

SÁNDOR CZEGLÉDI

University of Pannonia  
czegledi@almos.uni-pannon.hu  
0000-0002-7710-2537

Sándor Czeglédi: The Language Policies of the American Civil War (1861–65)  
Alkalmazott Nyelvtudomány, XXII. évfolyam, 2022/2. szám, 49–65.  
doi:<http://dx.doi.org/10.18460/ANY.2022.2.004>

## The Language Policies of the American Civil War (1861–65)

The article compares and contrasts orientations towards languages and linguistic diversity as reflected in the presidential and congressional documents of the Union and the Confederacy during the Civil War years. The analysis relies on a proposed language policy spectrum framework based on Spolsky's language policy definitions (2004, 2009, 2019) and also utilizes Wiley's language policy classification scheme (1999) as well as Ruíz's orientations in language planning framework (1984) for a more in-depth discussion. The findings reveal that although both the Union and the Confederate Congresses mainly focused on practical, narrowly-defined language (micro)management concerns (i.e., on substantive, specific policies) which frequently either ignored or deliberately denied minority language rights, the North also made substantive, general language policy decisions by promoting the first, federally-endorsed Plain English campaign in the history of the United States.

Keywords: United States; Civil War era; Congress; language policy; language ideology

### 1. Introduction

Concerning the American Civil War (1861-65), memorable statements, catchy phrases, and often exaggerated claims are difficult to avoid. Up to very recently, the number of fatalities associated with this conflict was thought to have exceeded the combined total of all other conflicts in which the US had participated (O'Neill, 2021). The Civil War has also been described as a conflict that “defined” the United States “as a nation” (Morrison & May 1996: 39), “the central event in America's historical consciousness” (McPherson, 2021), which—according to the late Civil War historian, Shelby Foote— “made us an ‘is’” (Public Broadcasting Service, 2005). The latter, oft-repeated grammatical observation claims that although prior to 1861, “the United States” phrase had been interpreted as a plural entity (“the United States *are*”), after the Confederate surrender at Appomattox in 1865, it quickly evolved into a singular notion—similarly to today's usage. While there is a grain of truth in the story, the actual process had started well before the Civil War and continued into the second half of the 20<sup>th</sup> century—as Google Ngram Viewer frequency curves indicate (Aiden & Michel, 2010: Ch. 1).

Wars definitely leave a mark on language and culture. According to James Dawes' observations, strategic violence frequently affects literary, legal, and philosophical production and representations while language frequently gets “censored, encrypted, and euphemized”; imperatives and dramatic

communication and threats become frequent (2002: 2). Most of these measures are the results of overt, explicit, top-down, and de jure language policy decisions.

Following a brief literature review, the present analysis attempts to draw a comprehensive map of the underlying language ideologies and explicit language policy decisions during the American Civil War by analyzing all available and potentially relevant legislative and executive documents produced by the Union and the Confederacy.

## **2. Selective literature review**

Although hundreds of in-depth analyses and interpretations have been published about the Civil War, the language-related aspects of the conflict have not been addressed in particular detail—at least not in the more recent publications.

A common observation in several Civil War histories is that the particularly bloody conflict broke out despite both sides sharing the same language and political philosophy, although with diametrically opposing views on slavery (see, e.g., Leckie, 1991: 8; Crystal, 2003: 16).

Several sources point out Lincoln’s own original struggles to get rid of his “vulgar frontier language” (Leckie, 1991: 51) and his desire to learn “proper” English, which included conscious self-improvement efforts at oratory, entailing the memorization of metaphors and other expressions from, e.g., the King James Bible (Byrd, 2021: 14). In addition to the Bible, Lincoln also studied English grammar, read newspapers voraciously—as well as “the plays of Shakespeare and the poetry of Burns, Cowper, Byron, Pope, and Gray” (Muller, 2017: 11-12). Nevertheless, he “had traveled only to Canada, knew no foreign languages, and even by nineteenth-century American standards would be considered provincial” (Herring, 2008: Ch 6. I).

Although no records discuss the (foreign) language abilities of the Confederate president, Jefferson Davis, he had considerable formal education at Transylvania College in Kentucky, and later graduated from the United States Military Academy at West Point (Strode, 2021). Some Civil War generals were either bilingual or learned foreign languages systematically. Pierre G.T. Beauregard exemplifies the former category—a Louisiana-born Confederate military leader who started to learn English only in his adolescent years (Axelrod, 2011: Ch. 1), while the epitome of the conscientious and systematic language learner was Thomas “Stonewall” Jackson, who committed himself “to digesting fifty pages a day every day, in English, Spanish, and other languages” (Axelrod, 2011: Ch. 4).

Conversely, there were thousands in the Union ranks whose mother tongue was not English. The Union and the Confederate Army Regulations prescribed “a competent knowledge of the English language” among their respective enlistment policies (Hedtke, 2018: 53, 65). However, this requirement must have been interpreted flexibly on the Union side, where more than 90% of the foreign-born population resided (Allan et al., 2020: 258), whose joining the army resulted in

the creation of polyglot regiments. Leckie notes that the 27<sup>th</sup> Pennsylvania regiment was composed of “Germans, French, Italians and everything else,” so “its colonel learned to give commands in seven different languages” (1991: 296). Sometimes half of an entire corps consisted of Germans (Leckie, 1991: 443), but nearly all-French and all-Scandinavian units could also be found (296). Hungarians were mainly concentrated in the “Garibaldi Guard,” formally the 39<sup>th</sup> New York Volunteer Infantry Regiment. Earlier sources (e.g., Pivány, 1913: 13, qtd. in Halász, 1914) claimed that about half of the regiment was composed of Hungarians; however, later analysts (e.g., Beszedits, 1999; Doyle, 2015: 171) settled on a much lower figure, ranging from merely a dozen soldiers to about two companies out of ten. The previous inflated numbers were probably attributable to the fact that Hungarian officers held prominent positions in the “Garibaldi Guard”—including its regimental commander, Colonel Frederick George D’Utassy (Utassy Frigyes György)—who also organized the regiment itself (Csutak, 2019: 90).

