

PART ONE

The Bilingual Tradition

CHAPTER ONE

Legal and Policy Aspects of the Bilingual Tradition, 1821–84

The state of Texas fostered a vibrant bilingual tradition of classroom instruction in its public schools. This tradition first appeared early in the state's history. This loose, informal, nineteenth century tradition more often than not fell in between the letter of the law; it was neither specifically sanctioned nor explicitly outlawed. The lack of legal and even administrative specificity regarding school languages meant that the bilingual tradition in Texas, in addition to being informal, was, due to the relatively undeveloped state of public education in Texas, completely dependent upon local circumstance. Classroom bilingualism, whether used in the Mexican period of governance or later when Texas was a state, was attempted in an effort to bring immigrant or ethnic children into the dominant culture. Arguably, this is at least the partial intent of bilingual education today. 11

Texas' experience with the bilingual tradition begins with the Spanish missionaries. Historian Carlos Castañeda notes that eighteenth-century Spanish missionaries in Texas were ordered by the colonial viceroy of New Spain "to incline and direct the Indians, through the gentlest and kindest means, to the study of the Spanish language." The ultimate purpose was to displace competing languages and customs. Spanish was seen as the prime mechanism for proper Christian conversion.¹ This was, however, neither a new development nor unique to Texas. The Spanish crown in 1503 decreed that all indigenous peoples of the New World be taught in Spanish as a means of culturally consolidating the empire.²

What is important is not why the Spanish sought to propagate their language but rather how they chose to do so. Both the church and the colonial bureaucracy viewed bilingual teaching as an effective means of Christianizing Native Americans. In 1724 an order from the viceroy for New Spain directed "all missionaries to learn the various dialects of the tribes that were congregated in the different missions," because this was "always the first step in the great work of evangelization and conversion." Castañeda argues that the missionaries were already doing

this. In attempting to “reduce to writing and to try to systematize the primitive dialects spoken by the natives,” the fathers took native languages seriously. One missionary noted that simply overcoming the language barrier was their first and foremost problem.³

It is difficult to determine the ultimate effectiveness of this language instruction designed to impart Spanish Christianity mostly because of the absence of full records. However, extant evidence suggests some measure of success. Castañeda uses one clergyman’s account in 1760 to demonstrate the missionaries’ success in mastering the native dialects and the use of them to Hispanicize Native Americans at the missions. Another scholar noted that by 1777 the indigenous population of the San Antonio missions had assimilated into Hispanic cultural life and spoke fluent Spanish.⁴

However, the Spanish experiment with bilingual instruction in Texas did not survive the mission system. Upon secularizing missions during the latter half of the eighteenth century in an attempt to modernize their medieval colonial administrative system—a series of actions known as the Bourbon Reforms—crown authorities intensified Spanish at the expense of the previously tolerated and utilized native languages. The crown decreed that all schools throughout the whole of the American empire completely abolish any official role for native languages. In some places this royal decree was silently ignored, although missions in Texas seem to have followed royal directives.⁵ The Franciscan fathers in San Antonio wrote in the 1790s to the viceroy in support of this abandonment, saying that the Hispanicization of the indigenous tribes over several decades had succeeded so completely that there were hardly any non-Christianized indigenous people within a 150-mile radius of San Antonio. The San Antonio population consisted of a racially mixed people who were for the most part racially *mestizo* (half Indian, half Spanish) and Spanish frontier in culture.⁶

Like their Spanish predecessors, Mexicans were not indifferent to education. Indeed, the scarcity of education on the frontier made it that much more valued. Unfortunately, it was difficult to attain. For decades the historical consensus, based largely on the published recollections of early Anglo travelers and settlers, was mired in stereotypes of lazy, corrupt, and uncultured Mexicans as the cause for the lack of educational progress in Texas. The reality is quite different.⁷ The poverty of the new Mexican nation, in contrast to its high expectations for education, forced educational planners to urge upon localities a variety of efforts to maximize resources such as the Lancastrian system of education, in which one teacher theoretically taught a class of 150 children with the assistance of a handful of student assistants. In 1829 the Mexican state

of Coahuila and Texas enacted the Lancastrian system along with the all-important reform of compulsory attendance, which would not exist again in Texas until Reconstruction and then not again until 1915.⁸ Mexican laws concerning discipline, punishment, curriculum, and teaching methods were incredibly detailed in an attempt to insulate teachers from the personal and political pressure of parents. Town charters in San Antonio for the Mexican public schools accounted for every minute of the school day: the schedule of subjects to be studied, how students were to be evaluated, how competitions functioned, even down to how students were to sit in class.⁹

