would

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argue over whether to draft stricter ordinances with teeth or milder resolutions that would not attract too much scrutiny.

In 2006, newly elected Frederick County commissioner Charles Jenkins started considering the idea of making English the official language. While language policy had not come up during his campaign, a combination of budget issues, law enforcement developments, and media coverage of immigration debates came together soon after he entered office. In our interview, he described how he and his colleagues received requests "asking for more money for translators and interpreters" from approximately thirteen out of seventeen county divisions. He also recalled how the Board of Education "came across the street" to request about $250,000 to hire four new instructors for "ELLs" (English Language Learners).[5] He considered these requests unreasonable.

Meanwhile, Charles Jenkins was also serving as the liaison to the sheriff's department. This was an eventful time to be in this position, as Sheriff Chuck Jenkins was in the process of rolling out a new program called 287(g).[6] This ongoing program facilitates closer collaboration between local law enforcement and US Immigration and Customs Enforcement (ICE). According to Sheriff Jenkins (2016), he and his office had helped detain and/or deport more than 1,400 undocumented immigrants over that decade. The sheriff had made 287(g) part of his 2006 campaign, in an effort to combat any reputation Maryland might have for being a sanctuary. For some of the people I spoke with, 287(g) was evidence that immigration was a problem; for others, its existence was a sign that *treatment* of immigrants was a problem. While there is not an inherent link between language and immigration (many immigrants use English fluently, and many people born in the United States use languages other than English), the link was very salient in this time and place.

In addition to the budget session and the liaison work, Charles Jenkins also mentioned hearing about the language and immigration debates happening in Hazleton and other places, including Farmers Branch, Texas, and Prince William County, Virginia. In fact, his first policy ideas closely reflected Hazleton's initial Illegal Immigration Relief Act. His initial goal was to "deny services" to people who could not prove their legal residence. His motion to move forward with this proposal failed, and it was at that point that he turned to a separate language policy as a consolation prize, just as Lou Barletta had done in Hazleton. Jenkins went through a sort of accelerated, streamlined version of what had taken Hazleton's government years and lawsuits to decide.

[5] The two government offices are a few blocks apart in downtown Frederick City.

[6] Yes, there are two people in Frederick County who are both named Charles Jenkins (no relation). One is a politician, and one is a sheriff. The latter goes by the nickname Chuck, so I refer to him as Sheriff Chuck Jenkins.

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He described his English-only policy as being born out of concern over potential future requests for government documents in other languages.

According to county records, Jenkins introduced an ordinance, and a resolution that would "initiate" that ordinance, in April 2008. Jenkins says he put this package together on his own, and that is my impression as well. The wording of the proposal does not resemble ProEnglish's policy or any other policy that I have found. While there are a few paragraphs of paratext, the substantive part of his ordinance is brief: "English is the official language of County government. All County government documents shall be written in English." I asked about the authorship of his proposed policy from a couple of angles, to see how his answers would compare to my reading. First, I asked if anyone from ProEnglish had ever been in contact with him, and he said, emphatically, "no." Then, I asked if he had ever had a chance to speak with elected officials in places like Hazleton, and he again replied, "no," and went on to say that he had just followed those other cases through the news. He described himself as a committed writer and added that "I enjoy writing; once I get started, it's hard to stop it." As a testament to his penchant for writing, he wrote a newspaper column for several years after leaving office.

Jenkins recalled that as he was preparing to introduce his legislative package, one of his colleagues, Democratic commissioner Jan Gardner, learned of his plan and quickly put together a different, competing Official English proposal. Her policy, which Jenkins referred to as a "watered down resolution," was the one that ultimately passed on a 3–2 vote. Jenkins was very disappointed as Gardner's policy sent a milder message – hers softens the blow by also touting how "the community benefits from acknowledging the rich and varied cultural heritage in our community," while Jenkins' declared quite bluntly that "all County government documents shall be written in English."