The significant presence of frequently limited English-proficient soldiers in the Union Armies had several language-related ramifications. As mentioned before, leaders sometimes had to issue commands in different languages. Recruitment posters also contained non-English appeals to eligible populations: e.g., the poster of the Garibaldi Guard had Italian, Hungarian, French, and German phrases (Allan et al., 2020: 260) to catch the attention of especially the freedom fighters and revolutionaries of the respective countries who had found refuge in the United States. Deliberate code-switching and mixing were complemented with universally recognized iconography (e.g., the Stars and Stripes, the Phrygian cap) to create a context-embedded language even for semi-literate populations. In addition to the immigrant soldiers, Native Americans also served in the military: Cherokees, Choctaws, Chickasaws, and Seminoles did so in the Confederate army, and one brigade of Creeks on the Union side (Leckie, 1991: 226).

Ethnolinguistic diversity in the military often triggered xenophobic, nativist reactions. Speaking broken English sometimes engendered distrust, especially when the units in question were accused of underperforming in battle (Leckie, 1991: 443; Allan et al., 2020: 261; Doyle, 2015: 160). On the other hand, too fast and too much success could also provoke envy in nativist guise: this may have played a part in D’Utassy’s conviction and imprisonment for alleged embezzlement in 1863 (Csutak, 2019: 90-91). According to Beszedits (1999), the Hungarian language was used as a military resource by John C. Frémont’s staff and his unit commanders (where Hungarians were overrepresented), and they sometimes sent their messages in Hungarian, which functioned as a readily available but effective code. Vida adds that Frémont preferred the Hungarian “code” when he sent his telegraph messages to Washington (or to Cairo, IL) (2011: 105). The use of the “Hungarian code” at the beginning of the conflict has recently been corroborated by the U.S. National Security Agency Archives, which

now even has an electronic copy of an original Hungarian-language telegram on display (The Hungarian Code Writers, 2021).

Relying on foreign languages as diplomatic resources were also vital in the Civil War. Doyle argues that the American Civil War witnessed “the first deliberate, sustained, state-sponsored programs aimed at influencing the public mind abroad” (2015: 3). While the Confederacy tried to obtain diplomatic recognition (and also military aid) from the great powers of the day, the Union made every effort to foil these plans. Both the Confederacy and the Union created propaganda networks in Europe through which they began to promote their respective narrative of the conflict. In order to rally the French to their side, Confederate propagandists emphasized the myth that “the lost province,” Louisiana, was still predominantly French in language, manners, and feelings (Sainlaude, 2019: Ch. 4). Consequently, the French were expected to defend the last remnants of the Latin world and the Catholic Church from the Anglo-Saxon threat, embodied by Northern Yankees (the “Puritan fanatics”), especially after the Union had captured New Orleans in 1862 (*ibid.*). The Confederates also repudiated the Monroe Doctrine and indicated they were willing to accept the creation of a stable monarchy in Mexico (Doyle, 2015: 186).

However, Lincoln’s Emancipation Proclamation, which liberated the slaves in the rebellious states after January 1, 1863 (thus making the diplomatic recognition of the Confederacy morally unacceptable), and the increasing military viability of the North thwarted the Southern efforts at forging alliances. By the war’s end, roughly 200,000 African Americans served in the Army and the Navy (National Archives and Records Administration, 2017). The Union also relied on the Homestead Act of 1862 (promising 160 acres of free land in the West) to restart immigration while replenishing the depleting Union forces. The “surreptitious recruitment campaign” turned out to be highly effective, attracting hundreds of thousands of immigrants from Europe and Canada (Doyle, 2015: 178). The details of the Homestead Act, statistics, and other information were advertised in “all the leading journals on the Continent” and in book-length publications (*ibid.*).

Despite the examples listed above, the Civil War has rarely been the focus of particular scholarly attention in works on language policy. An exception is the Louisiana Purchase and the heavy-handed U.S. efforts to create Anglophone majorities in the states organized from the territory—which resulted in heightened French-language loyalties among the original settlers, to the degree that some even declared themselves French citizens and hoisted the French flag during the Civil War (Caldas, 2012: 365). As a punishment, the Radical Republican constitutions enforced by Union troops after 1864 abolished the remnants of French language rights, including the bilingual operation of the Louisiana State Legislature and bilingual education in public schools (Crawford, 2000: 13).

Contrary to the general scholarly neglect, Kloss (1977) examined several language policy aspects of the Civil War by meticulously analyzing contemporary

documents and concluded that probably in most German regiments, the language of command was German (1977: 31). Efforts by German minorities to have federal publications translated into German continued in the U.S. Congress during the Civil War years: on April 24, 1862, a proposal to print 25,000 copies of the Report on Agriculture was approved—only to be rejected the next day, lest it should create a dangerous (and expensive) precedent, triggering a domino effect (ibid.). However, despite the fact that Congress adopted an apparent restrictionist attitude in this regard, between 1867 and 1870, the federal legislature had the annual report of the General Land Office eventually printed in several European languages (including German) to attract immigrants from the other side of the Atlantic (Kloss, 1977: 32). The example illustrates how a particular language could be regarded as a “problem” in the minority context, yet function as a “resource” in an overseas policy promotion agenda.