The will to regulate languages in the classroom came slowly to Mexican authorities. Despite a growing number of Anglo immigrants to the Texas frontier, Mexican officials did not initially concern themselves with the subject of classroom language. Title VI of the 1827 Constitution of the State of Coahuila and Texas only vaguely mandated that "The method of teaching shall be uniform throughout the state" and that "Congress shall form a general plan of public education and regulate by means of statutes and laws all that pertains to this most important subject."¹⁰ The fact that language is not specifically mentioned in spite of the growing number of English-speaking colonists by the late 1820s may indicate an unwillingness by the state government to dictate too strictly, an initial lack of engagement with the education of Anglo immigrants, or perhaps a lack of engagement with the whole issue of education in the farthest reaches of its borderlands.

Despite the initial imprecision of the constitution, however, the Mexican government did deal with language on a statutory and a contractual basis. The earliest *empresario* contract signed by Stephen F. Austin was clear and direct on the point of official language: "The official communications with the government, and with the authorities of the state, instruments, and other public acts, must be written in the Spanish language, and when new towns are formed he shall promote the establishment of schools in the Spanish language, in such towns."¹¹ The statutory definition of school languages turned up in general education bills. In a scheme to finance schools, the legislature of Coahuila and Texas decided to issue land grants for towns petitioning for money to build schools. Upon receiving its lands the town of Nacogdoches was reminded in an almost incidental manner by Vice Governor Juan Martín de Veramendi that "the Castillian language . . . shall be expressly taught."¹²

While the national and state governments may have wished to promote an all-Spanish policy, Anglo Texans such as Stephen F. Austin desired educational bilingualism to help assimilate Anglos into Mexican

life. Historians have noted that Stephen F. Austin's papers contain a remarkable document written while he was a deputy in the Coahuila state legislature during the early 1830s proposing a school called the "Institute for Modern Languages" in San Felipe de Austin. This proposed school was to Mexicanize Anglo children by imparting the Spanish language along with study in English. Instructors would also teach the French language. Austin's reverence for schools was legendary in Texas. Historian Max Berger notes that the small settlement of San Felipe de Austin maintained between three and four schools at a time when most comparable towns in the United States were viewed as successful if they managed to maintain just one.¹³ For such efforts Austin was damningly praised by famed biographer Eugene C. Barker as having "possessed the faculty, rare in Americans of any time, and in his own day almost unknown, of sympathy with an alien race, and willingness and ability to adapt himself to its national mannerisms and insensibilities." Even after the break with Mexico Austin remained cool to independence.¹⁴

Austin's desire for an institute of languages went beyond mere loyalty toward the Mexican government. He also based his advocacy of this language school on expediency. In his legislative bill Austin stated, "public schools for the teaching of modern languages, and especially that of Spanish, are of prime importance." He continued: "These colonies are composed of both foreigners and Mexicans; and the necessity for disseminating the national language among [*sic*] the former is evident." That Anglo settlers had not begun this type of school on their own, claimed Austin, was not "because of a lack of willingness to contribute" on their part but rather due to the "want of a legal and permanent arrangement which would give a legal existence to the institution." Austin then stipulated that Spanish, English, and French coursework would be offered at this institute; he even planned to have a multilingual administrative staff.¹⁵

Austin remained a steadfast champion of bilingual instruction in educational matters beyond his unfulfilled language institute. In letters to various Mexican and Texan acquaintances, he sought bilingual instructors for the colony's schools to better impart Spanish. Letters between Austin and Mexican schoolteachers regarding school supplies such as two-way English-Spanish dictionaries and grammar books for translation show that both languages were intended to be used in some fashion. Austin was not the only Texan willing to support education in both languages. A convention of Texas residents in 1832 seconded Austin's desire for educational bilingualism. In a proclamation to the state signed by San Felipe de Austin delegate Luke Lesassier, this

convention urged, among other things, that “the patriotic statesmen” of the Coahuila Legislature confer more leagues of land for the support of public schools as well as to create a “fund for the future encouragement of the Primary schools, in Texas, in which will be taught the English and Castillian languages.”¹⁶

