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## Race, Literacy, and the Value of Rights Rhetoric in Composition Studies

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The fiftieth anniversary issue of *CCC* included a call from Geneva Smitherman for compositionists to renew the fight for language rights. In this article, we take up Smitherman's call by situating the theory of language rights in composition studies in a brief history of rights rhetoric in the United States.

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**C**ommemorating its fiftieth year, Geneva Smitherman celebrated *CCC* as an “advocate for those on the linguistic margins” (349). As Smitherman makes clear in both the title of her commemorative article—“CCCC’s Role in the Struggle for Language Rights”—and in her opening reference to “Students’ Right to Their Own Language,” composition’s advocacy for those on the linguistic margins has been most meaningful when it has been expressed through a rhetoric of rights. Drawing attention to the legacy of a rights rhetoric in composition studies, Smitherman demonstrates that the constitutive ambiguity of rights rhetoric continues to create contexts for exchange, deliberation, and progress. While rights rhetoric has served us in our search to understand and enact a just redistribution of literacy resources through the teaching of writing, the rights rhetoric of compositionists has not been without its problems. A rhetoric of rights is limited by the collision of shifting meanings of rights in

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American culture with the theorization of those meanings in composition studies. For at least the last twenty-five years, the use of a rights rhetoric in composition studies to advance the cause of racial equality contrasts with uses of rights rhetoric in public policy that limit the prospects for racial equality.

Nonetheless, we would not disagree with Smitherman's claim that "although the struggle for language rights yet continues, CCCC can win" (374). In light of the transformation of rights rhetoric in popular culture and public policy, we would add that winning the struggle *for* language rights requires that we struggle *over* rights. Struggling for rights without struggling over rights leads to an empty victory in what Patricia Williams has called the "shell game" of racial equality in which "blacks who refuse the protective shell of white goodness and insist that they are black are inconsistent with the paradigm of goodness and therefore they are bad" (116). For compositionists, to struggle over language rights involves framing deliberation about the cultural, historical, and theoretical meanings and values of a right to literacy in terms of ongoing struggles for racial equality and social justice.

In what follows, we locate the language rights rhetoric of composition studies within larger struggles over the rhetoric of rights in public policy and perception and among critical legal-studies scholars such as Williams. Locating the profession in this way, we make problematic the prospects of a rhetoric of language rights. We do so not to obstruct the expansion of language rights but, rather, to cultivate the constitutive ambiguity of rights rhetoric, enriching and extending the senses in which compositionists can claim to win the struggle for language rights. We begin by outlining claims and contentions over rights, describing the possibilities and perils of rights rhetoric as it has taken shape in the United States over the last thirty years. We then locate the rights rhetoric of compositionists on this map, charting the ebbs of broader claims about equality and justice and rights within the flows of claims in composition studies about language rights. Charting the course of language rights in composition studies within the nation's struggle over rights, we conclude by echoing Smitherman's call to celebrate the rights rhetoric of CCCC. We amplify her call to encompass broader views of debates over rights to enable ourselves to better carry the struggles of the past into the future.

### **Rights rhetoric in contemporary American culture and public policy**

A rhetoric of rights is fundamental to the U.S. Constitution and continues to frame debates over political conceptions of selfhood and citizenship. As a lan-

guage central to political and public debate, rights rhetoric is at one and the same time an unambiguous expression of political truths and an indeterminate signifier for negotiating multiple civic and political values. For example, the rights to free speech and to bear arms are now recognized by most, if not all, Americans as inalienable personal possessions that neither individuals nor government can take away. But even though we may think of rights as possessions, as somehow ours, we do not have rights except in relation to others. With rights, then, come obligations of tolerance. Our claims to possess individual rights have merit only to the extent that we preserve and protect the rights claims of all individuals. We can have faith that our rights will not be violated because we accept that it is wrong to violate the rights of all others, even though the rights claims of others may either conflict with our own claims or appear to us as repugnant. In terms of free speech, people and governments are obligated to tolerate speech that is hateful or inflammatory or malicious because this toleration preserves both the freedom of speech as well as the ideals of personhood and citizenship such freedom makes possible. Fundamental to the constitution of rights in the United States, then, is a tension between rights we have by virtue of our personhood and obligations we have to the rights of others by virtue of our citizenship in a community.

The reconstruction and civil rights amendments added to the U.S. Constitution were attempts to expand definitions of personhood and citizenship to include ex-slaves and African Americans denied their rights on the basis of their skin color. Preference for expressing the struggle for racial equality in terms of the rights of all persons is clear in the 1946 summary report of the President's Commission on Civil Rights:

The central theme in our American heritage is . . . that every human being has an essential dignity and integrity that must be respected and safeguarded. Moreover, we believe that the welfare of the individual is the final goal of group life. Our American heritage further teaches that to be secure in these rights he wishes for himself, each man must be willing to respect the rights of other men . . . Thus, the only aristocracy that is consistent with the free way of life is an aristocracy of talent and achievement. The grounds on which our society accords respect, influence, or reward to each of its citizens must be limited to the quality of his personal character and of his social contribution. (*To Secure* 2-3)

Arguing for their personhood and citizenship, claiming an essential dignity

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and integrity for African Americans, the rights rhetoric of the civil rights movement directly extended the constitutional principles of rights outlined in the 1946 report. The boycotts, sit-ins, and marches of the early civil rights movement gave substance to an emergent African American rhetoric of civil rights, demonstrating to a nation the depth of human dignity and integrity of African Americans and the strength of their convictions to the constitutional principles of fundamental human rights. At the same time, violent reactions to the protests exposed the systematic intolerance of rights for African Americans and betrayed a lack of commitment among many white Americans to the full realization of constitutional principles.