### **3. Aims, corpora, and method**

This paper examines the recorded language-related remarks, proposals, and decisions in the documents of the relevant Congress(es) of the (dis)United States during the American Civil War, roughly between the official eruption of hostilities (April 12, 1861) and the surrender at Appomattox (April 9, 1865). Additionally, presidential communication by Abraham Lincoln and Jefferson Davis is analyzed from the same perspective—although the online availability and accessibility of the Davis Papers are still severely limited.

The sources to be investigated are the *American Presidency Project* online database (maintained by John T. Woolley and Gerhard Peters at the University of California, Santa Barbara), which—among tens of thousands of other sources—contains the transcripts of Abraham Lincoln’s speeches and statements while in office. Fragments of the 14-volume edition of the Davis letters and speeches are available in the virtual collection provided by Rice University (The Papers of Jefferson Davis). While this online collection is seriously incomplete, several presidential statements are also included in the Journal of the Confederate Congress.

Contemporary legislative activities were recorded in the *House Journal* (hereinafter cited as “HJ”), the *Senate Journal* (“SJ”), and the *Journal of the Confederate Congress* (“JConf”). All of these sources are accessible and keyword-searchable through the online legislative database of the Library of Congress (“A Century of Lawmaking for a New Nation” at <https://memory.loc.gov/ammem/amlaw/>).

The online keyword search carried out in August 2021 was focused on all the records in the aforementioned databases that contained the word “language” or “languages” in the specified period—with at least marginal language policy-related references. For the definition of “language policy” (LP), I have relied on Spolsky’s now classic approach, according to which LP may refer to “all the

language practices, beliefs and management decisions of a community or polity” (2004: 9). The first component (“language practices”) is defined as the observable behaviors and choices—i.e., what people actually do, what linguistic features are chosen, which varieties of language are used (Spolsky, 2009: 4). The second component of language policy consists of beliefs about language, sometimes collectively called “an ideology,” while the third component is “language management,” i.e., the “explicit and observable efforts” to modify practices or beliefs (ibid.). In a narrow sense, language policy is sometimes equated with language management alone. More recently, Spolsky has added new aspects to the management component of the model, making a distinction between “advocates,” who generally lack the authority to effect changes, and “managers”—who actually do (2019: 326). Also, Spolsky recognizes the importance of “self-management,” i.e., “the attempt of speakers to modify their own linguistic proficiency and repertoire” (ibid.). Self-management may include (first) language acquisition, language socialization, language accommodation, and conscious language (or accent) learning (Spolsky, 2019: 327).

In Johnson’s interpretation (2013: 9), “a language policy is a policy mechanism that impacts the structure, function, use, or acquisition of language” and includes: 1. official regulations; 2. unofficial, covert, de facto, and implicit mechanisms; 3. processes (policy creation, interpretation, appropriation, and instantiation); 4. policy texts and discourses (influenced by the ideologies and discourses unique to that context). A document analysis (especially that of the records of the legislative branch) at the national/federal level may cover a considerable proportion of the aspects listed above, with the possible exception of the unofficial, covert mechanisms and the interpretation, appropriation, and instantiation processes at lower levels. As far as the genesis of policies is concerned, the study of legislative proposals may provide an occasional direct insight into grassroots demands (i.e., bottom-up policy initiatives) as well since various petitions by minority groups (mostly requesting the translation of federal documents into minority languages) routinely appeared on the agenda of both chambers. Failed or yet-to-be-enacted proposals are also valuable from the researcher’s perspective. Lo Bianco explicitly warns against concentrating solely on declared, or explicit, laws and policy in LP analysis (Lo Bianco, 1999: 39), recommending that LP scholars should probe the “subtler realm of convention, beliefs, and attitude, culture and tradition” by focusing on language policies “in the making,” instead of giving descriptive accounting of policies that “have been made” (1999: 39-40).

As far as the United States is concerned, a separate federal agency has never been charged with LP-related research, resource allocation, or decision-making. The establishment of an American Language Academy “for correcting, improving, and fixing the English Language” proposed by John Adams during the American Revolution (Adams Papers Digital Edition, 2019) was ignored by the Continental Congress. It does not mean, however, that either the executive or the

legislative branch avoided language-related matters entirely, even in the 18<sup>th</sup> and 19<sup>th</sup> centuries—as attested by documentary evidence (see, e.g., Czeplédi, 2020a). However, most of those (ideological) remarks were not substantive policy initiatives.

In order to separate ideological statements from management efforts and gauge the likely impact of the given proposals, a simple yet potentially helpful and effective “Language Policy Spectrum Framework” (LPSF) was employed to classify the corpus data.

**Table 1.** The “Language Policy Spectrum Framework” (LPSF). (Source: author.)

	<b>“Ideology”</b>	<b>“Management”</b>
	<i>Symbolic</i> remarks/proposals	<i>Substantive</i> proposals
<i>General</i>	simple/concurrent resolutions, ideological remarks	<b>“Language Policy”</b> (bills; joint resolutions)
<i>Specific</i>	ideological remarks, (simple/concurrent resolutions)	bills, resolutions affecting one L or an individual in a particular situation→no precedential value

The two quadrants on the left side represent symbolic policies and remarks, defined in the public policy context by James E. Anderson as policies that “have little real material impact on people”; “they allocate no tangible advantages and disadvantages”; rather, “they appeal to people’s cherished values” (Anderson, 2003: 11). On the other hand, substantive policies (the right quadrants) “directly allocate advantages and disadvantages, benefits and costs” (2003: 6).