Genre was a central aspect of the dispute: Hypothetically, the government can enforce an ordinance, while a resolution "of course has no force of law" (in Charles Jenkins' words), and Charles Jenkins wanted force of law. Vandervoort had a similar perspective when we discussed the question of genre. I began by asking him what he would advise someone trying to decide between the two most common options, "a resolution that's maybe less controversial but also less official" or "an ordinance." He replied,

> We would definitely lean on the side of an ordinance … something that has some teeth in it, something that can be enforced, as opposed to a resolution, because a resolution doesn't really do anything. I mean, I suppose it would be better than nothing, if that's all you could get, but I mean, at the same time, you know, it's like a resolution saying, you know, 'The cardinal will be our county bird,' you know, or … 'We have a resolution that the marigold is our county flower,' you know. … It's nice, but it doesn't…

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and at that point he stopped and just sighed. He went on to say, "So that's why an ordinance or a state law that actually directs government to operate in English would be preferable to just saying, 'Oh, we really like English.'"

"Oh, we really like English" is a pretty accurate encapsulation of Frederick's 2008 resolution. While Vandervoort suggested that a resolution "would be better than nothing," Jenkins felt differently and ultimately voted against Gardner's resolution. His refusal to endorse this policy demonstrates how different one genre can feel from another: Jenkins had been excited about a potential ordinance and disappointed by a resolution. When I asked Jenkins if he had had a hard time deciding how to vote, he replied, "No, I was pretty disgusted with it. So, I didn't have a problem voting against it."

That Jenkins voted against the resolution may seem odd, and, indeed, I was surprised when I learned about this turn of events. He wanted English to be the official language, and he had the opportunity to vote "yes" on a government declaration of that concept, so why didn't he? Vandervoort's analogies to a "county bird" and a "state flower" are helpful for understanding Jenkins' perspective. For people genuinely concerned about the status of the English language, the situation was akin to if one politician had tried to introduce a law to protect an endangered species and another introduced a concurrent proposal to merely make the species the county's mascot. In doing so, that second politician could effectively make a mockery of the whole issue while still being able to claim that they had taken action on it. Despite the discord surrounding this resolution at the time, now residents tend to remember it less as a compromise and more as the opening gambit in the county's English-only movement. In the next section, I turn to how ProEnglish went from distant inspiration for Jenkins' proposal in 2008 to active participant in 2012.

Refining the Template: Passing English-Only Ordinances in Frederick and Carroll Counties

The composition of Frederick's Board of County Commissioners changed significantly in 2010, which in turn made a change in language policy possible. A group of conservative candidates ran together as a slate and won handily. Like Charles Jenkins before them, they considered a range of potential policies to discourage undocumented immigrants from living in the area, and they included an English-only ordinance in this package. Notably, what allowed Frederick County to refine what Hazleton and ProEnglish had started was the combination of a strong supporter and a tough editor.

I contend that the policy's most ardent and most reticent champions, Blaine Young and C. Paul Smith, respectively, both contributed in their own way to the policy's initial success. Charles Jenkins said that he met with the new commissioner president, Blaine Young, to share his ideas for immigration-related

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policy reform during the transition period. Young was open to the concept, as were the other new commissioners to some extent. One of the other commissioners at the time, C. Paul Smith, described the different local, state, and national phenomena that prompted them to consider such policies around 2012. He explained, "Locally, a lot of the funds that the county has to raise and use are to educate illegal aliens … And so there's a lot of discussion at that time about asking the public schools to identify how many illegal aliens are in the school. And the public school would not tell us … They said, 'Oh, that's private. We can't tell you that.'" He and his colleagues were frustrated that the school district would not report how many undocumented students were there and that they "have to educate whoever lives – whether they're illegal or not – in our county." Smith went on to say that Young would say things like "We want to know how many there are, because this illegal alien problem, though we're not next to the border, it's affecting us," particularly "right after the 2008 crash" when the government's budget was stretched thin. Through reported speech ("we want to know how many there are"), Smith suggests that Young was the most outspoken and visible sponsor of these immigration-related proposals. Everyone I talked to about this policy shared Smith's assessment of Young's role at the time.