The most prominent spokesperson for the civil rights movement, Martin Luther King, Jr., constantly and consistently claimed civil rights for African Americans on the grounds of constitutional legitimacy and in relation to the demonstrations of dignity of the civil rights protesters. In a March 14, 1965, *New York Times Magazine* article published during the congressional debate on President Johnson's voting rights bill, King affirmed the relationship of non-violent protest to legislative action:

In Selma, Ala., thousands of Negroes are courageously providing dramatic witness to the evil forces that bar our way to the all-important ballot box. They are laying bare for all the nation to see, for all the world to know, the nature of segregationist resistance. . . . Once it is exposed, and challenged by the marching feet of Negro citizens, the nation will take action to cure this cancerous sore. What is malignant in Selma must be removed by Congressional surgery so that all citizens may freely exercise their right to vote without delays, harassment, economic intimidation and police brutality. Selma is to 1965 what Birmingham was to 1963. (26)

In 1965, as in 1946, the rights denied African Americans are described as owed to them not because of their race but because it is only just that they, too, are accorded rights and privileges as humans and as citizens. But even more, denying to African Americans the rights of citizenship diminishes the principles of justice that extend citizenship to all. For King, the Jim Crow laws and informal tactics enabling southern whites to bar African Americans from voting were not simply illegal. They didn't merely contradict constitutional principles; Jim Crow laws and tactics were immoral. They violated the fundamental principles of rights to human dignity and self-determination on which constitutional justice is grounded and through which it is guaranteed. Exposing the injustices of American society and challenging racism through a rhetoric of

rights and direct action, African Americans marched into a leadership role in the struggle over the meanings of justice in American public life.

King also understood that the persuasive force of the emerging African American rights rhetoric depended on the coercive use of state-sanctioned authority. For example, securing voting rights for southern blacks depended upon aggressive enforcement of the law. While the President could and did aggressively deploy National Guard troops for the purpose of safeguarding the right to vote of southern blacks, placing this force in the service of the legislative rhetoric of civil rights ultimately did not compel a culture of toleration. Early demands for formally equal access to public life that were framed in terms of civil rights did not directly address questions of how that life, nonetheless, remained structured to privilege whiteness.

As the victories of the civil rights movement began to mount, it became clear that they were, at least in part, victories in a shell game in which the terms of equality obliged African Americans to play an unwinnable game of catch up. In hindsight, it is clear that rights rhetoric meant different things to different people. The paradox of rights rhetoric was exemplified in a *Time* magazine report on the 1963 March on Washington:

The march on Washington was a triumph. But after everybody agreed on that, the question was: Why?. . . It was in the probable effects on the conscience of millions of previously indifferent Americans that the march might find its true meaning. The possibility of riot and bloodshed had always been there; and in the U.S.'s "open society" they would have been plainly visible for the whole world to see. But the marchers took that chance, and the U.S. took it with them. No one who saw the proceedings could come to any other conclusion than that those scores of thousands of marching Negroes were able to accept the responsibilities of first-class citizenship. (13–14)

*Time* magazine echoes King by emphasizing the potency of rights rhetoric to quicken the conscience of "previously indifferent" beneficiaries of racial injustice. But more importantly, *Time's* rhetoric struggles to limit the semantic ambiguity of rights and the legitimacy of direct action. In contrast to King's representation of rights rhetoric as a means for African Americans to "expose" and "challenge" the "cancerous sore" of racism on the world stage, *Time* proposes that the "true meaning" of the March on Washington was that it dem-

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onstrated to white Americans that black Americans could responsibly exercise rights. The rights rhetoric of *Time* emphasizes peaceful inclusion of African Americans who have moved the conscience of white Americans by allaying white fears of black “riot and bloodshed.” Embedded in this rhetoric is the assumption that black deviance, rather than white resistance, had historically made whites indifferent to equal rights. At the same time, the rights rhetoric used by *Time* glosses over the legacy of slavery and the persistent culture of racism that structured the exclusion of African Americans and necessitated the marches.

As would later become more apparent, for the mainstream society that *Time* represented, African American rights rhetoric was persuasive so long as it demonstrated willingness to both accept “the responsibilities of first-class citizenship” and to support (rather than expose or challenge) an “open society” that would prove over time to stubbornly maintain racial hierarchies. In *Time*, the rhetoric of rights is infiltrated by a semantics of formal access to institutions separated from relations of race that had always defined them.

Uses of rights rhetoric that simultaneously advocated for inclusion and resisted confronting the conditions and legacies of exclusion posed for civil rights legislation the problem of defining how far the government could go in the direction of engineering a culture of toleration and a well-defined commitment to racial equality. On June 4, 1965, in his commencement address at Howard University, entitled “To Fulfill These Rights,” Lyndon Johnson introduced affirmative action with the analogy that

You do not take a person who, for years, has been hobbled by chains and liberate him, bring him up to the starting line of a race and then say, “you are free to compete with all the others,” and still justly believe that you have been completely fair. Thus it is not enough just to open the gates of opportunity. All our citizens must have the ability to walk through those gates. (126)

As Johnson makes clear, civil rights and voting rights legislation may remove the formal barriers to equality and justice, but they do not effectively enable equal participation in a nation where institutional circumstance and rhetorical habit informally perpetuate inequality.

