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Conceptual

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DOI: <https://doi.org/10.69670/mje.3.2.5><https://mje.williamwoods.edu/>**Betul Ozel****Abstract**

This conceptual paper employs Language Critical Race Theory (LangCrit) to examine how Arizona's Proposition 203 functions as a mechanism of racialized governance. This English-only mandate sustains linguistic discrimination through what this paper theorizes as affective governance, a concept extending Ahmed's (2004) work on affective economies to analyze how policy regulates educators through fear and anticipatory compliance. Through analysis of policy texts, legal decisions, and administrative communications spanning 2000 to 2024, the paper identifies five mechanisms: legal codification of temporal assimilation, anticipatory compliance, racialized surveillance via standardized assessment, epistemic erasure, and coordination with broader racial projects. Only 12% of English learners achieve proficiency annually, and graduation rates trail the state average by 22 percentage points. The paper contributes by operationalizing LangCrit for policy analysis and introducing "regulatory haunting" to describe how restrictive policies continue organizing institutional behavior after their legal enforcement mechanisms have been dismantled.

Keywords

Affective Governance, English-Only Policy, LangCrit, Proposition 203, Raciolinguistics

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Introduction

In June 2023, Arizona Superintendent of Public Instruction Tom Horne sent letters to 26 school districts warning that their dual-language programs violated state law and placed their English Language Learner (ELL) funding at risk (Arizona Department of Education, 2023). Horne could not actually withhold those funds; the Arizona Attorney General and the State Board of Education both confirmed his office lacked that authority. Yet the warning worked. Districts across the state scrambled to review their programs, teachers suppressed multilingual practices they believed might be scrutinized, and administrators described what one called a *chilling effect* on pedagogical decision-making (Arizona Mirror, 2023). No enforcement action was ever completed. None was needed.

This episode illustrates a dynamic at the heart of Arizona's language policy landscape: policies need not be legally enforceable to be deeply effective. Arizona's Proposition 203, passed by voters in 2000, mandates English-only instruction in public schools and remains the only such state-level law in the United States. Over two decades, courts have constrained its direct enforcement, legislative amendments have modified its reach, and researchers have documented its failure to produce its stated outcomes. Yet its influence over classrooms, administrators, and communities remains profound. Understanding how this influence operates requires moving beyond implementation studies and legal analyses to examine the conceptual architecture of the policy itself.

This paper argues that Proposition 203 functions through five interlocking mechanisms that sustain racialized linguistic control while appearing educationally neutral. Drawing on Language Critical Race Theory (LangCrit) and the concept of affective governance developed in this paper, building on Ahmed's (2004) theorization of affective economies, this analysis reveals how language policy operates through emotional regulation, deficit framing, and epistemic exclusion, not only through legal coercion. This conceptual framework has implications not just for understanding Arizona's policy context but for analyzing English-only mandates and restrictive language policies across the United States.

A note on terminology is warranted. This paper uses "English learner" and "ELL" when referring to the official policy designation assigned by Arizona's assessment and classification system, because the analysis is concerned precisely with how that classification operates as a mechanism of governance. However, this terminological choice should not be read as endorsement of the deficit framing embedded in the label. Scholars including García and Wei (2014) have argued persuasively for *emergent bilingual* as a term that foregrounds the linguistic assets students bring rather than the proficiency they are presumed to lack. Where this paper discusses students outside the immediate context of policy classification, it uses *language-minoritized students* to signal that minority status is produced through political processes rather than demographic fact. The tension between these terms is not incidental to the analysis. It is one of its objects: Proposition 203's classificatory apparatus depends on constructing multilingual children as linguistically deficient, and the policy's own terminology is part of that construction.

The stakes of this analysis are high. Arizona's English learner four-year graduation rate stands at 55%, compared to a statewide four-year average of 77% (Center for the Future of Arizona, n.d.). Drawing on 2022 state assessment data, only 3% of eighth-grade English learners demonstrate readiness for high school mathematics (Center for the Future of Arizona, n.d.). These are not incidental failures. They are the predictable outcomes of a policy architecture that functions, as this paper will demonstrate, not to support language acquisition but to manage racialized populations through linguistic control.