The “general” vs. “specific” criteria hinge on the scope of the policy, statement, or opinion in question. “General” policies include (substantive) national-level policies or sweeping, stereotypical (symbolic) statements or personal opinions about, e.g., the perceived nature, potential, or usefulness of certain languages. On the other hand, (local) policy decisions affecting one single language in one particular situation (e.g., whether to purchase Latin dictionaries for Congress) or one single individual (e.g., a translator’s position or pay) are classified as “specific.” Policies applied to entire territories and future states were regarded as simultaneously both “specific” and “general,” given the overall national or federal-level perspective of the analysis. Today’s most controversial, national-level LP-related laws, proposals, executive orders, and regulations (including, for instance, the provision of multilingual ballots and the federal-level officialization attempts) belong to the top right quadrant; therefore, they are “substantive” and “general” in nature. In a narrow sense, this quadrant contains what may be regarded as genuine management or policy efforts, especially if enacted into law.

Another practical, easily applicable, yet highly informative framework for formal LP analysis has been developed by Wiley since the late 1990s (Wiley,

1999: 21-22; Wiley & de Korne, 2014: 1-2). Wiley classifies the full range of possible policies according to a spectrum of categories: promotion-, expediency-, tolerance-, restriction- or repression-orientation. Promotion means allocating resources to support the (official) use of (minority) languages. At the same time, expediency amounts to no more than short-term minority language accommodations—e.g., the provision of court interpreters, bilingual ballots, and transitional bilingual education—which are not intended to foster minority-language maintenance (Johnson, 2013: 35). (This analysis regards translation and interpretation as expediency-oriented policies.) Wiley’s classification is especially useful to determine how particular languages were treated in different (e.g., “minority” vs. “foreign”) contexts.

According to the basic hypothesis presented in this paper, cataclysmic conflicts entail the appreciation of the general, symbolic nation-building role of the majority language (as a social/national bond, a central element of identity-formation). At the same time, minority tongues will mostly appear in “problem”-oriented discourses and policy proposals, even though the very same language may be accepted as a “resource” if seen as a “foreign” tongue (e.g., in the context of international diplomacy) (see, e.g., Ruíz, 1984: 15-34; Hult & Hornberger, 2016: 33).

## **4. Findings and discussion**

### **4.1 Presidents and language during the Civil War**

The American Presidency Project database contains eight documents from the examined period in which the word “language” occurs at least once—all of which are related to the Lincoln presidency, as Jefferson Davis’s papers cannot be found among the digitized sources there. From these instances, only one record can be classified as a substantive, general language management initiative, i.e., a genuine policy proposal. On December 3, 1861, Abraham Lincoln offered his support to the planned simplification of the statutes in his First Annual Message:

I respectfully recommend to the consideration of Congress the present condition of the statute laws, with the hope that Congress will be able to find an easy remedy for many of the inconveniences and evils which constantly embarrass those engaged in the practical administration of them . . . . *It seems to me very important that the statute laws should be made as plain and intelligible as possible*, and be reduced to as small a compass as may consist with the fullness and precision of the will of the Legislature and the perspicuity of its language... . (Lincoln, 1861; italics added)

This early Plain English proposal was not the first time a president endorsed and even urged the simplification of U.S. statutes. Almost exactly ten years before,



Millard Fillmore had recommended exactly the same language policy in his Second Annual Message on December 2, 1851:

The public statutes of the United States have now been accumulating for more than sixty years, and... exhibit much of the incongruity and imperfection of hasty legislation. ... The Government of the United States is emphatically a government of written laws. *The statutes should*, therefore, as far as practicable, not only be made accessible to all, but *be expressed in language so plain and simple as to be understood by all*, and arranged in such method as to give perspicuity to every subject. (Fillmore, 1851; italics added)

However, the most constant legislative champion of Plain English ideas was not a Chief Executive but an abolitionist legislator whose illustrious legislative career spanned more than two decades in Congress: Senator Charles Sumner from Massachusetts. He clearly recognized the danger of the legal uncertainty stemming from the fact that no up-to-date, relatively easily understandable, subject-organized codification of federal statutes existed at the time (Winston, 2015). It was impossible to know for sure whether certain statutory provisions were still in effect, amended, or even repealed a long time ago (*ibid.*). Senator Sumner likened the situation to that of the Roman Empire, whose “laws, when first codified, were so cumbersome that they made a load for several camels” (Sumner & Hoar, 1900: 3). Around 1850, the statutes of the U.S. filled 11-12 “heavy volumes”; furthermore, they were way too expensive even for several public libraries to purchase (*ibid.*).

Consequently, from 1852 onwards, Sumner regularly introduced a resolution in the Senate in which he urged the Committee on the Judiciary to appoint a commissioner “to revise the public statutes of the United States, to simplify their language, to correct their incongruities, to supply their deficiency, ... [and] to reduce them to one connected text” so that the public statutes “may be in such form as to be more within the apprehension of all” (SJ, 1852: April 8: 339). He persistently continued the Plain English struggle for the rest of his life, introducing the same resolution in 1861 (SJ, 1861: December 12: 41) and 1863 (SJ, 1863: December 15: 28) during the examined period, according to the Senate Journal. Pierce also lists other occasions: in 1862 and later in 1866 (1893: 275). Sumner’s efforts were met with success when President Andrew Johnson signed into law the “Act to Provide for the Revision and Consolidation of the Statute Laws of the United States” on June 27, 1866, to appoint three commissioners “to revise, simplify, arrange, and consolidate all statutes of the United States” (*An Act to*

*Provide...*, 1866: 74). However, the momentous task was not completed until 1874, when finally, the *Revised Statutes of the United States* was published.