Even though Johnson proposed using the government to redistribute opportunities and resources in order to excise the injustice and unfairness exposed by civil rights protesters, the legal rhetoric of affirmative action has failed to shift the social meanings of rights from a consideration of what we are owed as persons to what we owe each other as citizens. This is due in large

part to the fact that civil rights and affirmative action rhetorics defined the meanings of racial equality much as *Time* magazine did, in terms of realizing the universal potential of human ability rather than in terms of dismantling the racist dynamics of American society. Stephen Steinberg has observed of Johnson's speech that it is an instance of "semantic infiltration" in which the rhetoric of rights is infiltrated by the interests of privilege, where the imperative of political compromise undermines the authority of critical insight. By the end of Johnson's speech, the chains of slavery and segregation that have structured society, hobbling African Americans and preventing them from participating on an equal footing, are refigured as having crippled the souls and psyches of individual African Americans. In these terms and under these conditions, racial equality was perceived as best achieved not by reengineering society but by improving black people. Rights rhetoric becomes infiltrated by a semantics of neutrality unresponsive to injustice. As Steinberg has argued, by phrasing antiracism in terms of social uplift, Johnson's speech opened the way for the subsequent "liberal retreat from race," creating the possibility for increasing skepticism regarding the competitive ability of African Americans (20–26).

Over the last thirty years, retreat from affirmative action initiatives has been justified through a rights rhetoric infiltrated by a semantics of self-interests and individual ability that increasingly expresses affirmative action as giving undue preference to minorities. In 1986, in a landmark decision striking down affirmative action considerations in the awarding of government contracts, Supreme Court Justice Antonin Scalia wrote in his concurring opinion, "The relevant proposition is not that it was blacks, or Jews, or Irish who were discriminated against, but that it was individual men and women, 'created equal,' who were discriminated against" (*City of Richmond* 528). Here, the African American version of rights rhetoric that persuaded a nation of the need for racial justice and that led Congress to pass sweeping civil rights legislation can only tolerate individual claims for rights. In the most unfortunate of ways, Johnson's hope to make the competition fair had been realized. The Supreme Court no longer considered African Americans hobbled by the chains of slavery or Jim Crow laws. Rather, the continued use of affirmative action initiatives were increasingly perceived more as giving African Americans a head

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start than as giving them a fair chance. Here, whites can and have and continue to claim privilege as their due through appeals to rights rhetoric.

As the emergence of the idea of reverse discrimination makes clear, the rhetoric of rights in and of itself fails to suggest a fair and just and unambigu-

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ous criterion for balancing competing rights against each other as well as against competing obligations. The most recent challenges to college admissions have succeeded to the extent that the rights of privileged white students are easily made more persuasive than either the rights of underprivileged minorities or our obligations to principles of racial equality and social justice. Critiquing rights rhetoric in these terms, communitarians characterize it as too centered on individual opportunities to take

account of patterns of group behavior such as racial discrimination. Communitarians argue, instead, for a shift in attention away from what we are owed toward a consideration of what we owe others, a shift from a rhetoric of rights to a language of rightness. As “The Responsive Communitarian Platform” explains,

The language of rights is morally incomplete. . . . Rights give reasons to others not to coercively interfere with the speaker in the performance of protected acts; however, they do not in themselves give me a sufficient reason to perform these acts. There is a gap between rights and rightness that cannot be closed without a richer moral vocabulary—one that invokes principles of decency, duty, responsibility, and the common good, among others. (19)

But in their advocacy of norms of rightness, communitarians are confronted with the dilemma of universalizing standards that may, in fact, violate individual rights. We may believe that it is without question indecent and irresponsible to engage in hate speech. But this does not mean that we believe it is, therefore, appropriate and acceptable to legally compel only decent and responsible speech. However, if we did decide to outlaw all speech that is not decent and responsible, how could such a decision be made? And what would we do about dissent? Samuel Walker argues that the communitarian vision does not offer a viable alternative to rights because communitarians fail to fully appreciate the constitutive ambiguity of rights rhetoric. As Walker points out, the advocacy and enforcement of rights do much to bring our attention to norms of rightness by encouraging our toleration of others; as difficult to enact

and enforce as rights are, the social awareness of rights has made people more conscious of each other's claims for dignity and respect. For Walker, "the open, tolerant, and inclusive definition of community embodied in the rights revolution represents a preferable vision of a good society" (179). From this point of view, even though the gains of the civil rights movement have been compromised, important gains have been made nonetheless.

Critical legal studies scholars committed to exposing the privilege written into law consider the rights revolution too clouded by exclusionary dichotomies to provide a vision of the good society. Still, as troubled as she is by the rhetoric of rights, Patricia Williams refuses to abandon rights rhetoric because she recognizes its persuasive power for African Americans. Like Walker, Williams understands the persuasiveness of rights rhetoric lies in its ambiguity, its simultaneous claim for universality, and its promise of formal identity. She reminds us that rights rhetoric stakes out for powerless African Americans a claim against the unchecked power of white America, holding out hope for enacting principles of equality and justice that African Americans can experience in their day-to-day lives. But to make good on that promise, she argues, we need to let go of the prospect of an unambiguous rights rhetoric. We need to abandon a rights rhetoric that universalizes rights independently of the dynamics of enacting rights in specific conditions of unequal power. Where Walker counters the communitarian critique of rights in a manner that seems content with the semantic infiltration of rights rhetoric, Williams proposes that we need "not the abandonment of rights language for all purposes, but an attempt to become multilingual in the semantics of evaluating rights" (149). As Williams suggests, becoming multilingual in the semantics of evaluating rights is not an individual act but a social process of negotiation and struggle in which people attempt to see the often competing claims and obligations of rights "simultaneously yet differently" (150).