The state of Coahuila and Texas contradicted its early Spanish-Only decree through other bills that provided for some degree of bilingual instruction. In legislation reorganizing the San Felipe de Austin town government, the state articulated an educational mission contrary to its Spanish-Only pronouncements by declaring that the town “shall promote the establishment of a school in the capital of the municipality, for the purpose of teaching English and Spanish languages.”¹⁷ No clear reason for or even acknowledgment of the contradiction with the earlier Spanish-Only policy was given. The previously cited land grant for Nacogdoches schools in 1833 insisting upon “Castillian” Spanish reflected only Spanish-surnamed individuals listed on petitions and support rolls for education in that township, making Spanish-Only uncontroversial. San Felipe de Austin, on the other hand, was in a much different linguistic situation.¹⁸ In short, the Mexican government proved itself to be flexible on school languages to the point of open contradiction.

The tangled role of Stephen F. Austin’s plans for education and how the legislatures and governors in Saltillo reacted to the language dilemma in Texas ultimately provokes more questions than answers. Perhaps the state only meant to insist upon Spanish-Only when it was subject to no real controversy? Or perhaps it was only through Austin’s political influence that this accommodation to bilingual education was effected at all? The real importance of Mexican policy toward bilingual education was its telling lack of decisiveness. Austin’s intriguing support for bilingual (indeed trilingual) education is important but strangely ignored by most historians. Neither Austin nor his contemporaries seem to have seriously reflected on their views regarding bilingual school policy. Perhaps this is because education in more than one language seemed not to be terribly significant to many in that time and context when education was so scarce.

It is important not to overstate the possibilities for some sort of rudimentary bilingual education in Texas during this early period. There were at least some in Austin’s colony who did not share his enthusiasm for being a patriotic Mexican citizen or for learning the Spanish language. There were private schools for the children of Anglo settlers, the wealthier of whom traveled to the United States for formal education. Mexican official Juan Nepomuceno Almonte in his famous report

to the national government on the deteriorating position of native Tejanos in relation to the Anglo newcomers wrote that what was needed was “a good establishment for public instruction where the Spanish language may be taught, otherwise the language will be lost.” Almonte concluded, “Even at present English is almost the only language spoken in this section of Texas.”¹⁹

However, the notion of a total, complete, and inevitable culture clash between Anglos and Mexicans of Texas on the issue of language is untenable. Frontier peoples of the American West in the eighteenth and nineteenth centuries spent their early years in daily contact with such diverse people as French Canadian trappers, Spanish officials, and numerous tribes of Native Americans, truly experiencing a multicultural life. Recent Austin biographer Gregg Cantrell argues against the interpretation that Austin was especially committed to spreading Hispanic culture among his Anglo Texan immigrants, though Cantrell curiously omits the topic of education. Whatever Austin’s personal motives may have been, his efforts at assimilating his Anglo settlers into the mainstream of Mexican culture through some sort of bilingual instruction was never successful.²⁰

The years of the Republic of Texas produced a partial reversal of Mexican policy on school languages: there was a new official language, but the same unofficial tolerance of another language. The official language changed to English after independence, but Spanish, in and out of the classroom, met with some initial tolerance. In 1837 President of the Republic of Texas Sam Houston signed an act to incorporate the municipalities of San Antonio, Victoria, and Gonzales, providing the towns legal authority to start up their own publicly financed schools. However, the following years were chaos as Mexico militarily occupied San Antonio twice. Therefore, apart from a brief, failed attempt in Galveston in 1847, no public schools were established during this period. Town incorporation charters offer illuminating glimpses into what was possible regarding language of instruction. An early San Antonio charter stipulated that civic administrative personnel were to be conversant in both English and Spanish and mentioned only that schools should teach English in some undefined manner. It left all supervisory power over the proposed schools with the bilingual municipal officials.²¹

President Houston’s approval of some sort of mandatory English instruction did not lead to the setting up of a bureaucracy to oversee its implementation. Nor did Houston’s endorsement clarify how English should be taught—as a foreign language, just English grammar, or as the primary, if not the only, means of communication inside the classroom? Requiring that English simply be taught did not actually prohibit

the use of other languages in the still-hypothetical schools. The 1837 incorporation charter of Nacogdoches, which initially also applied to seventeen other towns across the state, made no mention of a specific language to be taught or not taught.²² The subject of school language was left undefined for decades to come.