On the other hand, Jefferson Davis is not known for having been involved in conscious language policymaking efforts—alone or in collaboration with Confederate lawmakers. From the few available online documents associated with the Confederate president in the Rice University Archives, only his inaugural address in February 1861 contains a (symbolic) reference to language—more precisely, to the (mis)interpretation of the secession of the Southern states as a “revolution.” For Davis, that act was nothing else but a reassertion of states’ rights:

The right solemnly proclaimed at the birth of the States, and which has been affirmed and reaffirmed in the bills of rights of States subsequently admitted into the Union of 1789, undeniably recognize in the people the power to resume the authority delegated for the purposes of government. Thus, the sovereign States here represented proceeded to form this Confederacy, *and it is by abuse of language that their act has been denominated a revolution*. They formed a new alliance, but within each State its government has remained, the rights of person and property have not been disturbed. (Davis, 1861; italics added)

## **4.2 Language policies and ideologies in congressional documents from 1861 to 1865**

The documents of the 37<sup>th</sup> and the 38<sup>th</sup> Congress (in session between March 4, 1861–March 4, 1863; and March 4, 1861–March 4, 1863, respectively) and those of the Confederate Congress contained 50 records in which the word “language(s)” was mentioned. (There were no further examples before December, 1865.)

Of these 50 instances, 39 had either symbolic or substantive language policy/ideology/management-related relevance. The Congress of the Union turned out to be significantly more active in this regard, with 32 instances (as opposed to the 7 Confederate cases). The vast majority of the relevant records were concentrated in the first half of 1862—before or around the date (May 20<sup>th</sup>) when Lincoln signed the Homestead Act into law.

**Table 2.** Distribution of LP-references in the Union Congress corpus (1861-1865).

	Symbolic			Substantive		
General				To simplify the L. of US statutes		
		0			5	
					(Plain) E. 4	
					Ger. 1	
Specific				To translate agricultural reports; German L. professorship at West Point		
		0			27	
					Ger. 25	
					Sp. 2	

(The numbers in the boxes indicate the total number of references; the numbers below refer to the most significant language(s) in the given quadrant. L.=language; E.=English; Ger.=German; Plain E.=Plain English; Sp.=Spanish) (Source: author.)

Contrary to the initial expectations, the symbolic side of the Language Policy Spectrum framework remained empty with respect to the Union corpus, although in the 1774–1789 legislative corpus, the symbolic, general quadrant had contained several references to the perceived role of English as a unifying, nation-building feature of the newly-created country (Czeplédi, 2020a: 34). As opposed to his, the Civil War mostly witnessed a very practical, substantive approach to apparent language-related problems—either in the context of English or with respect to minority languages.

The substantive, general category was comprised of the Plain English efforts directed at simplifying the laws of the United States (discussed in 4.1) and represented a long-term, consistently interpreted language policy whose example helped to rekindle the modern Plain English movement in the late 20<sup>th</sup> century. The single, non-English-language reference in this quadrant dates back to August 1861, when German-American journalist and politician, Caspar Butz and others petitioned Congress for measures to suppress the rebellion and to end “discrimination between men who are ready to fight for the cause of liberty, as to language or country” (SJ, 1861, Aug. 5: 177). The appeal must have been a response to the nativist tendencies described in the literature review and—in light of Butz’s background—was probably intended to protect German-Americans most. However, the petition was tabled, never to surface again during the 37<sup>th</sup>-38<sup>th</sup> Congresses.

The substantive, specific proposals dominated the examined period in the Union Congress, and the vast majority tried to secure German-language access rights to certain federal documents by requesting their translation. This was not a novel phenomenon: the first petitions to that effect were submitted in the 1790s after Congress had terminated the previous expediency-oriented translation policies due to the perceived cost of the practice. The legislators routinely denied

these appeals, the most famous instance of which gave rise to the “Muhlenberg legend” about the alleged near-officialization of the German language in 1794-95 (Kloss, 1977: 28; Czeglédi, 2020b: 36). Exceptions to tabling (i.e., indefinitely postponing) or rejecting these minority appeals was extremely rare: one counterexample was a decision in 1849 when 5,000 copies of Zachary Taylor’s annual message were allowed to be printed in the German language at the proposal of Mr. Sweetser (HJ, 1849, Dec. 24: 169). No justification for this unique decision was recorded in the Congressional documents, but perhaps the arrival of thousands of German “Forty-Eighters” after the failed revolutions influenced the mindset of legislators—albeit temporarily (Czeglédi, 2020b: 40).

During the Civil War, every single German petition—this time requesting the translation of the Agricultural Report of the Patent Office—was denied, postponed indefinitely, died in committee, or, in extremely rare instances, was approved briefly and then rescinded (HJ, 1862: Apr, 15: 612—see also Kloss, 1977: 31 in the Literature review.). All of these minority requests appeared on the Congressional agenda in the first half of 1862, and the petitioners must have been interested in taking advantage of the newly opened-up lands in the West made available by the Homestead Act of 1862. Appeals for translation came from German–American farmers living in various counties of Illinois, New York, Wisconsin, Iowa, Minnesota, Maryland, and the last one from Missouri on June 6, 1862 (HJ, 1862, June 6: 809). In all of these examples, the Federal Congress regarded the minority language as a problem.

Minority language rights issues also emerged in the Spanish-language context in 1861-62. First, the Committee on Public Printing was to “inquire into the expediency of having one thousand copies of the President’s message printed in Spanish for distribution in the Territories of New Mexico and Colorado” (HJ, Dec. 9, 1861: 48) as part of the top-down soft power campaign directed towards the Western territories. The other instance happened on December 22, 1862, when the legislature of Colorado Territory petitioned to have its laws printed in Spanish, which request was referred to the Committee of Ways and Means (HJ, 1862, Dec. 22: 105). Unfortunately, the ultimate fate of these initiatives cannot be reconstructed from the available documents, but in all probability, they had never been reported out of committee.