Proposing multiple, even contradictory, meanings for rights, Williams acknowledges the problem of rights rhetoric semantically infiltrated by a language of individual effort. Her proposal asks us to acknowledge that the competing meanings we assign to rights are finite and situated and so open to change. Bringing attention to our competing and contradictory uses of rights rhetoric opens vocabularies that either limit rights to individual claims or that avoid hard questions about social subjectivity. To be productive, confronta-

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tion among people with differing expectations of what others owe them as well as differing perceptions of what they owe others must take shape as a struggle over the differently situated meanings of appeals to rights rhetoric.

**Rights rhetoric unfolds as a struggle  
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In summary, rights rhetoric unfolds as a struggle over whose interests will shape American democracy in what ways. This need not be bad. The rhetoric of rights remains persuasive and useful as long as we remain multilingual in the semantics of evaluating rights. To the extent that our rights rhetorics are semantically infiltrated, to the extent that they constitute a shell game constrained to a limited range of meanings that either fail to inspire or that encourage only self-interestedness, the rhetoric of rights betrays our best efforts at comprehending racial injustice and so enacting equality. Acknowledging the openness of meaning in rights rhetoric, we accept a constant process of struggle over rights and over the meanings of justice and equality. While these considerations demonstrate the ambiguity of rights rhetoric, they should not dissuade us from the prospects made available in composition studies through uses of rights rhetoric. However, we need to be wary of what we struggle over if we are to avoid the shell game of semantic infiltration and win the struggle for language rights.

**Rights rhetoric in composition studies**

The legacy of rights rhetoric we have discussed thus far is significant for a discussion of rights rhetoric in composition studies. The introduction of rights into the discourse of composition drew its inspiration from the successes of the civil rights movement, to further advance the cause of racial equality by addressing the increasingly apparent injustices of traditional literacy education. As Smitherman and others have recently pointed out, however, despite more than three decades of struggle for language rights in composition studies, literacy education continues to institutionalize racial injustice. It would seem that by drawing inspiration through rights rhetoric, composition studies has allowed the semantic infiltration of its rights rhetoric. For this reason, the prospects of multilingualism in the semantics of evaluating rights is essential to a critical discussion of rights rhetoric in composition studies.

In what follows, we discuss uses of rights rhetoric in composition studies in terms of the struggles over rights already outlined. Our goal is to bring greater critical depth, and so greater meaningfulness and usefulness, to rights rhetoric in composition studies. We do this through close attention to the first significant adaptation of a national rights rhetoric in composition studies,

“Students’ Right to Their Own Language.” Worked out over several years in the early 1970s, “Students’ Right” takes full advantage of the rights rhetoric that had emerged through the civil rights movement. Specifically, “Students’ Right” brings into composition the tensions of rights rhetoric already apparent in President Johnson’s 1965 Howard University Commencement Address. Like Johnson’s speech, “Students’ Right” is torn between a commitment to the dignity of all persons, regardless of their language, and a responsibility to act on behalf of students marginalized because of their literacy, a responsibility to somehow use literacy education to make the race for education and employment a fair one.

The resolution, adopted by CCCC members in 1974, is worth quoting in full:

We affirm the students’ right to their own patterns and varieties of language—the dialects of their nurture or whatever dialects in which they find their own identity and style. Language scholars long ago denied that the myth of a standard American dialect has any validity. The claim that any one dialect is unacceptable amounts to an attempt of one social group to exert its dominance over another. Such a claim leads to false advice for speakers and writers, and immoral advice for humans. A nation proud of its diverse heritage and its cultural and racial variety will preserve its heritage of dialects. We affirm strongly that teachers must have the experience and training that will enable them to respect diversity and uphold the right of students to their own language.

The resolution makes several claims about the language rights of students that introduce into composition studies the fundamental difficulties of rights rhetoric. The resolution claims unqualified respect for the language use of all students. Language use is a right to be respected because the diversity of language styles and dialects is essential to individual self-formation. In terms of the rhetoric of rights discussed above, the resolution advocates a tolerance of differences that opens spaces for and establishes relationships of personhood and citizenship. For one group to impose criteria for language use on another amounts to an obstruction of their right to choose for themselves their identities. As the resolution makes clear, any attempts to limit a person’s literacy skills amount to an intolerance that violates rights fundamental to all humans.

But for composition teachers, the resolution calls for more than tolerance. The language rights of students compel an obligation among teachers of writing not only to respect but also to actively “uphold the right of students to their own language.” Through the obvious reference to African American vernacular and relations between black and white racial groups in the middle

sentences of the resolution, the claim for universal respect for human rights is translated into a professional concern for using the teaching of writing to remedy linguistic prejudice and to resist specific past practices of social group dominance. Because teachers of writing are in the position of being able to use

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literacy education to advocate linguistic difference as well as promote assimilation to conventions, the resolution raises major rights conflicts: When we, as teachers, acknowledge the rights of others, how far must we go in order to protect or advocate for those rights? Should our advocacy aim at a kind of social engineering that works to shift the accepted status of mainstream con-

ventions, marginalized conventions, or both? How do we weigh such affirmative action measures against all other rights and obligations? And is this what it means to claim to struggle for language rights?