Young's official government title does not begin to capture his role in and beyond his community. He has described himself as Maryland's "youngest good ol' boy," and he is part of a Maryland political dynasty (Blaine Young Biography, 2008; Cox, 2014, May 26). In addition to holding office, he also ran advertising and taxi businesses and hosted a daily talk radio show on WFMD. One resident I interviewed, Will Gardner (a pseudonym), stated that he had first heard about language policy as a local issue on Young's radio show. Gardner recalled that Young announced an upcoming petition signing event that would take place at a local Route 40 Shell gas station and that one of the petitions was aimed at making English the official language of the state of Maryland. While I have not found other references to that language policy petition, Young has hosted a number of other events at that gas station, including a petition signing cohosted by the conservative organization MDPetitions.[7] The proprietor of the Shell station, Joe Parsley, is so closely associated with Young that in 2013 some residents boycotted his business as part of a wider protest of Young's actions (Frederick Editorial Board, 2013, July 5).

While Young was undoubtedly the main sponsor, it is less clear who else was involved in crafting the policy, especially the first public draft. Duke suggested that it may have been the entire aforementioned slate, because "Blaine

[7] See Cooper (2012, April 25) for the petition-signing event. See Williams (2008, November 1) for an earlier, different example of a kind of event hosted by Young at the Shell Station.

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[Young], Billy [Shreve], Kirby [Delauter], and Paul [Smith] worked very closely together," and they may also have had "the county attorney write it up." A memo from a month before the ordinance passed corroborates the point about the attorney being the one to "write it up." County attorney John Mathias (2012, January 24) wrote to the commissioners to say that "In reviewing similar legislation from other jurisdictions, a Model Municipal English Language Ordinance was located. This model ordinance was on the website for ProEnglish. … A draft ordinance for Frederick County, very similar to this model ordinance, has been prepared." The passive voice in those sentences leaves the precise identity of the person or group doing the locating and preparing unclear.

One possible point of connection between the different actors may have been Sheriff Chuck Jenkins. I do not know if he ever met with anyone from ProEnglish, but Sheriff Jenkins (2017) is open about working with one of John Tanton's other organizations, FAIR. According to Sheriff Jenkins (2017), "I've worked with FAIR for a number of years. I find FAIR to be a great and valuable resource as far as information/support on any topic related to illegal immigration." One of the people I interviewed stated, "Blaine Young's principal ally in his anti-immigrant endeavors was Sheriff Chuck Jenkins." Regardless of the exact directionality or how many people were involved, the attorney clearly mediated between ProEnglish's template and the commissioners.

The other commissioners, however, do not seem to have participated until the later stages. Delauter explained that he gave his input once the draft was "on the agenda," and Smith said he was not "the mover" on this issue. Delauter recalled that he advised Young to frame the policy as "a fiscal decision," as a step toward "consistency," especially when it came to "written" documents. When I raised the question of Mathias's and ProEnglish's role, Delauter explained that they "wanted a version that was tested in court." In other words, Delauter and his colleagues realized an English-only policy might attract legal challenges, and they wanted a text that would be specific to Frederick yet be relatively risk-free, because it had already been developed elsewhere.

While Delauter entered the policymaking process without major reservations, Smith entered it with concerns. In the course of laying out his account of the policy's history, he described his initial reaction to the idea of an official language policy and threw up his hands in the air, as if remembering his mild frustration at the time. As he gestured, he recalled,

> When the issue came up … I was kind of saying, 'Oh brother, do we have to deal with this?' Now, now I voted for it, and I am in favor of it, but, there are so many people that, for totally irrational reasons and for reasons connected with all sorts of issues, just feel like, if you pass an English-only ordinance … it's because you don't like people from another country … Just all sorts of negative things.