Theoretical Framework

Language Critical Race Theory

Language Critical Race Theory (LangCrit) extends the foundational commitments of Critical Race Theory to center language as a primary site of racialized power. Where Critical Race Theory identifies race as a social construction that organizes systems of privilege and disadvantage (Ladson-Billings, 1998), LangCrit adds that language serves as one of the most effective instruments through which racial hierarchies are produced, reproduced, and naturalized (Alim, 2016; Flores & Rosa, 2015).

Three LangCrit tenets are particularly relevant to this analysis. First, language policies are never truly neutral. They operate to position some linguistic practices as academically legitimate and others as deficient, and these positions map consistently onto racialized communities. As Flores and Rosa (2015) demonstrate, even when language-minoritized students adopt the linguistic practices deemed appropriate by mainstream standards, they continue to be perceived as linguistically deficient by white listening subjects. The problem is never purely about language; it is about the racialized body producing the language.

Second, standardized assessment functions as racialized surveillance. Testing regimes ostensibly designed to measure language proficiency actually categorize students based on linguistic practices tied to their racialized and classed identities, determining educational trajectories before children have the opportunity to demonstrate the full range of their capacities (Menken, 2008). Third, policies framed as support for language-minority students frequently function as systematic exclusion. Programs presented as helping ELL students, such as Structured English Immersion, may actually restrict their access to academic content while positioning their multilingualism as a deficit requiring remediation rather than a resource deserving cultivation (Cummins, 2000; García & Wei, 2014).

Affective Governance

Building on Ahmed's (2004) theorization of affective economies and the stickiness of emotions as social and political forces, this paper develops the concept of affective governance as a second theoretical lens through which to analyze Proposition 203. Ahmed argued that emotions are not merely internal psychological states but social and political forces that do work in the world. Feelings such as fear, shame, and anxiety attach to bodies and objects, circulate through communities, and organize collective behavior. Governance through affect means shaping what people do not through explicit command but through the emotional atmosphere that surrounds possible actions.

In educational policy contexts, affective governance operates when teachers avoid multilingual pedagogical practices not because they are clearly prohibited but because the policy has made those practices feel dangerous. It operates when administrators redirect resources away from dual-language programs not because a court has ordered them to do so but because the emotional weight of potential sanction shapes their calculations. This produces a form of indirect governance of language behavior through ideological processes that render compliance invisible and self-sustaining, consistent with what Tollefson (2006) identified as hegemonic language policy mechanisms. The subject regulates herself.

This paper introduces the concept of *regulatory haunting* to name a specific dimension of affective governance that existing theoretical vocabulary does not adequately capture. The term draws on but departs from the broader use of haunting in critical social theory. Gordon (2008) theorized haunting as the process

through which systemic violence and social exclusion make themselves felt in the present, producing what she describes as ghostly presences that signal unresolved historical harm. Tuck and Ree (2013) extended this logic to settler-colonial contexts, examining how land, place, and dispossession carry hauntings that resist narrative closure. These formulations are concerned with the spectral persistence of historical violence across social life broadly. Regulatory haunting, as developed here, names something more institutionally specific: the process through which a policy instrument continues to organize institutional behavior, professional identity, and pedagogical decision-making after its legal enforcement mechanisms have been formally constrained or dismantled. The haunting is not metaphorical. It is operational. When Arizona educators adjust their practice in anticipation of sanctions that courts have already ruled unenforceable, they are not responding to the ghost of a historical injustice in Gordon's sense. They are responding to a regulatory apparatus whose affective infrastructure remains intact even as its legal architecture has been partially disassembled. The fear circulated by Horne's 2023 letters did not require legal authority to reshape district behavior, because the policy had already deposited its emotional logic into institutional culture. Regulatory haunting thus identifies the specific mechanism through which affective governance outlasts legal governance, the process through which compliance persists not because the rule still commands but because the feeling the rule produced still circulates. Regulatory haunting is therefore not a sixth mechanism but a temporal dimension that cuts across the five, describing how their affective force persists once legal enforcement recedes.

