

South African Language Rights Bulletin



Welcome to the seventh issue in the third volume of the South African Language Rights Bulletin (SALRB). The aim of the monthly Bulletin is to provide the Pan South African Language Board (PanSALB) with an overview of the developments on the language front in South Africa, as reflected in the country's mainstream newspapers. English- and Afrikaans-language newspaper records are drawn from the SA Media database, while Zulu records are collected from the bi-weekly *Ilanga*, as well as the daily and Sunday newspaper, *Isoleswe*.

Although the main focus is on language rights, the Bulletin also covers other language-related problems. The contentious issue of name changes in contemporary South Africa, though related to the issue of language problems, is dealt with separately. Newspaper coverage of aspects of language promotion, language research and language (rights) activism also receives attention.

Owing to the complex data-processing system of SA Media, the collection of printed media records analysed in this Bulletin is not complete; and conclusions reached are of a preliminary nature. Adjustments will be made in the corresponding annual South African Language Rights Monitor (SALRM), which will be prepared for PanSALB once the data-collection process has been completed. In the meantime, the SALRB aims to help PanSALB to remain abreast of language (rights) developments in the country.

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Justice for all in indigenous language courts

During the first two months of 2009, indigenous language courts were set up by the Department of Justice in four provinces: at Msinga in KwaZulu-Natal (for Zulu), at Sekhukhune in Limpopo (for Pedi), at Mafikeng in North West (for Tswana) and at Mitchell's Plain and Khayelitsha in the Western Cape (for Afrikaans and Xhosa respectively). In the first week of March, *Business Day* (04/03/09) reported that a fifth court, the Zwelitsha Magistrate's Court in the Eastern Cape, had also started hearing all its cases in an indigenous language (Xhosa). It is believed that the delivery of justice in these courts will be faster and more efficient, not least because problems associated with interpreting are eliminated.

Justice spokesperson Zolile Nqayi explained that the new practice would initially be limited to magistrates' courts. Transcripts of cases that had been referred to the high court for review or on appeal would be translated into English. If one of the parties in a case before an indigenous language court did not speak the concerned language, English would be used instead (*Business Day*, 04/03/09).

In an editorial comment, the *Star* (06/03/09) described the establishment of indigenous language courts as "a drastic departure from the rule of old where only English and Afrikaans could be used in court, even when the magistrate, prosecutor, defence council, defendant and witnesses spoke the same language which was neither of the two". This, the editorial concluded, would bring justice to all.

In 1998, in the Mthethwa case, a schoolteacher accused of stealing a car requested that his trial be conducted in Zulu. His application was denied and he took the decision on review to the high court. The high court judge found that even though 98% of the cases in KwaZulu-Natal magistrates' courts involved defendants who spoke Zulu, it would be impractical to have trials in that language. This was because only four of the 37 regional magistrates, 81 of the 256 prosecutors, and one of the 22 judges in the division could speak Zulu. More than ten years later, linguistic representativity has changed, making indigenous language courts possible.

– Franny Rabkin in *Business Day* (04/03/09)

Awards and prizes

PanSALB awards for the promotion of multilingualism in the public sector

Municipality of the year:

Greater Sekhukhune District & Mangaung

National government department of the year:

Justice

Provincial government department of the year:

Sport, Arts and Culture – North West

Source: *Volksblad*, 24/03/09

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Shortlists for the 2009 Commonwealth Writers' Prizes

Best Book:

Damon Galgut (SA)

The Impostor

Tim Keegan (SA)

My Life with the Duvals

Sindiwe Magona (SA)

Beauty's Gift

Mandla Langa (SA)

The Lost Colours of the Chameleon

Zoe Wicomb (SA)

The One That Got Away

Best First Book:

Jassy Mackenzie (SA)

Random Violence

Uwem Akpan (Nigeria)

Say You're One of Them

Megan Voysey-Braig (SA)

Till We Can Keep an Animal

Chris Mamewick (SA)

Shepherds and Butchers

Sue Rabie (SA)

Snowplough

Jane Bennett (SA)

Porcupine

Source: *Mail & Guardian*, 05/03/08

The low production and consumption of African-language books – a lack of incentives?