The answers given to these questions in the background statement to “Students’ Right” have framed subsequent receptions of the resolution and uses of rights rhetoric in composition, enabling a struggle for rights that has precluded sustained struggle over rights rhetoric as a resource for transforming literacy education. Introducing the joint publication of the resolution and background statement in 1974, CCCC Chair Richard Larson explains that the resolution was believed by the CCCC Executive Committee to be “controversial” and to contain assertions best “explained by references to current research on dialects and usage.” Explaining the rights assertions of the resolution in terms of linguistic research, the background statement invites the kind of semantic infiltration of rights rhetoric discussed above by translating the resolution’s rhetoric of rights—a rhetoric of what equity, fairness, and justice obligate us to do for those on the margins—into an unambiguous rhetoric of rightness: a rhetoric of what the research tells us we should do for all individuals in the interests of a neutral truth. Framing discussion of the resolution in terms of research into language usage and instruction, the background statement makes little mention of rights. It concentrates, instead, on debunking the myth of a standard American dialect, supporting the claim for linguistic equality, and outlining classroom practices that uphold the diversity of students while also teaching the conventions of edited American English. In retreat from the ambiguity of rights rhetoric and in search of firm semantic

foundations for relating the teaching of writing to the struggle for rights, the background statement turns the resolution's strong language of "racial variety" and "social group dominance" into a language of individual freedom from externally imposed negative feelings and attitudes.

While the shift from rights rhetoric to a discourse of research may diffuse controversy and persuasively support the claims of the resolution, that semantic shift has important consequences for how compositionists enact in the classroom the concept of a right to language. Part of the reason for reframing a rights resolution in terms of the accuracy of research may have been the perception that the ambiguity of rights rhetoric is unhelpful, even counterproductive. Substituting the clarity of research for the ambiguity of rights, the background statement to "Students' Right" describes the racial dynamics of literacy as irrational infiltration of personal prejudices on what should be neutral and impartial interactions among citizens. As argued in the background statement, "the emotional nature of the controversy has obscured the complexities of the problem and hidden some of the assumptions that must be examined before any kind of rational policy can be adopted" (1). In search of a rational policy, the background statement abandons rights rhetoric in favor of arguments made in terms of "sophisticated research in linguistics and sociology" (1), justifying the importance of respecting diversity through a language of research that supercedes a language of emotion.

Abandoning rights rhetoric in order to overcome emotional investments in language controversies, the background statement opens itself to a kind of communitarian critique: its language fails to compel a continuing struggle over obligations to the language diversity of students. We may recognize, as the background statement explains, that the privilege of standardized English in schools and in the workplace brings more advantages to some and less to others. In and of itself, such recognition does not compel us to unlearn the privilege of standardized English. We can, in fact, tolerate and respect students' right to their own language as we teach them standardized English by promoting the use of distinct dialects in discreet settings. As many compositionists have read "Students' Right," we are obligated to promote standardized English

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in public and professional settings where it is required, at the same time respecting the appropriateness of diverse dialects within community and home settings. However, this is a rights rhetoric excessively weakened by semantic infiltration if it means simply respecting the already established hierarchies of dialects and boundaries of language use. The right to a language, like the right to free speech, is not a right unless it is universalized, unless it is a right in all situations and at all times that it does not interfere with the rights of others. To say that students have a right to the language of their identity in classrooms where we are teaching them and evaluating them on their use of a standardized English is to disregard the crucial public dimension of rights, that rights are meaningful only in our relations with others. As our discussion of rights rhetoric more generally has shown, successful struggle for rights requires a public redistribution of advantage that dislodges privilege. Successful struggle for rights further requires a public recognition of the differences that have organized inequality, a recognition that demands everyone's toleration and respect. A reasonably strong claim for the language rights of those on the linguistic margins must provide for both redistribution and toleration.

To its credit, the background statement does attempt to articulate the individual acquisition of literacy within the structural limits of privilege. It uses the language of research to address the problem of gaining recognition for nonstandard dialects that have been unjustly stigmatized. Identifying racism as irrational and emotional, the background statement recalls early civil rights appeals to a color-blind "aristocracy of talent and achievement." As the background statement explains, "when speakers of a dialect of American English claim not to understand speakers of another dialect of the same language, the impediments are likely to be attitudinal" (4). Attitudes are not individualized and unstructured, they are learned. Overwrought emotional responses to illiteracy and misinformed attitudes about dialect variation are partially functions of how English has been taught, and so research can correct such attitudes by better informing teaching:

Until public attitudes can be changed—and it is worth remembering that the past teaching in English classes has been largely responsible for those attitudes—shall we place our emphasis on what vocal elements of the public thinks it wants or on what the actual available linguistic evidence indicates we should emphasize? (1)

The answer is clear. Teachers of writing must resist the common sense that "the values taught by the schools must reflect the prejudices held by the pub-

lic” in favor of teaching, “what the actual available linguistic evidence indicates we should emphasize” (1).

As a framework for guiding classroom practice, the research that prohibits the prejudice of misplaced attitudes does not discount the economic and social necessity of privileging standard English. In this case, to advocate for the rights of students on the linguistic margins involves recognizing “the need for a written dialect to serve the larger, public community has resulted in a general commitment to what may be called ‘edited American English,’ that prose which is meant to carry information about our representative problems and interests” (5). While such recognition limits a student’s right to his or her own language, it, nonetheless, involves redistributing the resources of edited American English so as to undo the linguistic privilege with which more affluent white students “sit at the head of the class, are accepted at ‘exclusive’ schools, and are later rewarded with positions in the business and social world” (2). This version of advocacy for language rights does not challenge teachers (or anyone else) to unlearn the privilege of institutionally organized and publicly sanctioned mainstream literacy. The imperative of the “Students’ Right” resolution to act on behalf of the rights of linguistically marginalized students demands that teachers unlearn their bias against marginalized differences in order to bring those students more fully into the linguistic mainstream.