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He defended his vote, explaining, "I don't have any of that in my heart, but … I am concerned about the economics of it. I don't want us to have to publish everything in more than one language." Smith's "Oh, brother" reaction and his worries that people might accuse him of thinking "all sorts of negative things" give a sense of his hesitation. He was initially skeptical but eventually leaned in and supported his colleagues. He also voices two possible motivations for supporting a policy like this, one more about disliking people from other countries and the other, with which he aligns himself, more about fiscal responsibility and properly portioning out the budget.

When I sent this analysis to Smith to see what he thought, he replied:

> The summary you made of our conversation sounds correct. Looking back on that episode, I would say this: It makes sense to have a national language in which the nation's business is conducted. It makes sense for new citizens to adopt the national language. This promotes national unity, and it is the most economical way to do business. In Frederick County, Maryland, it has always conducted business in English. I don't think a special law is required to do this. Neither do I think that anyone should take offense if a law is passed declaring that the County will do business in English. It would be extremely expensive to provide government communications in many different languages. The people should learn English for the sake of governmental efficiency, economy and national unity. When we passed an English only law during our administration (2010–2014), this was seen by some as an insult against people of other languages and cultures. They should not have taken offense. But if people choose to be offended, that is their problem, and it is indicative of a broader societal problem.

In this statement, Smith reiterates one of his main points all along: This sort of local language policy is not necessarily "required" in order to have a functional government, but there are financial and cultural reasons to do so. This take is much more measured than Young's, and the gulf between them indicates that policy campaigns do not necessarily require everyone involved to be on the same rhetorical page.

On the contrary, Smith's skepticism and experience as a lawyer may have helped make the policy more robust. At the Frederick County commissioners meeting the night the ordinance passed, Smith suggested making the policy more flexible. He advised adding a clause that allowed for the local government to carry out "any other worthy, justifiable, or appropriate action" in other languages (see Clause K, Frederick County's 2012 Ordinance, Appendix B). In the video of the meeting, his colleagues seem more nonchalant about the wording but willing to listen and agree to his recommendations. The official minutes did not record the fact that it was Smith who introduced these changes, and in our interview, he did not recall having made the suggestions. However, he did describe himself as "the type of person that would look at details and say, 'Wait a minute, why don't you change this word or that,'" and that he

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would not be surprised if he had in fact taken the lead on these revisions. Immediately after they approved these changes, the ordinance passed, 4–1.

In some ways, Young was highly effective at effecting change, persuading people, and circulating new ideas, not just in language policy but in other areas of politics too. At the same time, there was backlash. When speaking at government meetings or with reporters, he said things about language, race, and immigration that my participants considered to be a step too far. For example, he expressed a desire to make Frederick "the most unfriendly county in the state of Maryland to illegal aliens" (Anderson, 2011, November 13). He was also quite open about his relationships with people at ProEnglish, including inviting them on to his talk radio show at least twice. Young was also open about trying to help other counties take similar kinds of measures, in part through a tour he and Sheriff Jenkins did in late 2012 "to present an anti-illegal immigrant film throughout the state" (Watcher, 2012, December 5). He also framed the 2012 ordinance as a feather in his cap during his subsequent political endeavors. At the time, though, Young's coordination between ProEnglish, the other commissioners, and county staff made it the most successful use of the ProEnglish template thus far.

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A few months later, a writer for the *Carroll County Times* wrote that "English has been the unofficial language of Carroll County since it was formed in 1837, but the Carroll County Board of Commissioners is looking to make things official" (Alexandersen, 2012, September 27). The article's breezy tone foreshadowed the fact that this policy campaign seemed the smoothest in many ways. There were no significant revisions between the first and second drafts, as in Frederick and Queen Anne's, no crises of credibility like in Anne Arundel, and, for the only time in this entire study, the policy passed unanimously with the support of all five county commissioners. Interestingly, Taneytown, a small town in Carroll County, had passed an Official English resolution in 2006, but the issue does not appear to have really surfaced again until Frederick County's successful campaign (Malik, 2006, November 15).