Together, LangCrit and affective governance provide a conceptual framework capable of explaining a phenomenon that purely legal or implementation-focused analyses cannot: how Proposition 203 continues to shape educational practice even when its direct enforcement mechanisms have been legally constrained. Affective governance is particularly significant as an analytical concept because it names a form of power that resists conventional accountability frameworks: when compliance is self-generated rather than externally imposed, the governed subject cannot easily identify or contest the source of constraint. The educator who suppresses multilingual practices out of anticipated risk is, in a formal sense, making a free choice. Affective governance renders this choice politically legible by locating it within a broader structure of emotional circulation produced by policy, not individual preference.

Several assumptions underpin this framework and should be made explicit. LangCrit assumes that language and race are co-constitutive rather than parallel categories, that linguistic hierarchies cannot be adequately analyzed without attention to the racial formations that produce and sustain them. This is a stronger claim than asserting that language policy has racial consequences. It holds that the construction of certain languages and language practices as deficient is itself a racial project, not merely a project with racial effects. The affective governance lens developed here assumes, following Ahmed (2004), that emotions are not epiphenomenal to policy but constitutive of its operation, that fear, anxiety, and anticipatory compliance do not merely accompany policy implementation but actively produce its governing effects. Affect theory has not gone uncriticized. Hemmings (2005) and Leys (2011) raised concerns that affect-based analyses can elide material and structural conditions, substituting attention to feeling for analysis of political economy and risking a separation between affect and meaning that renders ideological dispute irrelevant to cultural analysis. The framework developed here addresses these concerns directly by treating affect and material conditions not as competing analytical lenses but as mutually reinforcing dimensions of policy operation, and by maintaining LangCrit's insistence that affective dynamics are inseparable from the racial and political projects they sustain. This paper does not claim that affective governance operates in isolation from material constraints. Funding structures that systematically disadvantage programs serving English

learners, certification requirements that produce chronic shortages of bilingual educators, and resource allocation patterns shaped by political priorities all constrain multilingual practice through mechanisms that are not reducible to emotional regulation. The argument is rather that these material conditions and affective processes are mutually reinforcing: funding threats gain their disciplinary force partly through the anxiety they generate, and anticipatory compliance shapes how material constraints are interpreted and responded to at the school level. Attending to affect without attending to material conditions would be incomplete. But attending to material conditions without attending to affect cannot explain why Proposition 203 continues to shape practice even when its enforcement mechanisms have been legally dismantled.

Policy Context: Proposition 203 and Its Aftermath

Proposition 203, titled "English Language Education for Children in Public Schools," passed with 63% of Arizona's vote in November 2000. The initiative was organized by Ron Unz, a California software entrepreneur who had previously orchestrated Proposition 227 in California (1998), using similar rhetoric about the failure of bilingual education and the need for English immersion. All 22 of Arizona's recognized Native American tribes opposed the measure, concerned about its implications for tribal language revitalization efforts (Combs & Nicholas, 2012). Their opposition was documented but effectively excluded from the ballot summary and mainstream media coverage of the campaign.

The law mandates that "all children in Arizona public schools shall be taught English by being taught in English" (A.R.S. 15-752) and places English learner students in Structured English Immersion (SEI) programs "during a temporary transition period not normally intended to exceed one year" (A.R.S. 15-752). The Arizona English Language Learner Assessment (AZELLA) was established as the primary instrument for identifying ELL students and determining their readiness to exit SEI programs.

Since 2000, the policy landscape has shifted considerably. *Horne v. Flores*, 557 U.S. 433, (2009) produced a Supreme Court decision that restructured the state's funding obligations for ELL programs. House Bill 2083 (2019) modified SEI implementation, giving the State Board of Education authority to approve alternative instructional models, including the dual-language model that Horne's 2023 letters would later contest. In March 2024, Maricopa County Superior Court dismissed Horne's lawsuit against districts offering dual-language programs, ruling that he lacked standing to bring the case. In January 2026, the Arizona Supreme Court declined to review the case, preserving the lower courts' dismissal of Horne's lawsuit for lack of standing (Arizona Attorney General, 2026). The legal architecture of direct enforcement has been progressively dismantled. But as this paper argues, the policy continues to govern through other means.