As we described it in terms of rights rhetoric generally, the struggle for the right of inclusion falters on affirmative action claims that retreat from the social structures of racial privilege by focusing exclusively on improving the competitiveness of marginalized individuals. In the background statement to “Students’ Right,” struggle for the inclusion of linguistically marginalized students falters on claims that divorce consideration of the individual acquisition of standardized English from the racial dynamics of linguistic marginalization. Having let go the ambiguity of rights for the certainty of research, the background statement cannot develop a vocabulary that unites struggles for the rights of all students with struggles over what our obligation to those rights entails with respect to members of linguistically, culturally, and socioeconomically marginalized groups.

Respondents to the “Students’ Right” resolution and background statement recognized the call to struggle for the rights of students. Yet, respondents rejected the struggle *for* rights by not engaging the struggle *over* rights. Instead of connecting the limitations of “Students’ Right” to the limited use of rights rhetoric, they challenged the usefulness of rights rhetoric itself for compositionists thinking about dilemmas of race, equality, and privilege in

literacy education. Respondents expressed frustration with the apparent semantic distance between rights and rightness—between the claim that professionals have a primary responsibility to citizens' rights to difference and efforts to redistribute literacy conventions that, as the background statement itself proposed, "serve the larger, public community"(5).

For these compositionists, the paradoxical ambiguities of rights rhetoric unnecessarily inflame passions over false controversies. As Anne Berthoff observed, compositionists recognized a "moral and professional responsibility to . . . meet the challenge of illiteracy wisely and humanely and imaginatively" but, for her, "declaring that everyone has a 'right' to his own 'language' is sloganeering" (216–17). Others agreed, pointing out that the language of rights had seemingly little to contribute to discussions of teaching writing

**Without a struggle over rights, compositionists have no language to ask questions like these: Under conditions of material inequality and linguistic marginalization, who decides the proper effects of language? Whose interests do those effects and that language serve? What role do compositionists play in deciding the effects of language and serving the interests of language users?**

because "the use of language is not an individual but a social act" and, therefore, has more to do with overcoming than protecting difference (Smith 155). For these scholars, the most rights rhetoric can do is remind us that the responsibility of teachers of writing is to provide the greatest possible access to opportunities to overcome exclusion or difference. The argument here is that the ambiguous rhetoric of the rights resolution actually detracts from the obvious resolution of important issues of literacy and equality because

"students do not have a right to their own language; they only have a right to learn a language which will produce the proper effects on whatever audience they may speak or write to" (Smith 158), a right already well recognized in teaching writing.

Rejecting the resolution that rights rhetoric can deepen collective reflection and practice, these compositionists do not struggle over rights. Without a struggle over rights, compositionists have no language to ask questions like these: Under conditions of material inequality and linguistic marginalization, who decides the proper effects of language? Whose interests do those effects and that language serve? What role do compositionists play in deciding the effects of language and serving the interests of language users?

To the extent that responses to "Students' Right" do not struggle over rights, Berthoff's observation is accurate: rights rhetoric inflames passions rather than inspiring new connections and commitments. But it is the refusal

to take up issues of language diversity and literacy education that reduces rights rhetoric to sloganeering. Rights rhetoric can inspire new commitments to language, literacy, and education, but only to the extent that its meanings are contested. Patricia Williams's call for us to become multilingual in the semantics of evaluating rights is crucial here. Doing so, we avoid the semantic infiltration of rights rhetoric. But we leave unresolved, and thus open to contestation, the issues of rights central to composition, issues of why and how language comes to matter and to signify differences, issues of hope and possibility.

In the decades of our retreat from the ambiguities of rights rhetoric, advocacy for those on the linguistic margins has manifested an enduring commitment to the universal right of persons to be recognized as citizens and humans. In composition research, teaching, and theory, we have remained steadfast that all citizens are capable of success and that our responsibility revolves around struggling to make, as one recent study phrased it, "conventions about which [students] have a fundamental and democratic right to know" equally available to all (Gray-Rosendale 62). But this struggle to respect the essential dignity and integrity of each individual's right of access has taken place in the absence of a rights rhetoric of struggle over the kinds of equality that literacy education might enact. The lack of a compelling, historically resonant, and politically robust vocabulary framing critical attention to the semantic infiltration of privileged interests into our discourse of advocacy and uplift diminishes the potency of both critique and advocacy.

This is not to say that progress has not been made through advocacy for those on the linguistic margins, nor is it to propose that our advocacy has not been the subject of critical reflection. To the contrary, as Smitherman highlights in her commemorative article, it is important to attend to the progress that has been made as we steel our resolve for continuing the struggle. The rhetoric of research continues to provide insights into best practices of advocacy for students' right of access. Parallel to progress in classroom advocacy, the rhetoric of research has opened the profession to insights of critical theory and political philosophy. But as valuable as these pursuits have been, they have not been able to inspire the broad-based departures from past practices and paradigms that will be central to professional struggle over racial equality and social justice.