German as a (quasi-)foreign language appeared to be more successful in winning Congressional support. On May 8, 1862, “German citizens of the United States” requested “the establishment of a professorship of the German language at the Military Academy at West Point” (SJ, 1862, May 8: 457), recommending the prominent historian and linguist, Dr. Reinhold Solger for the position (*ibid.*). Both Houses soon passed the joint resolution to that effect, and the eminent Forty-Eighter managed to occupy the newly-created chair—while also working for the Treasury Department (Spingola, 2011: 425). The decision was a victory for German-Americans in general. However, from the perspective of the Federal

Government, the German language must have been seen as a military (and probably diplomatic) asset (both on the home front and abroad) rather than a means of promoting minority language rights.

As noted in the Literature review, the Union actively advertised the Homestead Act of 1862 abroad to restart immigration—either to replenish the depleting Union forces directly or to find replacements for the soldiers in the factories, mines, and fields. In January 1864, a resolution was introduced in the House of Representatives that required “the special committee on immigration ... to print a proportionate number of copies of their reports in the German language, for general circulation” (HJ, 1864, Jan. 7: 116-117). Later that year, Abraham Lincoln signed the Act to Encourage Immigration, which, among other stipulations, “provided for a Commissioner of Immigration under the State Department, who was to encourage immigration by collecting and circulating in Europe such information about America as would encourage immigration to the United States” (Silverman, 2015: 9).

The Confederate Congress focused on very different language policy priorities. Overall, there were few recognizable management attempts on their part, and none of them was sweeping in scope or related to the soft power projection attempts of the Confederacy, the so-called “Latin Strategy” (see the Literature review), which would have required the conscious utilization of especially the French language to promote Southern interests.

**Table 3.** Distribution of LP-references in the Confederate Congress corpus (1861-1865).

	Symbolic			Substantive		
General	The English L. as a source of pride, a common bond			The officialization of English on the New Mexico Territory		
		1			1	
		E.			E.	
Specific				To forbid insulting, abusive L. use in the Confederate Congress		
		0			5	
					E. 5	

(The numbers in the boxes indicate the total number of references; the numbers below refer to the most significant language in the given quadrant. L.=language; E.=English) (Source: author.)

Instead of prioritizing the achievement of foreign policy goals with the help of language management, the Confederate Congress appeared to have been focusing on the English language alone, particularly on the regulation of language use in both Houses of the legislature to ban “any language reflecting injuriously upon the character, motives, honor, or integrity of any other member” (JConf, 1862,

March 1: 38). This rule was necessitated by the sometimes-uncivilized debates in the congressional chamber, which occasionally resulted in physical violence, for example in the heated altercation in February 1863, between W. L. Yancey of Alabama and B. H. Hill over the details of the planned conscription bill (Yearns, 2010: 16). The Confederate Senate censured both legislators, and those who witnessed the fight were requested not to disclose the incident to the general public (JConf, 1863, Feb. 4: 48).

One of the most intriguing substantive language policies of the Confederate Congress was the officialization of the English language in the briefly occupied New Mexico Territory by declaring that “the proceedings in all courts in said Territory shall be conducted in the English language” (JConf, 1863, Jan. 14: 616). However, by the time of the decision, the Confederacy had effectively lost control over the area.

The Confederate Congressional documents contained the only symbolic reference to the English language in the entire corpus. While designing the flag and the seal of the new, secessionist country, a member of the relevant committee remarked that in 1776 the American colonies had not made the decision to become independent “on account of their hatred of the English constitution or of English institutions,” and “they were proud of their race and lineage, proud of their heritage in the glories and genius and language of old England” (JConf, 1861: 102). “We think it good to imitate them,”—he added (*ibid.*).

## **5. Summary and conclusion**

Contrary to the initial expectations, momentous conflicts involving the (re)definition of national identity will result in the appreciation of the symbolic, nation-building role of the national language (similarly to the previous debates in the Continental Congress before 1789); the findings have not supported this hypothesis. Both the presidents and the legislatures appeared to be surprisingly pragmatic in their language management efforts between 1861 and 1865, and only the Union Congress set a long-term (and eventually fulfilled) language policy goal of revising and simplifying the statutes of the United States. Otherwise, pragmatic, *ad hoc* decisions to immediate problems dominated the substantive, specific language management decisions in both the Union and the Confederate Congresses.

The most consistent attitude in the Union Congress in the substantive, specific quadrant was a systematic denial of minority language rights by rejecting the (mostly German-American) appeals for the translation of those documents that might have aided the ethnolinguistic minorities currently living in the United States to take relatively easy advantage of the provisions of the Homestead Act of 1862 in order to relocate further West. We know from the review of the relevant literature that the Lincoln Administration actively used the Homestead Act as a means to attract foreigners to the United States out of military necessity. Whether

withholding relevant information from limited English-proficient Americans was a deliberate tactic or an automatic continuation of previous access-denial policies in minority languages is difficult to determine—but perhaps the latter, long-term, language ideology-based behavior played a more decisive part in the attitudes of the legislators. Thus, the second hypothesis (“minority tongues will mostly appear in problem-oriented discourses and policy proposals”) has proved to be largely correct—with the caveat that there were no proactive governmental efforts recorded that were actually designed to restrict or repress minority languages: legislators simply reacted (negatively) to even the slightest minority language rights extension attempt. This attitude corresponds to the ubiquitous nativist feelings that characterized the period (and was discussed extensively in the secondary sources.)