In the following years there were many tentative, futile attempts to establish a system of public schools in the newly independent nation. Mirabeau B. Lamar, the second president of the Republic of Texas, is credited with being the father of public education. In 1839 and 1840 he championed two bills that created a legal and financial superstructure for the local creation of public schools. The first act reserved roughly thirteen thousand acres of land in each county for the public schools. The next legislative action spurred the passage of administrative rules granting each county the option of starting up public schools. Local county judges and their deputies were the administrators. This first school system of Texas made no provision for the language of instruction. The only stipulation mentioning language at all was the instruction to the county judges to select teachers possessing “good moral character and capacity to teach reading, writing, English grammar, arithmetic, and geography.”²³ This vague directive might imply English-Only instruction; it could also be interpreted as not prohibiting Spanish instruction, for example, as long as “English grammar” was taught in some manner. Ironically, this stipulation resembled the vague dicta by previous Mexican state officials who requested that Spanish be taught but refused to indicate definitively how or in what context. No law in the Mexico or Republic of Texas years (1821–45) actually prohibited bilingual instruction. Even when the laws remarked upon the subject, they either directly favored classroom bilingualism or indirectly allowed it to exist if the local citizens so desired.

As the public school system evolved from a mere possibility to something resembling a reality, the issue of the language of instruction remained only a minor, ambiguous detail. In some instances it was worthy of direct mention in state legislation but only peripherally. The Lamar education acts, while providing the blueprint for education in Texas, did not result in the creation of many permanent schools. In essence, the reform was simply enabling legislation allowing counties to form public schools where and when they could get around to it. Many rural counties without towns large enough to have educational systems of their own simply went without schools. For example, Caldwell County was organized in 1848, almost a decade after Lamar’s school laws, but it did not establish public schools until 1854 when

their establishment became mandatory.²⁴ In its fifteen years of operation, only forty-one counties had even completed the preliminary land survey (the only thing they needed to do) necessary to receive public education funds under the Lamar education acts. Education was still viewed primarily as a home function or one of private and religious involvement—not a proper concern of state or local government. As historian Frederick Eby wrote in 1925 of nineteenth-century Texas attitudes pertaining to education, “‘Free Schools’ and compulsory attendance as we have them to-day, controlled in every particular by the government, appeared an intolerable tyranny.”²⁵ Given this condition, it is reasonable for the state not to have restricted instruction only to English when there were so few public schools in the first place and when its regulatory presence in educational matters was nonexistent.

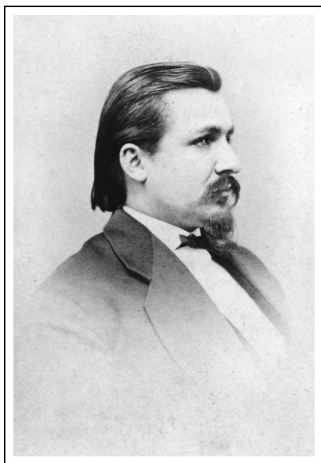
The school law of 1854 increased the state’s burden of financing a still largely fictional public school system and designated a statewide supervisory role for the state treasurer, who would serve as superintendent of the common schools. This new law made no provision, or even mention, of school language. In 1856 the legislature tried to clarify the language muddle when it specified that English must be included in the school curriculum of every public school and that “no school shall be entitled to the benefits of this act unless the English language is taught therein.” The new act fell short of strictly prohibiting bilingualism in the classroom in that it failed to define the type of English to be taught. This statute allowed another language spoken or used in the teaching of English, like teaching English as an academic foreign language in the way Latin, Greek, or German, was taught. Also, private schools such as the short-lived University of San Augustine, a Presbyterian school taught in French, were completely unregulated as to language or curriculum.²⁶

The 1856 school bill did not satisfactorily address the language issue to lawmakers, who fashioned a more specific amendment to the English requirement in February of 1858. The new 1858 requirement stipulated: “No School shall be entitled to the benefits of this act, unless the English language is principally taught therein.”²⁷ Although more specific than previous requirements, it still obscured as much as it clarified. Could “principally taught therein” disqualify all other languages? Was there a limit to the way other languages could be taught, either formally or informally? Ironically, language policy up to this point remained more muddled than it was before Texas independence. The Spanish-Only regulations of the Mexican era that at times specifically mentioned the use of both languages were clearer (though still contradictory) than any Texas policy of the three decades that followed.