By the time of the first public meeting on the issue, Commissioner Haven Shoemaker had already assembled the county attorney, Suzanne Bibby from ProEnglish (who also testified in Frederick), and a set of talking points about the popularity and affordances of making English the official language. Shoemaker stated explicitly that the attorney had already drafted an ordinance that was "patterned" off of Frederick's and that he was also aware of similar policies in Hazleton and Queen Anne's County. As in the other counties, it is unclear how the government and ProEnglish initiated a relationship; the local paper described the situation as "Shoemaker received backing from Suzanne

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Bibby, director of government relations for ProEnglish" (Alexandersen, 2012, September 27). Young later arranged to interview her on his radio show about Carroll's policy, around the time of Carroll County's public hearing, which exemplifies the way that people in different counties and with different roles can coordinate a policy's trajectory while still foregrounding the policy's local scale (One Frederick Many Voices, 2012, October 5).

The only significant obstacle to the ordinance passing turned out to be a hurricane that delayed the process for several months, making this campaign the longest one in Maryland. Weather and damage from Hurricane Sandy pushed back the public hearing from October to December and then the final vote to after the holidays, at the very end of January. I highlight this point because it represents my more general finding that there is little correlation between the length of a policy campaign and its outcome or tenor. Brief text histories can lead to failure, withdrawal, or success, just as drawn-out histories can exist for a number of different reasons, ranging from disruptions to careful deliberation to irreconcilable tensions. Despite the delay, the policy passed in early 2013, thereby joining Frederick County in using and refining the template and process first developed in Hazleton and at ProEnglish. I now turn to two counties that faced more stumbling blocks.

Struggling with Templates: Anne Arundel County and Queen Anne's County

While Frederick and Carroll Counties took a while to develop their successful language policies, language policy in Anne Arundel County moved faster but also with more problems. Anne Arundel seems to have been inspired by Frederick County's early success: A few days after Young started talking publicly about his ordinance, Kirby Delauter, one of the other Frederick commissioners, remembered receiving a "brief" phone call from another local lawmaker seeking advice. When I listed some of the possible counties the call could have come from, his hunch was that it was from Anne Arundel, which may explain the quick uptake. With Annapolis as its county seat, and its close proximity to both Baltimore and Washington, DC, Anne Arundel County is a more developed and more politically moderate part of the state.

Perhaps in part because of the different political environment, the sponsor in Anne Arundel County, Jerry Walker, had a difficult time selling his bill, until he ultimately withdrew it a month later before it ever even came to a vote. According to an article published the day before the formal introduction, "the bill is the first in a series he plans to press that will attempt to stem illegal immigration locally," and was being "co-sponsored" by three other council members (Fuller, 2012, February 5). In an interview, David Lee, a pseudonym for one of the Anne Arundel politicians who supported this bill

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but wished to stay anonymous, pointed to national immigration rates as one of his primary motivations for supporting the bill. Specifically, he was concerned about the prospect of immigrants insisting on using languages other than English.

Lee's fellow county council member Chris Trumbauer was critical of the bill from the beginning. He noted that the Maryland DREAM Act had recently passed, narrowly, which was a contributing factor to "this English-only movement," particularly in Anne Arundel County, where the vote on the ballot measure had been split more than in most other parts of Maryland. Trumbauer also remarked that the language policy might have seemed like a steppingstone to higher office or at least more recognition for the cosponsors: "I think that some people were trying to beef up their, you know, conservative bona fides." In other words, despite Walker's framing of the issue as purely about addressing pressing local immigration and language issues, the cosponsors could have had a range of incentives for supporting the bill. Trumbauer said he never considered being one of the cosponsors, because he viewed "the whole movement" to make English an official language at the local level as "spurious" and "ridiculous" and said he had a certain "wonderment" at the whole phenomenon.