Five Mechanisms of Racialized Linguistic Control

Legal Codification of Temporal Assimilation

The temporal framing embedded in Proposition 203 is among its most consequential conceptual moves. By mandating that ELL students be educated during "a temporary transition period not normally intended to exceed one year," the policy produces what LangCrit scholars identify as deficit temporality: the positioning of multilingualism as a temporary problem requiring urgent remediation rather than a permanent asset warranting sustained development.

This framing does several kinds of work simultaneously. It constructs the child's home language as an obstacle to be overcome rather than a foundation to be built upon, contradicting decades of research on the

developmental benefits of additive bilingualism (Cummins, 2000; Thomas & Collier, 2002). It creates institutional pressure to prioritize rapid English acquisition over academic content development, producing what researchers have documented as long-term academic disadvantage for SEI students (Gándara & Hopkins, 2010; Lillie, 2016). And it establishes an impossible standard whose persistent failure can then be used to justify continued and intensified intervention.

Current data from the Arizona Department of Education (2024) reveals that only 12% of English learners achieve proficiency annually, a figure that has remained low across recent years, ranging from single-digit to low double-digit rates since 2020-21 (9% in 2021-22, 12% in 2022-23). From an implementation perspective, these numbers represent failure. From a LangCrit perspective, they represent success: persistent low proficiency rates justify continued ELL classification, continued SEI placement, and continued separation of language-minoritized students from mainstream academic content. As Flores and Rosa (2015) observe, such policies construct racialized populations as linguistically deficient while positioning whiteness as the idealized norm.

The personal liability provisions of A.R.S. 15-754 reinforce this temporal pressure from a different angle. The statute states that any "school board member or other elected official or administrator who willfully and repeatedly refuses to implement" the law's terms "may be held personally liable for fees and actual and compensatory damages." This threat, directed at individual administrators and board members rather than at institutions, transforms the policy's demands into personal risk calculations. The effect is to embed anxiety, in Ahmed's (2004) sense of an affect that sticks to bodies and objects, directly into the daily work of school leadership.

Affective Governance Through Anticipatory Compliance

The 2024 dismissal of Horne's enforcement lawsuit did not end the policy's influence. Instead, it revealed how deeply that influence had already become decoupled from legal enforceability. By the time Maricopa County Superior Court ruled that Horne lacked standing to sue, the emotional work of his communications had already been accomplished. Districts had reviewed their programs. Teachers had adjusted their practices. Administrators had introduced new approval processes for multilingual instructional materials. The lawsuit's dismissal changed the legal situation; it did not undo the behavioral changes that had already occurred in anticipation of enforcement.

This dynamic illustrates what Ahmed (2004) meant when she wrote that emotions "do things, and they align individuals with communities, or bodily space with social space, through the very intensity of their attachments" (p. 119). Horne's June 2023 letters to 26 districts, warning of potential funding loss and legal liability, circulated fear through the educational system. That fear attached to the practice of dual-language instruction, making the practice feel risky regardless of its legal status. Districts self-policed in advance of any formal sanction. This is anticipatory compliance: the governance effect of a policy realized before rather than through enforcement.

While systematic empirical investigation of how Arizona educators experience the affective dimensions of Proposition 203 remains a needed direction for future research (see Limitations), parallel restrictive language policy contexts have documented specific patterns through which such mandates translate into the suppression of multilingual classroom practice. In California districts implementing Proposition 227, teachers were instructed to discourage parents from reading to their children in Spanish and to stop sending Spanish-language books home with students (Cummins, 2000). Within Arizona itself, Combs and Nicholas

(2012) document how state authorities intervened against Navajo educators who had developed Indigenous-language programming under federal protections, signaling the policy's disciplinary reach beyond its formally specified targets. These documented patterns are consistent with what this paper terms a *pedagogy of silence*: the active suppression of multilingual resources through self-regulation driven by anticipated rather than actual consequences, a dynamic consistent with Tollefson's (2006) analysis of how hegemonic language ideologies produce invisible compliance mechanisms. Notably, this silence falls most heavily on the teachers, students, and families whose languages and cultures are already marginalized.

Racialized Surveillance Through Standardized Assessment

AZELLA functions as the cornerstone of Proposition 203's implementation architecture, but its role extends well beyond the measurement of language proficiency. As an instrument of racialized surveillance, AZELLA categorizes students, determines their educational trajectories, and organizes their access to the curriculum through testing protocols that systematically advantage students whose cultural and linguistic backgrounds align with white, middle-class norms.