After the dark, empty period of Texas education during the Civil War, the state began to assert itself more vigorously in the realm of language and vernacular education in its patchwork school system. Though it was spared the wartime destruction of other portions of the Confederacy, public education in Texas was nevertheless devastated by the state's sizable financial obligations to the Confederate cause. In 1866 the state legislature passed a new school law that made minor revisions in the 1854 bill and addressed the language issue. This new law reiterated the terse phrase "unless the English language is principally taught therein." The 1866 regulations, however, had no impact, because the federal government soon nullified the state's constitution as Reconstruction temporarily shifted power to the United States Congress.²⁸

During the brief period of Republican Reconstruction, the state's traditional indecision and lack of specificity on the language question was finally resolved. Texas chose bilingualism. The Reconstruction school law of 1871, while not requiring that English be the "principal" language taught in the school, nevertheless reflected the prior concern that the schools should teach English. This 1871 law, a creation of Texas Republicans, allowed for the examination of teachers by a superintendent of public instruction appointed by the governor, compulsory attendance, a local property tax to finance public schools, and allowed the state superintendent discretion to determine the content of curriculum. The first Texas superintendent of public instruction was Jacob C. De Gress, a German immigrant who took office in May of 1871. De Gress indicated how his administration started from scratch: "No records of educational work of the past existed. No approximate estimate even, could be made of the number of children to be provided for." Under De Gress's administration the issue of bilingual classroom instruction came to figure prominently in Texas education for the first time since the era of Mexican rule. Superintendent De Gress and the State Board of Education determined in rule seven of the new state education codes that "Teachers shall be permitted to teach the German, French and Spanish languages in the Public Schools of this State, provided the time so occupied shall not exceed two hours each day."²⁹

This was potentially a revolutionary development in the history of languages in Texas education!³⁰ De Gress went further than just recounting this new rule; he also stated why the State of Texas was, for the first time, explicitly sanctioning a limited amount of bilingualism in the classroom. He stated that a bilingual climate was essential for the growth and support of the public schools. This was due to "the large proportion of citizens of German and Spanish birth and descent



Jacob C. De Gress administered the state's brief sanction of bilingual education during the Reconstruction period mostly for German- and Spanish-speaking children. He viewed classroom bilingualism as a positive agent of "Americanization." Photo courtesy of University of Texas Barker Texas History Center, Austin Texas, No. ITC-75-1230.

in our State." De Gress indicated, "This clause has met with much favor throughout the State, as it brings children of scholastic age of foreign birth or descent into the public schools." Superintendent De Gress viewed the private schools that frequently taught in a foreign language as a threat to public education. He charged that these schools "partake of a character, in which other tongues, besides that of English, is [*sic*] considered an important acquisition, and the studies pursued tend to place the language, customs and associations of that particular class in a prominence that could not possibly be tolerated in the free public schools."³¹

Caution should be maintained with interpretations holding the Reconstruction era a golden age for bilingual education in Texas. First, a precise limit of two hours was placed on foreign languages in the classroom. Second, it is not clear that the language provision meant for those languages to be taught as mere subjects or, more significantly, as a medium of instruction. Could two hours of German or Spanish be stretched over a six- or seven-hour school day as the medium of directions and general conversation while the rest of the day was spent in an all-English environment of written English grammar exercises, oral recitations, and silent reading? Or would the medium of instruction not count toward the two-hour limit? De Gress, though more specific on such matters than anyone up to that point in Texas history, perhaps intentionally never fully explained this.

De Gress did leave clues as to what he meant, however. One comment indicates that he may have meant for the non-English languages to be used in true bilingual instruction, not simply as academic subjects: "full instructions have been issued to secure the employment of the re-

quired German or Spanish teachers, and in the next scholastic term many schools *of this character* will be opened." But there were potential problems with the new language rules. De Gress at one point confided, "Great difficulty is experienced in finding teachers fully conversant with these languages, and at the same time up to the required standard in the other branches . . . or they are deficient in the knowledge of English."³² Hiring teachers not completely proficient in English was apparently an obnoxious option but an option nonetheless. This brief experiment of allowing non-English languages a prominent role in the education of young Texans in the nineteenth century illustrates the important role that such languages played early in Texas' public school system. Bilingual classrooms were never strictly illegal; during Reconstruction they were even encouraged.

