

Court ruling adds urgency: Repeal official-English law

State lawmakers make laws. Judges interpret them. And Polk County District Judge Douglas Staskal recently had the opportunity to interpret one of the worst Iowa laws implemented in recent years: the Iowa English Language Reaffirmation Act, which made English the state's official language.

His ruling reaffirms that it's time for Iowa lawmakers to repeal this embarrassing law.

Last year, U.S. Rep. Steve King sued Gov. Chet Culver, who previously served as secretary of state, and Michael Mauro, the current secretary of state, for making voter registration forms available in languages other than English. A state Web site publishes these in English, Spanish, Bosnian, Vietnamese and Laotian.

Defendants argued the law included a provision that allowed for the use of other languages if needed to secure people's constitutional rights.

But Judge Staskal sided with King, determining the forms violate Iowa law and ordering the state to stop using them.

"The Legislature's mandate that 'all official documents ... shall be in the English language' is clear and unambiguous," he wrote in his decision. It was the intent of the Legislature, he wrote, that English be the exclusive language used in official documents, and voter registrations are not exempted.

Attorney General Tom Miller said he was analyzing the ruling and may consider an appeal.

Rather than sorting this out with

an appeal, lawmakers should repeal the law.

They should do so because the law is mean-spirited and sends an anti-immigrant message. They should do so because it makes Iowa seem xenophobic. They should do so because it's unnecessary when studies show today's immigrants are learning English as quickly as their predecessors.

And to lawmakers who may have thought the law was toothless because it included exemptions, Judge Staskal's ruling tells them otherwise. The law applies to "official action" from government, which is broadly defined. It could have a "chilling effect on speech by causing government employees to refrain from non-English communication all together," he wrote.

Other courts have found similar laws infringe on First Amendment rights to speech by depriving people of access to information from their governments.

Though this particular case didn't address the issue of voting rights, it's something lawmakers should consider. If it was unconstitutional in the Reconstruction South to deny the right to vote to illiterate blacks, how can the state of Iowa impede from voting those who can't read English?

The people of Iowa are once again reminded that this state's English-only law is not only a betrayal of our willingness to welcome newcomers, but also a vehicle for denying people access to and participation in their government.

Des Moines Register staff editorial, April 5, 2008



Clipped By:

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Wed, Aug 11,

2021