The structural features of AZELLA embed cultural bias in multiple dimensions. The assessment privileges academic register English in formal testing contexts, disadvantaging students whose English competence is functional and contextually appropriate but not aligned with dominant academic discourse conventions. The speaking component carries disproportionate weight in the overall proficiency determination, creating outcomes that do not correspond straightforwardly to students' actual academic language capacity. The consequences of AZELLA classification extend far beyond language instruction: ELL status affects academic course placement, extracurricular eligibility, and access to specialized programs (Menken, 2008).

The eighth-grade mathematics readiness figure of 3% for ELL students (Center for the Future of Arizona, n.d.) speaks to what researchers have identified as the simultaneous exclusion of language-minoritized students from both bilingual programs and grade-level academic content (Gándara & Orfield, 2012). Rather than functioning as a transition mechanism, AZELLA operates as a persistent gatekeeper, maintaining ELL students in a parallel educational track with fewer academic resources and less experienced teaching staff than mainstream classrooms.

The racialized dimensions of this surveillance become clearer when aggregate data is disaggregated. The overwhelming majority of Arizona's ELL students are Latino, and the state's broader political landscape has produced parallel policies targeting Latino students' cultural identity alongside their linguistic practices. House Bill 2281 (2010), which banned ethnic studies programs in Tucson and was eventually ruled unconstitutional, shared both ideological architecture and key political advocates with Proposition 203. Both policies deployed ostensibly race-neutral language about educational efficiency to restrict the educational opportunities of the same racialized communities.

Epistemic Erasure and Community Resistance

The systematic exclusion of community knowledge from Proposition 203's development, implementation, and evaluation constitutes what Santos (2014) terms epistemicide: the destruction of alternative knowledge systems through institutional processes that render them invisible or illegitimate. All 22 of Arizona's recognized Native American tribes opposed the measure during the 2000 campaign, concerned that English-only mandates would undermine tribal language revitalization programs that had been showing genuine results for Indigenous students (Combs & Nicholas, 2012). The Navajo Nation Council documented in its

resolution that decades of English-only schooling had contributed to dramatic Navajo language loss, and that bilingual-bicultural programs at schools like Rock Point and Rough Rock had produced measurable improvements in both English and Navajo literacy (Combs & Nicholas, 2012).

This knowledge was available to policymakers and voters in 2000. It was excluded from the ballot summary, which framed the initiative solely in terms of ensuring that "all children learn English rapidly and efficiently" (Proposition 203 Ballot Summary, 2000). The tribal resolution language that might have complicated this framing, documenting both the harms of English-only policy and the success of bilingual alternatives, received no representation in official policy documents. This exclusion was not incidental. It was structural, reflecting what Fricker (2007) terms "testimonial injustice": the systematic discrediting of marginalized voices that prevents their knowledge from entering the evidentiary record of policy deliberation.

The consequences of this epistemic exclusion extend to the present. Post-2001, the Arizona Attorney General's office clarified that Proposition 203 did not apply to tribally operated schools and that its application to Native American students in public schools must be consistent with federal law protecting Indigenous language rights (Arizona Attorney General, 2001). But by then, the policy had already reshaped the educational landscape in ways that affected Indigenous students in public schools throughout the state. Navajo language revitalization programs that had operated in public schools found their continuation complicated and uncertain.

Community resistance has continued in multiple forms. Tribal education leaders have asserted what McCarty and Lee (2014) frame as culturally sustaining and revitalizing pedagogy grounded in Indigenous education sovereignty, sustaining Indigenous language programs under federal protection while contesting the state policy's reach. Parent organizations and advocacy groups challenged Horne's 2023 enforcement threats with immediate public protest and legal challenges. The 2019 legislative modifications to SEI implementation, which created space for the dual-language model now under legal contest, emerged partly from sustained advocacy by educators, parents, and community organizations documenting the failure of English-only approaches for their students. This resistance demonstrates that communities continue to produce and transmit knowledge about language education that the official policy apparatus has worked systematically to exclude.