Classical African-language novels are out of print and not many new ones are being published. This is the view of Mamphela Ramphele who, in an article for the *Sunday Times* (08/03/09), called on the government “to make an unambiguous commitment to halt the slow death of our indigenous languages”. Responding to the article in a letter to the same newspaper (*Sunday Times*, 15/03/09), Solani Ngobeni verified Ramphele’s statement with statistics: according to the Publishers’ Association of South Africa, the sale of Afrikaans books is more than double that of books written in all of the country’s African languages combined. What is more, there seems to be virtually no market for African-language books other than school textbooks (of which the Department of Education is the largest purchaser).

It has often been remarked by prominent white speakers of Afrikaans that the development of their language should serve as a model for the development of the African languages of South Africa. While this view has been described as one of condescension, the same cannot be said if it is expressed by speakers of African languages themselves – a trend that seems to be gaining momentum. During February, at a celebration of International Mother Language Day in Willowvale in the Eastern Cape, Bulelwa Thunywisa-Gqoboka noted in her speech that “Afrikaans only started just yesterday [...] but today it is one of the respected languages in the world because the National Party government worked hard to promote it” (*Daily Dispatch*, 23/02/09; cf. SALRB February 2009). In the same vein, Ngobeni wrote to the *Sunday Times* (15/03/09):

Afrikaners did something positive about their language when they were in power. Not only did they make sure that it was an official language, but they made sure that it became a language of power, of education and of commerce.

Of course, this was done through bullets and sjamboks. The same argument can be advanced for the dominance of English today – that the physical violence of the battlefield was followed by the psychological violence of the classroom – teaching us in the language of conquest.

[Yet] I think that what needs further deliberation is how Afrikaans became an official language in such a short space of time. It’s because there was a political will behind it. Not only did the National Party introduce it as a medium of instruction in schools, it made sure that one’s attainment of or proficiency in the language was rewarded [...]

There [will] no doubt [...] be minimal, if any, reading and writing in any of the official African languages until there is an incentive to do so.

Mamphela Ramphele on the language repertoires and language attitudes of black children

If language is not only the medium of communication, but also a means of cultural heritage transmission between generations, how are our children to know who they are and what heritage they bring to South Africa’s diversity? [...]

Elites, young and old, seem to equate sophistication with the use of English with as much of a non-African accent as possible.

What accounts for this trend? [Among other things,] there is the misuse of democracy in implementing our language of instruction policy. Why put poor, illiterate parents in the invidious position of making a decision of such paramount importance without giving them all the available educational facts about the risks and opportunities of each choice?

It is not surprising that parents of children in a rural North West or Limpopo school would opt for English or Afrikaans as preferred mediums of instruction in preschool. After all, they can see that the successful people are the ones who speak those languages, so why would they not want their children to join [others on] this path of success?

Languages as school subjects: problems in KwaZulu-Natal

On the 1st of March, the *Sunday Tribune* published a letter in which the MEC for Education in KwaZulu-Natal, Ina Cronjé, responded to fears expressed in the media during the previous month about the future of Eastern languages in South Africa. According to the *Sunday Tribune* of 8 February, the education department was trying to limit the offering of Eastern languages in schools in the province. Arguing that “[t]he phasing out of these languages will deprive us of our heritage”, the Eastern Languages Committee called on Cronjé “to clarify the status of Eastern languages as a matter of urgency and advise schools accordingly” (*Sunday Tribune*, 08/02/09).

Citing a range of examples from the past (cf. SALRB November 2008), the MEC emphasised her department’s commitment to the promotion of Eastern languages as school subjects. It would be neither logical nor wise for the Department of Education in KwaZulu-Natal to “cut” Eastern languages in schools, Cronjé said. She pointed out, however, that some schools had been offering Eastern languages during the foundation phase, in contravention of the national curriculum statement, which only caters for foreign-language subjects (including non-official South African languages) from grade four onwards. She reminded parents that the province had to implement a curriculum within the national framework.