Exemplary of the progress that has been made within the discourse of research, Catherine Prendergast has drawn from the insights of critical legal studies to call attention to the ways that race operates as an "absent presence"

in composition studies (36). Specifically, Prendergast argues that discursive socialization, the dominant mode of pedagogical response to the exclusionary dynamics of literacy, is of limited value in addressing overarching racial inequalities. Paraphrasing the conclusions of critical legal studies, Prendergast points out that, although the discursive socialization paradigm is attractive because it seems to represent an unambiguous response to continuing inequalities, given the historical entrenchment of privilege in institutionally valued discourses, “it will not be simply enough to add women and people of color and stir. Without significant changes to the profession and pedagogy, women and people of color will continue to wind up on the bottom” (50). Walking through the gates of opportunity means transforming the features—racial, gendered—that make those gates always already less open to some and more open to others. Prendergast’s insights return us to questions at the heart of the “Students’ Right” resolution regarding rhetorical resources for inspiring a redefinition of literacy that acts on behalf of racial equality and social justice. Her insights also point up the potential significance of heeding Williams’s imperative that we “become multilingual in the semantics of evaluating rights” (149). At present, the limited professional engagement with rights rhetoric as a rhetoric of opportunity and uplift is unable to support conditions for critical insights like Prendergast’s to challenge the economy of compromises that constrains the horizons of classroom practices and social relations.

Arnetha Ball and Ted Lardner have recently drawn attention to the gulf between critical theories like Prendergast’s and classroom practices. In “Dispositions toward Language: Teacher Constructs of Knowledge and the Ann Arbor Black English Case,” Ball and Lardner argue that a continuing crisis of racial injustice in literacy instruction revolves around the glaring lack of progress in terms of the regard that individual teachers feel and, thus, the respect that classroom environments and practices exhibit for language diversity and cultural difference. Despite both decades of research exploring the formal linguistic equality of different dialects and the importance of dialect diversity in representing and enacting cultural diversity, Ball and Lardner point out that “teachers still continue to exhibit negative attitudes toward African American English, often stating that African American English has a faulty grammar system and that children who speak African American English are less capable than children who speak standard English” (473). For Ball and Lardner, the reason for this still continuing dilemma is that composition research has paid too little attention to the importance of the rhetorics through

which teachers “encounter and contextualize the pedagogical ramifications of language diversity” (481–82).

Responding to this dilemma, Ball and Lardner emphasize the need for a rhetoric of “teacher efficacy.” Teacher efficacy creates opportunities for teachers to reflectively examine “the emotional tone of classroom interactions” (478) as a way to engage the affective messages those interactions send to students and to become aware of unconscious negative attitudes. This attention to the need for a rhetoric through which to address ways that race, as a structure of unequal expectations, influences individual attitudes and institutional practices is valuable. As a research perspective, attention to affect encourages teachers to take responsibility for the implicit and explicit messages that they send to students about who is expected to succeed in school and society.

But affect does not compel us to reflect on the justness of institutionalized definitions of success. As a rhetoric of transformation, affect cannot dislodge the ways that practices and attitudes supportive of racial privilege are entrenched in institutions despite the attitudes of individual teachers. Affect cannot bridge the chasm between institutions whose “goal is to move urban youth in cities like Cleveland or Detroit into academic discourse communities” (Ball and Lardner 480) and insights such as Prendergast’s that “the value of discursive socialization is contingent (on factors such as race) rather than universal” (49). This is not to discount the significance of linking a professional rhetoric of situated engagement with overarching structures influencing individual attitudes and practices. Instead, this example highlights the continuing need for a rhetoric of rights through which compositionists can link individual struggles for the rights of linguistically marginalized students to multilingual struggles over the semantic terms and conditions that have influenced institutionally dominant renderings of those rights.

The ebbs and flows of rights rhetoric in composition studies orient the profession within a broader motion in the United States between rights as a rhetoric central for nonwhite leadership to struggles over racial equality and rights as a rhetoric semantically infiltrated by the interests of white privilege. In the years since the first flurry of response to the “Students’ Right to Their Own Language” resolution, the tide of multilingual engagement with the pedagogical implications of rights rhetoric shifted so profoundly that, as chair of the CCCCs in 1996, Lester Faigley suggested “it no longer seems like we are riding the wave of history but instead are caught in a rip tide carrying us away from where we want to go” (32). What remains of the wave of rights rhetoric is

an often unspoken assumption that, as teachers of writing, our primary classroom obligation must be to the right of students' access to privileged conventions. In light of broader efforts to rhetorically distance struggles for rights from struggles to overcome racial inequality and social injustice, the narrowing of appeals to rights rhetoric in composition studies has left untapped a rhetoric and legacy that have been and that can become a major resource for enabling and inspiring multilingual interpretations of literacy as a democratic cultural practice. In part, reconnecting to the rich legacy of rights rhetoric is made difficult by the perilous foothold that semantically infiltrated rights rhetoric allows to those on the linguistic margins who might use rights rhetoric to meaningfully contest what Prendergast calls "the limits of the kind of inclusion liberalism promises" (51). Within this context, the multiplicity of rights rhetoric, the potential within it to think "simultaneously yet differently" about rightness, frames the risks and rewards of the struggle.