Policy Networks and Coordinated Racial Projects

Proposition 203 does not operate in isolation. It functions within what Bonilla-Silva (2003) terms a "racial project": a coordinated effort to organize social life along racial lines through mechanisms that appear race-neutral. Arizona's language policy landscape is best understood as one element of a broader policy network that targets linguistic and cultural diversity through parallel legal strategies sharing rhetorical frameworks, key political actors, and enforcement mechanisms.

The connections between Proposition 203 and House Bill 2281 are instructive. Although Proposition 203 (2000) predated his tenure, Tom Horne aggressively enforced its mandate as Superintendent of Public Instruction (2003-2011, and again from 2023) and was the primary architect of HB 2281 (2010), which he championed alongside state senator John Huppenthal. Both employed temporal urgency rhetoric, framing their targets as immediate threats to educational quality and civic unity. Both deployed personal liability provisions to create compliance pressure on individual administrators. And both disproportionately affected the same student populations: Latino students, Indigenous students, and other language-minoritized

communities whose cultural and linguistic practices were positioned as obstacles to educational achievement rather than assets supporting it.

The legal strategy surrounding both policies also reveals coordination. When direct enforcement mechanisms were constrained by courts (as with the 2024 dismissal of Horne's dual-language lawsuit and the 2017 federal district court ruling in *González v. Douglas* striking down the ethnic studies ban as unconstitutional), the political actors involved immediately announced new legal approaches. The policy apparatus was designed to persist beyond any particular legal setback by multiplying enforcement vectors and maintaining the affective environment of potential sanction regardless of current legal outcomes. This is the architecture of a racial project: not a single policy but a coordinated ensemble of legal, administrative, and rhetorical practices working together to maintain racialized educational stratification.

Bourdieu's (1991) concept of symbolic power helps illuminate why this coordination is effective. Language policies that appear neutral, that speak only of efficiency, proficiency, and unity, exercise symbolic power by concealing the social conditions of their production. The interests they serve and the communities they disadvantage remain invisible within their official framing. LangCrit's insistence on naming the racial dimensions of ostensibly neutral language policy is therefore not an addition to policy analysis but a precondition for its accuracy.

Implications for Educational Policy and Practice

This conceptual analysis has several implications for educational researchers, policymakers, and practitioners working in contexts shaped by restrictive language policies.

For researchers, this paper demonstrates the value of LangCrit as a systematic analytical methodology for policy documents. The five-mechanism framework developed here provides replicable procedures for examining how racialized dimensions of language policy operate through both explicit mandates and emotional regulation. The concept of anticipatory compliance, in particular, offers a productive avenue for empirical investigation: to what extent does the threat of enforcement, rather than enforcement itself, shape classroom practice? What are the specific emotional and organizational processes through which teachers and administrators internalize policy constraints? These questions require methodological approaches that attend to affect and institutional culture alongside formal compliance data.

For policymakers, the persistent failure of Proposition 203's stated objectives should prompt genuine reconsideration. If the goal is English proficiency and academic achievement for language-minoritized students, the evidence base is unambiguous: dual-language and bilingual education approaches produce better outcomes than English-only immersion across multiple measures and timeframes (Thomas & Collier, 2002; Gándara & Hopkins, 2010). The resistance of Arizona's policy apparatus to this evidence reflects the operation of racial projects rather than educational reasoning. Policymakers committed to educational equity must be willing to name this dynamic directly.

For practitioners, this analysis suggests that the affective dimensions of policy implementation deserve explicit professional attention. Teachers and administrators operating in policy environments shaped by anticipatory compliance need frameworks for distinguishing between genuine legal constraints and the emotional atmosphere that policies create around practices that may actually be permissible. Professional development focused on LangCrit, on the research base for multilingual education, and on the rights of students and communities can help educators resist the "pedagogy of silence" that affective governance

produces. The communities most affected by restrictive language policies, particularly Indigenous communities and Latino families, possess educational knowledge that practitioners and researchers should actively seek out rather than exclude.