One final point to consider on school language policy during Reconstruction was the determination of the kind of English to be taught. Teaching English had been unspecified since President Sam Houston signed a town charter for San Antonio in 1837. The Republican Reconstruction regulation on this matter stipulated that no one could teach without state certification (doled out by local officials) attesting their ability to teach "reading in English" and "English grammar" with the exception that "nothing in this act shall be so construed as to prohibit instruction in the German, French, Spanish, or any other language." De Gress and his allies at the State Board of Education inferred that non-English communication in the classroom, whether utilized as a course subject or as the medium of conversation, was permissible.³³ This formal approval of bilingual education was short-lived, however.

Because of the politics of race and Reconstruction, the Republican school law of 1871 and its two-hour bilingual limit was summarily vanquished by vengeful Democrats with a new constitution in 1875 and with new legislation in 1875 and 1876. Democratic legislators gave De Gress his walking papers and abolished the state superintendency.³⁴ These Redeemer Democrats also abolished the approval of limited bilingualism in the classroom. But even though the Reconstruction approval of bilingual education was revoked, English-Only policy was not substituted in its place. The local county judges now had absolute authority in education. So even had there been a strong English-Only policy from what little was left of the educational bureaucracy or from the legislature, its enforcement ultimately depended upon the local county officials who may have felt political pressures from their constituents to maintain bilingual classroom instruction. Such local determinism was not a new phenomenon. The visionary Republican school laws also were largely dependent upon local enforcement.³⁵

The anti-Reconstruction reaction was quick. In 1874 a new Democratic legislature, flush with excitement after having spent the years during Reconstruction out of power and having just vanquished Republican Governor Edmund J. Davis, began the process of scrapping the existing new system. Concerning language, only “English composition” was added to the preexisting requirements of “reading in English” and “English grammar.” In 1876 upon creating a completely new educational infrastructure, the legislature was conspicuously silent regarding school languages, but it did require the same English mandates from 1874 in the teacher examination section.³⁶ Finally in 1879 the state designated English, and only English, the official medium of communication. However, it did so not as an instructional mandate but from the perspective of teacher examinations: “The examination must be conducted in the English language, and no applicant shall receive a certificate unless the board of examiners be satisfied that he or she is competent to teach . . . in the English language.” This specification of exactly how and to what degree English was to be used, even if only for teacher examinations, was a harbinger of similar things to come for those practicing bilingual education in Texas.³⁷ By 1884 the state openly attacked the bilingual tradition.

By the 1880s the first negative statements by the state regarding the bilingual tradition were published, soon followed by the first English-Only requirements regarding school conduct. The outlook was not all negative, however. By fighting the battle against Republican centralization in the name of Democratic localism, Reconstruction-loathing Democrats unintentionally served the wishes of the state’s ethnic communities who desired absolute control to ensure a dizzying array of individual bilingual practices. The explicit desire for local control and the still-vague desire for all-English instruction conflicted; consequently, the confused, informal, bilingual tradition of Texas continued. One scholar has noted that the eradication of the Reconstruction-era protections of bilingual education ended up actually expanding the bilingual tradition of Texas. The resulting irony was that even more bilingual instruction now occurred than it had with the pro-bilingual education policies under the Reconstruction-era, De Gress rules.³⁸

The historical record of laws and regulations in Texas regarding languages in the classroom illustrates a few important ideas. First, the nineteenth-century tradition of bilingual education in Texas was legally obscure. Bilingual instruction was at different times allowed, disallowed, and just ignored. Second, because of the legal and administrative lack of concern for the role of non-English languages, the bilingual tradition in Texas was informal. Finally, bilingual instruction

was seen as a beneficial, if not essential, means of drawing children into the dominant society, whether it was through the Spanish language in the Mexican period or the English language in Texas' republic and statehood years. A thorough examination of the nineteenth-century tradition of bilingual instruction in Texas entails more than just legal possibilities and administrative directives. Nevertheless, such legal and policy analysis remains a crucial component of the bilingual tradition's reality. The next chapter will examine the daily practice of bilingual instruction at the local level in the public and private schools of several different ethnic groups spread over dozens of Texas counties between 1850 and 1900.