While Walker's framing of the bill is impossible to separate from the bill itself, the text does not mention immigration and only consisted of prefatory boilerplate and one brief paragraph. Importantly, the policy bore no resemblance to ProEnglish's template. Here is the content that the ordinance would have added to the county's code (the all-caps format is from the original):

> ENGLISH SHALL BE THE OFFICIAL AND COMMON LANGUAGE OF THE COUNTY. ALL OFFICIAL DOCUMENTS, COMMUNICATION AND AGREEMENTS ON BEHALF OF THE COUNTY SHALL BE IN ENGLISH UNLESS MANDATED BY FEDERAL OR STATE LAW OR AS NECESSARY TO PROTECT THE RIGHTS OF VICTIMS OF CRIME AND CRIMINAL DEFENDANTS, TO PROTECT PUBLIC HEALTH AND SAFETY, TO TEACH ENGLISH TO NON-NATIVE SPEAKERS, OR TO PROMOTE TRADE AND TOURISM IN THE COUNTY.

While the concepts and goals are certainly similar – English is official and documents are in English, with many exceptions – none of the precise wording is the same except for brief stock phrases. Like Jenkins' proposed ordinance in Frederick County in 2008, this is a case of interdiscursivity but not of using a template: The topics and purposes are largely the same but there are almost no formal features in common. This standalone text mirrored the overall policy campaign, which included minimal input from any English-only organization. U.S. English's Mauro Mujica (2012, February 13) wrote a letter to the editor of the *Baltimore Sun*, but I found no evidence of U.S. English or ProEnglish working directly with any of the lawmakers involved or even testifying at any

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government hearings. For his part, Trumbauer did not recall any significant "advocacy around this on the pro side" other than "1–2" emails from constituents calling him "an idiot" for not supporting the bill.

Soon after Walker introduced the policy, however, the language policy campaign was eclipsed by two other unfolding local crises. During this stretch of early 2012, the council was also trying to fill a vacancy on the county council. The vacancy stemmed from the fact that one of the council members had been convicted of some tax-related crimes and had gone to prison. At that point, his remaining colleagues were looking for a replacement to appoint. So, the local government was under more scrutiny than usual, because of both the circumstances surrounding the vacancy and the public process of interviewing potential replacements.

The second crisis began during one of these interviews, which were held during open government meetings. One of the interviewers, Dick Ladd, asked a candidate about his military service, which led to the two swapping Vietnam and Korean War stories. At one point in the exchange, Ladd used a racial slur against Asian people as he described how "we thought the g---- were coming over the perimeter" (Schuh, 2012, February 17). Trumbauer and Walker both pointed to this gaffe as the reason the bill had to be withdrawn. Unsurprisingly, the comment was "deemed offensive" by the other council members and many of their constituents, and so the "sponsors felt that the timing would be bad" to move forward with a bill so associated with immigration, according to Trumbauer. Similarly, Walker told a local newspaper that "due to the atmosphere created by some of my colleagues, the bill was being perceived as racist," and he went on to clarify that he was referring to the anti-Asian comment (Bourg, 2012, March 7). In the same article, Walker expressed a desire to reintroduce the bill sometime in the future, but that has not happened so far, despite the fact that one of his colleagues, John Grasso, had already created a sign that announced "English: Anne Arundel's official language" and despite Walker remaining active in Anne Arundel government until 2020.