Finally, this analysis has implications for understanding Arizona as a signal rather than an exception in the current national landscape. Multiple states are pursuing English-only legislation, restrictions on multilingual education, and parallel campaigns against ethnic studies and culturally sustaining curriculum. California's Proposition 227 (1998) and Massachusetts's Question 2 (2002) emerged from the same Unz-led "English for the Children" campaign that produced Arizona's Proposition 203 and share Arizona's core architecture: temporal mandates targeting English acquisition within one year, personal liability provisions for educators, and standardized assessment as the gatekeeping mechanism for academic placement. The five-mechanism framework developed here is therefore positioned to extend beyond Arizona, particularly to other states whose English-only mandates emerged from this shared template, even where those mandates have since been formally repealed. The conceptual tools developed here, LangCrit analysis of policy texts, attention to affective governance mechanisms, and identification of coordinated racial projects, are applicable beyond Arizona's specific context.

Limitations

Several boundary conditions of this analysis warrant explicit acknowledgment. First, the five-mechanism framework developed here is derived from analysis of policy texts, legal decisions, administrative communications, and secondary scholarship rather than from primary empirical data. This paper makes claims about how Proposition 203 operates conceptually, not about how individual educators experience its effects in practice. The anticipatory compliance this paper theorizes, for instance, is documented through policy documents and journalistic accounts rather than through systematic interviews or ethnographic observation. Future empirical research is needed to examine whether and how the mechanisms identified here manifest in the daily decision-making of teachers and administrators working within Arizona's policy landscape.

Second, the conceptual framework has been developed through sustained engagement with a single state context. While this paper argues that Arizona functions as a signal rather than an exception in the national landscape, the five-mechanism model has not yet been applied to other states with restrictive language policies, such as California's former Proposition 227 or Massachusetts's former Question 2. The degree to which affective governance operates similarly across different legal, demographic, and political contexts remains an open question that this analysis alone cannot resolve.

Third, this paper foregrounds affective governance as an analytical lens but does not claim it as the sole operative mechanism sustaining linguistic discrimination. Material conditions, including funding structures that disadvantage ELL programs, certification pipelines that produce shortages of bilingual educators, and resource allocation patterns shaped by political priorities independent of emotional regulation, constrain multilingual practice in ways not fully captured by an affective framework. The argument here is that affect constitutes a necessary and undertheorized dimension of policy operation, not that it exhausts the field of relevant forces.

Finally, the strengths and constraints of conceptual work itself deserve acknowledgment. This paper proposes analytical tools, not empirical findings. The five-mechanism framework and the concept of regulatory haunting are offered as lenses through which researchers might organize future inquiry, not as

settled conclusions about how language policy universally functions. Their value will ultimately be determined by whether they prove productive when applied to empirical contexts beyond the one examined here.

Conclusion

Proposition 203 has not succeeded by its own stated standards. Twenty-four years after its passage, Arizona's English learners graduate at rates 22 points below the state average, achieve annual proficiency at single-digit or low double-digit rates, and face documented barriers to grade-level academic content. By the metric of English language development, the policy has failed.

This paper introduces affective governance as a conceptual tool for analyzing how restrictive language policies operate through emotional regulation rather than direct enforcement. But evaluating Proposition 203 solely by its stated objectives misses what it actually does. Analyzed through LangCrit and affective governance frameworks, the policy's operation reveals a different logic: one organized around the maintenance of racialized educational hierarchies through mechanisms that do not require successful enforcement to be effective. Legal codification of impossible timelines, emotional circulation of fear and liability, standardized assessment as racialized surveillance, systematic exclusion of community knowledge, and coordination with broader racial projects together constitute a policy architecture that governs through its presence as much as through its enforcement.

The concept of "regulatory haunting" captures something important about how such policies persist. Even when specific enforcement mechanisms are legally constrained, as they were by the 2024 court dismissal, the policy continues to haunt educational practice through the anticipatory compliance it has already produced, the institutional cultures it has already shaped, and the professional anxieties it has already created. Understanding this haunting is essential for imagining and working toward educational futures organized around the genuine linguistic and academic development of all students.

Arizona's 22 Native American tribes knew in 2000 what the research literature would subsequently confirm and what this paper's analysis amplifies: English-only mandates do not produce English proficiency. They produce educational marginalization while appearing to promise educational opportunity. Recovering that suppressed knowledge and building policy frameworks that take seriously the linguistic and cultural assets of Arizona's students, remains the work ahead.

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