Also in KwaZulu-Natal, parents of grade twos at the Mkhomazi Drift Primary School approached *Isolezwe*, complaining that their children were being taught “Fanagalo” instead of Zulu. The provincial education department undertook to investigate the claim that the concerned teacher was not fluent in Zulu (*Isolezwe*, 09/03/09).

Back under the spotlight: the language policies of historically Afrikaans universities

A decision by the University of Stellenbosch to introduce a policy of parallel-medium tuition in its larger faculties was met with a mixed reaction. In terms of the new policy, first-year students in the faculties of Economic and Management Sciences, Engineering, Science and Agrisciences would be able to choose either Afrikaans or English as their language of study from the beginning of 2010. In 2011, the Faculty of Arts and Social Sciences would follow suit. These five faculties would also be permitted to extend parallel-medium instruction to the senior undergraduate years (*Cape Argus*, 24/02/09; *Cape Times*, 25/02/09). During March, no fewer than 13 letters to the press commented on the new policy. The debate on this matter – and the ongoing language debates at South Africa’s other historically Afrikaans universities – will be analysed in a special section of the next issue of the Bulletin.

What is missing in the choices put to parents is a discussion about the fact that the pathway to proficiency in any language is made much easier by building on the self-confidence bestowed by pride in one’s own language and cultural heritage.

Our current approaches alienate children from their cultural roots and make parents’ participation in the education of their children difficult. How can they participate in a process in which their primary medium of communication is rendered irrelevant? How can they help their own children learn when the language of instruction becomes a barrier to communication from the first day of school?

An even more profound impact of this language policy is the undermining of the parental authority so essential to shaping the values and world-view of children at this stage of their development. Why should children respect parents who only speak a devalued language?

I never thought I would hear my fellow professionals saying without any touch of irony: “Thabo cannot hear what you are saying. He only speaks English.” Or proclaiming proudly that her daughter cannot play with her cousins because she cannot understand “their language”.

– *Sunday Times*, 08/03/09

New names for SA's 13 high courts

(Seat of court, in alphabetical order, followed by new and old names)

Bhisho

Eastern Cape High Court, Bhisho
(formerly: Ciskei Division of the High Court)

Bloemfontein

Free State High Court, Bloemfontein
(formerly: Bloemfontein High Court)

Cape Town

Western Cape High Court, Cape Town
(formerly: Cape High Court)

Durban

KwaZulu-Natal High Court, Durban
(formerly: Durban High Court)

Grahamstown

Eastern Cape High Court, Grahamstown
(formerly: Eastern Cape Division of the High Court)

Johannesburg

South Gauteng High Court, Johannesburg
(formerly: Witwatersrand Local Division of the High Court)

Kimberley

Northern Cape High Court, Kimberley
(formerly: Kimberley High Court)

Mafikensi

North West High Court, Mafikeng
(formerly: Bophuthatswana High Court)

Mthatha

Eastern Cape High Court, Mthatha
(formerly: Transkei Division of the High Court)

Pietermaritzburg

KwaZulu-Natal High Court, Pietermaritzburg
(formerly: Pietermaritzburg High Court)

Port Elizabeth

Eastern Cape High Court, Port Elizabeth
(formerly: South Eastern Local Division of the High Court)

Pretoria

North Gauteng High Court, Pretoria
(formerly: Transvaal Provincial Division of the High Court)

Thohoyandou

Limpopo High Court, Thohoyandou
(formerly: Venda High Court)

Source: Renaming of High Courts Act (No. 30 of 2008)
(Cf. also *Daily Dispatch*, 05/03/09; *Beeld*, 09/03/09; *Citizen*, 10/03/09; *Star*, 10, 12/03/09.)

Prepared for PanSALB by



Faculty of the Humanities
University of the Free State
PO Box 339
Bloemfontein
9300

Tel. +27 (0)51 401 2405
Fax +27 (0)51 444 5804

<http://www.uovs.ac.za>

Editor: Mariana Kriel
krielm.hum@ufs.ac.za