The third hypothesis, according to which (minority) languages may be viewed as “resources” if they appear in the potentially useful “foreign language” context, has been corroborated by the establishment of the German-language professorship at West Point (which was also initiated by German-Americans but could definitely be regarded as a strategic asset for the Anglo majority). The German language was also deemed to be useful for the Union to promote immigration to the US—although the foreign policy priorities discussed in the relevant scholarly literature were clearly underrepresented in the language-related policy proposals of the Union and did not surface at all in the Confederate documents.

The Confederacy seemed to focus on a very narrow set of language management concerns: their own language use. Despite the limited number of relevant records on the Confederate side, it is safe to conclude that they share at least one characteristic with the Union: in sheer numerical terms, it was the practical, narrowly-focused language (micro)management concerns that dominated the LP landscape, not long-term, visionary policies or ideological argumentation.

## References

- Adams Papers Digital Edition.** (2021). “To the President of Congress, No. 9. Amsterdam September 24, 1780.” Papers of John Adams, Vol. 10. Massachusetts Historical Society. Accessed August 13. <https://www.masshist.org/publications/apde2/view?id=PJA10d115>
- Aiden, E., & Michel, J.-B.** (2013). *Uncharted: Big data as a lens on human culture*. New York: Riverhead Books.
- Allan, T., Jenkins, M. C., Grant, R. G., Hsieh, W., Keller, C., Pierce, K., & Sandow, R.** (2020). *A short history of the Civil War*. New York: DK and Smithsonian. *An Act to Provide for the Revision and Consolidation of the Statute Laws of the United States*. ch.140, 14 Stat. 74. *U.S. Statutes at Large* 39 (1866): 74–75.
- Anderson, J. E.** (2003). *Public policymaking: An introduction*. Houghton Mifflin.
- Axelrod, A.** (2011). *Generals South, generals North: The commanders of the Civil War reconsidered*. Guilford, Connecticut: Lyons Press. Ebook.
- Strode, H.** (2021). Jefferson Davis. Encyclopedia Britannica. <https://www.britannica.com/biography/Jefferson-Davis>
- Byrd, J. P.** (2021). *A holy baptism of fire and blood: The Bible and the American Civil War*. Oxford University Press.

- Dawes, J.** (2002). *The language of war*. Harvard University Press.
- Beszédits, S.** (1999, December). *Notable Hungarians and their contributions in the Civil War*. MOLLUS. <https://suvcw.org/mollus/art014.htm>
- Bianco, J. L.** (1999). The Language of Policy: What Sort of Policy Making is the Officialization of English in the United States? In T. Huebner & K. A. Davis (Eds.), *Sociopolitical perspectives on language policy and planning in the USA* (pp. 39–65). John Benjamins.
- Caldas, S.** (2012). Language policy in the family. In B. Spolsky (Ed.), *The Cambridge Handbook of Language Policy* (Cambridge Handbooks in Language and Linguistics, pp. 351–373). Cambridge, UK: Cambridge University Press. doi:10.1017/CBO9780511979026.022
- Crawford, J.** (2000). *At war with diversity: US language policy in an age of anxiety*. Multilingual Matters.
- Crystal, D.** (2003). *English as a global language*. Cambridge, UK: Cambridge University Press.
- Czeplédi, S.** (2020a). Nine decades of dealing with diversity: Language-related attitudes, ideologies and policies in federal-level US legislative and executive documents from 1774 to 1861. *ELOPE: English Language Overseas Perspectives and Enquiries*, 17(2), 27–45. <https://doi.org/10.4312/elope.17.2.27-45>
- Czeplédi, S.** (2020b). Languages and the U.S. Federal Congress: Attitudes, policies and practices between 1789 and 1815. *EJES: Eger Journal of English Studies*, 20, 91–107. <https://doi.org/10.33035/EgerJES.2020.20.91>
- Csutak, Z.** (2019). Amerikai magyar katonahősök. In L. Ambrus & E. Rakita (Eds.), *Amerikai magyarok--magyar amerikaiak: Új irányok a közös történelem kutatásában* (pp. 75–97). Eger, Eszterházy Károly Egyetem: Líceum Kiadó. <http://publikacio.uni-eszterhazy.hu/5172/>.
- Davis, J.** (1861). “First Inaugural Address.” The papers of Jefferson Davis. February 18, 1861. <https://jeffersondavis.rice.edu/archives/documents/jefferson-davis-first-inaugural-address>
- Doyle, D. H.** (2015). *The cause of all nations: An international history of the American Civil War*. New York: Basic Books.
- Fillmore, M.** (1851). “Second Annual Message.” The American Presidency Project. December 20, 1851. <https://www.presidency.ucsb.edu/documents/second-annual-message-7>.
- Halász, I.** (1914). Magyarok az amerikai szabadságharcban. *Nyugat*, 1914(2). <https://epa.oszk.hu/00000/00022/00154/05054.htm>
- Hedtke, J. R.** (2018). *American Civil War: Facts and fictions*. Santa Barbara, California: ABC-CLIO.
- Herring, G. C.** (2008). *From colony to superpower: U.S. foreign relations since 1776*. New York: Oxford University Press. Ebook. “House Journal.” The Library of Congress: American Memory Collection. Last modified May 1, 2003. <https://memory.loc.gov/ammem/amlaw/lwhj.html>
- Hult, F. M., & Hornberger, N. H.** (2016). Revisiting Orientations in Language Planning: Problem, Right, and Resource as an Analytical Heuristic Resource as an Analytical Heuristic. *The Bilingual Review/La Revista Bilingüe*, 33(3), 30–49. [https://doi.org/https://repository.upenn.edu/gse\\_pubs/476](https://doi.org/https://repository.upenn.edu/gse_pubs/476)
- Johnson, D. C.** (2013). *Language policy*. Palgrave Macmillan. “Journal of the Congress of the Confederate States of America, 1861-1865.” The Library of Congress: American Memory Collection. Last modified May 1, 2003. <https://memory.loc.gov/ammem/amlaw/lwcc.html>
- Kloss, H.** (1977). *The American bilingual tradition*. Rowley, MA: Newbury House Publishers.
- Leckie, R.** (1991). *None died in vain: The saga of the American Civil War*. HarperPerennial.
- Lincoln, A.** (1861). “First Annual Message.” The American Presidency Project. December 3, 1861. <https://www.presidency.ucsb.edu/documents/first-annual-message-9>
- McPherson, J.** (2021, April 16). *A brief overview of the American Civil War*. American Battlefield Trust. <https://www.battlefields.org/learn/articles/brief-overview-american-civil-war>.
- Morrison, M. A., & May, R. E.** (1996). *The Limitations of Classroom Media: Ken Burns’ Civil War Series as a Test Case*. *The Journal of American Culture*, 19(3), 39–49. doi:10.1111/j.1542-734x.1996.
- Muller, Gilbert H.** (2017). *Abraham Lincoln and William Cullen Bryant: Their Civil War*. Palgrave Macmillan. National Archives and Records Administration. (2017, September 1). *Black soldiers in the U.S. military during the Civil War*. National Archives and Records Administration. <https://www.archives.gov/education/lessons/blacks-civil-war>