This case demonstrates that just writing an English-only policy is not sufficient grounds to enact it. Anne Arundel's bill was blunt, with few of the usual exceptions or disclaimers, which meant that when one of the bill's supporters went off script, there was nothing the other supporters could point to in the bill to neutralize public scrutiny. For example, recall that the ProEnglish template frames the problem as one of protecting at-risk English users rather than discriminating against multilingual people or immigrants. I suspect that if one or more English-only organizations had been involved, they would have helped steer the council members toward a more cautious policy text and a more circumspect strategy for talking about immigration and race. Furthermore, it's possible that nothing could have salvaged the policy campaign after the racist

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comment at the meeting, which shows that even discourse in seemingly distinct events, like a public job interview, can make a difference.

On one hand, Anne Arundel's policy was the least successful of any discussed in this text history. On the other hand, even failed or unresolved policy campaigns can aid the English-only movement. In a prescient article, Gerda Bikales (1986), U.S. English's executive director at the time, describes how failure can be helpful. Bikales' piece was an invited response to an article in *The International Journal of the Sociology of Language* on a proposed English Language Amendment (ELA) to the US Constitution, making it a rare example of someone articulating an English-only argument for an academic publication. She explains that while her organization "does not expect it to become law in the near future," nevertheless "it is hardly necessary to pass the ELA for it to have enormously beneficial results" (Bikales, 1986, p. 81). These results include heightened awareness of language policy as an issue, increased support for English as an official language, and higher membership numbers for the organization (Bikales, 1986, p. 82). In other words, a policy campaign can be politically and financially advantageous whether the policy actually passes or not.

Bikales is describing a situation in which failures are salvageable, but opposition can actually even be *preferable* in some cases. For example, in a memo from the same year and the same organization, Kathy Bricker (1986, August 23) lamented the fact that the ACLU, MALDEF (the Mexican American Legal Defense and Educational Fund), LULAC (League of United Latin American Citizens), and the Chinese American Society "have not sued us yet." Bricker goes on to explain: "That was actually a disappointment in a way, since we held a fund-raising letter based on the lawsuit. I suspect we will get to use it later, however." Here, U.S. English is actively hoping to be sued, because the fundraising and publicity possibilities would outweigh legal costs. To be clear, the question of policy failure is one area where lobbyists and activists tend to feel differently than elected officials, even if they share views on language policy in general. I have never heard or read about a local lawmaker hoping that their policy would fail or that it would be the subject of a lawsuit. In the end, Anne Arundel County's withdrawn policy *did* contribute to the English-only movement in its own way: It resurfaced a few weeks later, a few miles away, in the next county over.

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If Anne Arundel was the most dense and developed county in the group, Queen Anne's was the most peaceful. When I asked former county commissioner Bob Simmons how he would describe Queen Anne's County, he compared it to his home state of North Carolina and stated emphatically that it was "much more Southern than North Carolina ever thought about being." He had moved

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to this Delmarva Peninsula county from the Piedmont in 1998 and had served a four-year term from 2010 to 2014. Whereas the Piedmont had been more "industrial," Queen Anne's County was more of "a plantation environment," with "very much the Deep South orientation." At the same time, Simmons also commented on the community's "good education," high education levels, and the ability to "speak pretty darn good English." Phil Dumenil, who held the same office during the same term as Simmons, also described the county as quiet and agricultural.

Simmons and Dumenil both voted for their local government's English-only policy, despite some ambivalence about its origins and purpose. Commissioner David Olds was the primary sponsor of Queen Anne's County's ordinance. Olds had a reputation for being the most fiscally conservative commissioner, according to Dumenil. Dumenil added that Olds was the kind of lawmaker who, when a county office would ask for "two new trucks," might be the one to ask if they were getting the best possible deal, if they really needed two, and how old the existing trucks were. Olds introduced the policy during a routine roundtable discussion in February 2012. Dumenil explained to me that roundtables were a common feature of government meetings and function as an opportunity for commissioners to make announcements, report on recent events in the community, or propose new ideas. As he described the scene for me, Dumenil laughed. While I mentally debated whether to ask what was so funny, he continued, saying, "I chuckle now," because "on the grand scale" of things, language seemed like such a trivial issue to spend time addressing.