### **The future struggle for rights**

W.E.B. DuBois recognized the problem of the twentieth century would be the problem of the color line. Though the clearly drawn color line and the policies of official discrimination that inscribed it have largely been erased by a rhetoric of rights, institutionalized group privilege still continues to present a major obstacle to the dream of democracy in the United States. The current conservative semantic infiltration of rights rhetoric threatens the value of rights as a vocabulary for further challenging and completely undoing institutionalized racial privilege. Educational programs from New York to California implemented to facilitate and support access to higher education are targeted by rights lawsuits and dismantled by lawmakers defending, in the coded language of contemporary semantic infiltration, taxpayers' rights. Crowning thirty years of such semantic infiltration, California's state ballot proposition 209, which by popular vote eliminated affirmative action in higher education admissions in the state, was labeled the California Civil Rights Initiative. In such a time, it is tempting to hold fast in our professional rhetorics to the gains that we have made through talk of how best to individually operationalize literacy's promise of open and equal access to all. But we must not hold so tightly to our gains that we let go needs and opportunities for further progress.

The future struggle for language rights will be the struggle over how literacy can contribute to a multicultural democracy committed to group equity and social justice. As Prendergast, Ball and Lardner, and Smitherman make clear, the dilemma of racialized group injustice continues to structure rela-

tions between and among compositionists and students from the linguistic margins and mainstreams. Drawing attention to the need for compositionists to transform everyday practices in writing classrooms, each of these scholars heeds the important warning of Becky Thompson and Sangeeta Tyagi, “in the face of conservative consolidations of power, it is both easy and dangerous to fall into the trap of becoming defensive, trying to hold the line on gains while losing energy to brainstorm about what can and must be done” (xxii). One avenue available to compositionists for building on the gains that have been made through struggles for rights is to attend more deeply to struggles over rights and, thus, to create conditions for our profession to become multilingual in the semantics of evaluating rights.

Even though the professional legacy of rights rhetoric that derives from responses to “Students’ Right to Their Own Language” has faltered on the semantic infiltration of rights rhetoric, this does not prohibit the possibility for compositionists becoming multilingual in the semantics of evaluating rights. In multilingual terms, the untapped value of “Students’ Right” lies in the opportunities that rights rhetoric makes available for professional practice to extend beyond struggles *for* every individual student’s right to possess the currently dominant literacy. Becoming multilingual in the semantics of evaluating rights today involves examining how rights rhetoric has been contested by groups located in a history of power relations and recognizing that the meanings assigned rights are neither necessary nor permanent. As we have argued, in addition to a struggle for rights of individual opportunity, the history of rights rhetoric makes possible a struggle *over* rights, a struggle over literacy as a right, and an obligation to communicative practices that actively pursue racial justice through affirmation of the civil rights of those on the linguistic margins and through transformation of the privileges that have kept them there.

The multiplicity of rights rhetoric is had through recognition that rights claims are claims to inclusion not distinct from the right for recognition of differences. Reflecting on the previously unimaginable changes in social relations accomplished by the civil rights movement, Martin Luther King, Jr., highlighted the fact that, articulating their insights through a rhetoric of rights, young African Americans who had “traditionally imitated whites in dress, con-

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duct, and thought in a rigid, middle class pattern . . . ceased imitating and began initiating. Leadership passed into the hands of [African Americans] and their white allies began learning from them. This was a revolutionary and wholesome development for both" (*Trumpet* 46). Exploiting the semantic ambiguity of rights, historically dominant and subordinate groups came to see themselves and others in new ways.

In light of the "revolutionary and wholesome" legacy that King points to, the "Students' Right" resolution is an amazing gesture. It imported into composition studies an ambiguous rhetoric through which African Americans and other marginalized groups established leadership roles in struggles over how best to transform dominant cultural practices, demonstrating "limits of the kind of inclusion that liberalism promises" (Prendergast 51). Calling upon the central principle of liberalism—rights—as a way of addressing literacy's limitations for particular groups, "Students' Right" encourages the profession to recognize that the semantics of rights both constrains relations among persons and opens those relations to redefinition. Through such a multilingual formulation of the implications of rights, compositionists can theorize the rights and obligations of writing relationally—in ways that account for the simultaneous yet different contributions of universal inclusion and positional difference to creating relationships of justice and equality. We can produce a struggle over rights that enhances the struggle for rights.

Struggling over rights means turning writing against the shell game of color blindness and neutrality. This professional agenda has implications in the classroom, in the curriculum, in institutional work, in research, and in public discourse. These implications are local rather than universal. For us, the struggle over rights is a lens through which to read our contexts and actions in them. In the past, emphasis has often been placed on struggling for the right of access. Reading the contexts and content of our work through those terms, we have made great strides. We have built conceptual tools and practical strategies like process approaches that have broadened access and deepened understandings of access. But when not accompanied by careful attention to local struggles over the terms of access, our good work has left unchallenged the negative effects of universality. As a result, the belief in group-level neutrality continues to make access to literacy a shell game. Undoing this shell game will involve defining learning writing around learning to struggle over rights. If all students and their teachers leave writing classes better able to struggle over rights, we might reasonably hope that future conversation about literacy and rights will break the cycle of miscommunication most recently evident in the Oakland Ebonics controversy.

At its best, rights rhetoric is an effort to use the master's tools to dismantle the master's house. Operating in this way, rights rhetoric has historically institutionalized a vocabulary invested and infused with the needs and claims of African Americans in particular and members of all marginalized groups in general. Following the civil rights movement, rights has, at times, made possible a rhetoric of powerful nonwhite public leadership and public redefinition in the interests of those disempowered by the rules of the shell game of race, opportunity, and achievement. It is this legacy and promise, the legacy and promise that King describes of multilingual and multiracial leadership in struggles to redefine the meanings of literacy and the meanings of inclusion, that composition studies stands to regain in heeding Smitherman's call to begin to celebrate, through engagement, the legacy of rights rhetoric in composition studies.

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