- O'Neill, A.** (2021). Number of military fatalities in all major wars involving the United States from 1775 to 2021. *Statista*. chart. <https://www.statista.com/statistics/1009819/total-us-military-fatalities-in-american-wars-1775-present/>
- Pierce, E.L. & Sumner, Ch.** (1893). *Memoir and Letters of Charles Sumner*. Vol. 3. Boston: Robert Bros. Hathi Trust Digital Library. <https://catalog.hathitrust.org/Record/006255525>
- Pivány, E.** (1913). *Hungarians in the American Civil War*. Illustrated by John Kemény. Cleveland. Public Broadcasting Service. (2005, June 29). *Remembering Civil War Historian Shelby Foote*. PBS. <https://www.pbs.org/newshour/show/remembering-civil-war-historian-shelby-foote>
- Ruíz, R.** (1984). Orientations in language planning. *NABE Journal*, 8(2), 15–34. <https://doi.org/10.1080/08855072.1984.10668464>.
- Sainlaude, S.** (2019). *France and the American Civil War. A diplomatic history*. Chapel Hill, NC: The University of North Carolina Press.
- Silverman, J.** (2015, Fall). Lincoln’s “forgotten” Act to encourage immigration. *The Proclamation*, XXIX, 8-15. <https://www.lincolncottage.org/wp-content/uploads/2015/11/Newsletter-Fall2015.pdf>
- “Senate Journal.” The Library of Congress: American Memory Collection. Last modified May 1, 2003. <https://memory.loc.gov/ammem/amlaw/lwsj.html>
- Spingola, D.** (2011). *The ruling elite: A study in imperialism, genocide and emancipation*. Trafford Publishing.
- Spolsky, B.** (2004). *Language policy*. Cambridge, UK: Cambridge University Press.
- Spolsky, B.** (2009). *Language management*. Cambridge, UK: Cambridge University Press.
- Spolsky, B.** (2019). A modified and enriched theory of language policy (and management). *Language Policy*, 18(3), 323–338. <https://doi.org/10.1007/s10993-018-9489-z>
- Sumner, Ch. & Hoar, G.F.** (1900). *Charles Sumner, His Complete Works: with Introduction by Hon. George Frisbie Hoar*. Vol. 8. Boston: Lee & Shepard. Hathi Trust Digital Library. <https://catalog.hathitrust.org/Record/000407161>
- The Hungarian Code Writers. (2021). National Security Agency/Central Security Service. (2021, June 21). Retrieved March 15, 2022, from <https://www.nsa.gov/Press-Room/News-Highlights/Article/Article/2663592/the-hungarian-code-writers/>
- The Library of Congress. (2021). “A Century of Lawmaking for a New Nation: U.S. Congressional Documents and Debates, 1774-1873.” American Memory Collection. Last modified May 1, 2003. <https://memory.loc.gov/ammem/amlaw/>
- The Papers of Jefferson Davis. (2021). Rice University. <https://jeffersondavis.rice.edu/>
- Vida, K. I.** (2011). *Világostól Appomatoxig*. Budapest: Akadémiai Kiadó.
- Wiley, T. G.** (1999). Comparative Historical Analysis of U.S. Language Policy and Language Planning: Extending the Foundations. In T. Huebner, K. A. Davis, & J. L. Bianco (Eds.), *Sociopolitical perspectives on language policy and planning in the USA* (pp. 17–37). Amsterdam/Philadelphia: John Benjamins.
- Wiley, T. G., & de Korne, H.** (2014, March). *Historical Orientations to Language Policy in the United States*. Center for Applied Linguistics. <http://www.cal.org/lpren/pdfs/briefs/historical-orientations-to-language-policy-in-the-united-states.pdf>
- Winston, A.** (2015). “The Revised Statutes of the United States: Predecessor to the U.S. Code.” *Law Library* (blog). Library of Congress. July 2, 2015. <https://blogs.loc.gov/law/2015/07/the-revised-statutes-of-the-united-states-predecessor-to-the-u-s-code/>
- Woolley, John T., and Gerhard Peters.** (2021). *The American Presidency Project*. <http://www.presidency.ucsb.edu>
- Yearns, W. B.** (2010). *The Confederate Congress*. Athens, GA: The University of Georgia Press.