Curiously, Olds' first public draft was identical to Anne Arundel's bill, except for a couple of small differences: It mentioned Queen Anne's County, and it had a misspelled word ("promot" rather than "promote"). There were about three weeks in between when it appeared in the two counties, and it is unclear how this text made the trip. Perhaps in response to the bill being withdrawn in Anne Arundel County, or perhaps because of some other factor(s), Olds introduced a revised version of the policy two months later that matched the ProEnglish template instead. Essentially, for their rough draft, Queen Anne's County copied Anne Arundel County. For their final draft, they copied ProEnglish. In both cases, Queen Anne's County's policy is still adapted to its own local context, particularly in the final draft. This is a case of one county using two different sources as templates, first another county and then an organization.

ProEnglish (2012, August) explicitly notes in their newsletter that "ProEnglish recommended that the Queen Anne's Commissioners amend the proposed ordinance to reflect the ProEnglish model" and that when Olds "offered the ProEnglish model language as a substitute," his colleagues "agreed to adopt" it (p. 4). When I floated the question of who else besides Olds had

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been involved in writing either draft of the policy, Dumenil responded that the policy was Olds' "baby" and that he did not know of anyone else who had worked on it locally. At the same time, he did think it was very possible that someone had "put a bug in his ear," and he did recall receiving emails from ProEnglish offering more information about the issue if he was interested. He said he never responded or interacted directly with anyone from ProEnglish, however, and that he had not paid much attention to the emails because the issue was "so far down his radar."

I asked Dumenil whether he had ever considered voting against the ordinance if he was so skeptical. To my surprise, he said yes, because "if it's not broken, don't fix it." He may have meant that language was not a problem in need of fixing or that the local government's set of laws was already functional and not in need of an additional law. So, the ordinance did not pass out of some shared ideological commitment. Instead, it was part of the give and take of policymaking, where lawmakers tend to support each other's proposals unless they consider it completely incompatible with their political party or other commitments. In other words, if they are skeptical or on the fence, there are many more incentives to pass a bill than to question it. Perhaps impatient with the fact that I kept naively trying to ask him about language ideology, Dumenil finally said, "Kathy, it's politics!" and explained that he needed Olds' support for other bills in the future. Simmons made a similar point.

While the commissioners were willing to let the ordinance go through in its revised form, Queen Anne's County's policy did receive some attention in the final stretch. At the public hearing on May 9, 2012, the only two people to speak were Asgar Asgarov, a board member from ProEnglish, and Kevin Waterman, who criticized the policy on libertarian grounds. Waterman read from a prepared statement during his testimony, which I learned during our interview was later published as an op-ed on a local website (Waterman, 2012, April 24). In the published version of his remarks, Waterman said that he had talked to several of the commissioners about the bill before the hearing. Former county commissioner Simmons recalled that meeting warmly and spoke highly of Waterman. At that public event, however, Waterman delivered a scathing critique of the bill for its overreach ("nanny statism" and "in a limited government society, language is simply not a concern of government"), its economic implications ("there is no meaningful fiscal savings"), and its message that "foreigners need not apply" for local jobs or other opportunities. He concluded by describing it as "a bad bill, responding to a non-existent threat, that sends the wrong message about our county." Waterman's cogent critique reminds me of Schildkraut's (2005) finding that people who place a high value on "freedom" are almost uniformly against English-only policies (p. 136). Ultimately, however, the commissioners made no new revisions that

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night, the ordinance passed 4–1, and Queen Anne's County's policy is still in effect today.

While I have pieced together this account of how people write local English-only policies, questions remain about how they discuss the ideological implications of their work. What do they foreground or value, what do they downplay or deride, and how do they work toward consensus or handle differences, especially when it comes to the issue of the local scale? And how does it happen that occasionally people don't just reframe or refine these policies but actually repeal them? I address these questions in Chapters 3 and 4.

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