

S O U T H A F R I C A

SECTION A

Capital

Pretoria (administrative) 1,605,770 (1991 est.)

Cape Town (legislative) 3,204,773 (1991 est.)

Bloemfontein (judicial) 126,867 (1991 est.)

Area

1,219,912 sq km (470,693 sq mi)

Form of government

Republic

GDP—per capita

Purchasing power parity—\$6,900 (1999 est.)

Population

43,421,021 (July 2000 est.)

Ethnic composition

Black 75.2%

White 13.6%

Colored (people of mixed race) 8.6%

Indian 2.6%

Official language

There are 11 official languages: Afrikaans, English, Ndebele, Pedi, Sotho, Swazi, Tsonga, Tswana, Venda, Xhosa and Zulu.

Other languages

Khoi, Nama, San, German, Greek, Gujarati, Hindi, Portuguese, Tamil, Telegu, Urdu, Arabic, Hebrew, Sanskrit

Legislation dealing with the use of languages

The Constitution of South Africa (Section 6, 9, 29-31, 35, 185, 186, 235)

Multilingualism Bill (May 10, 2000)

Statement By Prof Sme Bengu, Minister of Education on a New Language Policy in General and Further Education (July 14, 1997)

Pan South African Language Board Act (October 4, 1995)

Republic Of South Africa South African Schools Bill (1996)

Background notes

The idea of ethnicity became highly explosive during Apartheid. Then in 1993 and 1994, as the country emerged from the Apartheid era, many South Africans appeared to reclaim their ethnic heritage and to acknowledge pride in their ancestry. The new political leaders recognized the practical advantage of encouraging people to identify both with the nation and with a community that had a past older than the nation. So the interim Constitution of 1993 reaffirmed the importance of ethnicity by elevating nine African languages to share the status of official language of the nation, along with English and Afrikaans.

Both the Dutch and the English regimes promoted monolingualism in South Africa. Neither really succeeded in doing so. Since 1994, South Africa has developed into a multilingual democracy, becoming even more multilingual than ever before. According to the supporters of multilingualism, national unity does not require official use of only one language. The official language of a country need not necessarily be an international language and children can be taught more languages and still master them.

Africa, as a continent is multilingual. The only monolingual countries in Africa are Botswana, Burundi, Lesotho, Madagascar, Mauritius, Rwanda, the Seychelles, Somalia and Swaziland. On the other hand, Nigeria uses 410 languages, Zaire 206 languages and Ethiopia 97 languages.

Multilingualism is described as the dynamic process, which empowers the speakers of different languages to convey messages in a language or languages of their own choice, as well as displaying sensitivity for the

need of different communities to express themselves in their own vernacular. The Department's of Arts, Culture, Science and Technology role is to promote multilingualism in the country and to give financial support to the Pan South African Language Board (PANSALB), established in 1996, in order to cater to all official languages.

The reason why PANSALB was established is to create the conditions for the development of and equal use of all official languages and to promote and create the positive environment for multilingualism in general, and it includes, but is not limited to the official languages.

The role of PANSALB is to strengthen and initiate the establishment of civil society structures, which support the development of multilingual skills and to maximize new resources for those who do not speak English.

OFFICIAL LANGUAGES	SPEAKERS
Afrikaans	15.1%
English	9.1%
isiNdebele (Ndebele)	1.5%
IsiXhosa (Xhosa)	17.5%
IsiZulu (Zulu)	22.4%
SeSotho (Southern Sotho)	6.9%
SeSotho sa Leboa (Northern Sotho)	9.8%
Setswana (Tswana)	7.2%
siSwati (Swazi)	2.6%
Tshivenda (Venda)	1.7%
Xitsonga (Tsonga)	4.2%

SECTION B

Where does one observe language to be a problem in the country?

Until the end of 1994 English and Afrikaans were the only official languages, although only 9% and 15% of the total population spoke them respectively. Afrikaans was used by 83% of Colored people. The Constitution in 1994 recognized nine African languages (Bantu languages) to be official. Some of these African languages are mutually understood and many Blacks can speak two or more of them in addition to English and Afrikaans. Together these 11 languages are the primary languages of 98% of South Africans. The most widely spoken are Zulu, Xhosa, Afrikaans and English.

Many people realized that multilingualism is a very costly problem. Translation of all the documents, forms and circulars to 11 official languages is an enormous burden that can barely be carried.

The use of language in everyday life e.g. education, broadcasting and other

The Constitution's recognition of 11 official languages influenced a new language policy in general and further education. According to a statement from the Minister of Education on July 14, 1997, new languages in education policy were an integral and necessary aspect of the new government's strategy of building a non-racial society in South Africa. This policy has to overcome the barriers of color, language and religion and to create an environment of respect. He defined being South African as being multilingual.

SCHOOLS

Schools in South Africa must promote multilingualism, however, a learner has the right to choose the language of instruction. When a school uses the language chosen by the learner and there is a place available in the relevant grade, the school must accept the learner. However, when no school offers the desired language, or less than 40 students in grades 1 to 6 or less than 35 students in grades 7 to 12 are interested in the studying in a certain language, the head of the provincial Department of Education will determine how the needs of those learners will be met. The provisions of the Constitution, and in particular the need to achieve equity, as well as to redress past discriminatory practices and behavior have to be taken into account. This policy was formally reviewed in 1999 in order to map the progress made in this regard.

In 1998 matriculates needed to pass only one official language and any other language of their choice. University students needed to pass two official languages. Many students do not want to have African languages as mediums of instruction because there is no terminology available (62% of parents in Cape Town want their children to be educated in English). On the other hand, English is not the first language of 92% of learners, so according to some people, it should not be used as a language of instructions as well.

PARLIAMENT

As for the use of languages in the Parliament, it was proposed in 1998 that four languages should be used in Parliament, not just English. This proposal raised a storm of protests among those, who want English to be the sole language in Parliament. Although South Africa promotes multilingualism, in 1996 copies of the Constitution were not available in any other language but English. People can use their mother tongue in the court but all written records are in English.

Supporters of traditional languages suggested omitting Afrikaans as the second language in Parliament. Documents should be in English and “the language of the month” (each month, a different language from among the African languages - proposal from 1998).

SECTION C

Legislation dealing with the use of languages

Updated (September 2002)

As it is clear from the Constitution (Article 6), eleven languages can be used for official functions in the country (two of the apartheid era languages - Afrikaans and English and nine major Bantu languages).

The Constitution:

- Prescribes parity of esteem and equitable treatment for all official languages
- Includes linguistic human rights as a cornerstone of public life
- Prohibits discrimination
- Commits the government to the promotion of all non-official languages commonly used by communities (including sign language, religious languages, and the country's first languages - Khoi, Nama and San)
- Gives explicit recognition to the principle of linguistic diversity

Together, these constitutional stipulations express a philosophy of political pluralism.

Following the announcement to recognize eleven languages as official, a committee called "LANGTAG" (the Language Task Group) was appointed in 1996 to produce a framework for the development of a comprehensive national language policy. Subsequently, several workshops and seminars were organized by the government to discuss national language planning issues.

Concurrently, also a national body, called "PanSALB," (Pan South African Language Board) was established to promote the country's languages and to monitor the implementation of the language stipulations. Since its inception this body has established national and provincial language committees, lexicographical units and commissioned a language survey and funded research.

Furthermore, "DACST," the state department responsible for managing language policy development, appointed a special language planning Advisory Body to propose a national language policy. The proposal of this

committee in March 2000 became a basis for the South Africa Languages Bill, which will be presented to the Cabinet in the current session of the National Assembly.

The constitutional language stipulations have been criticized in at least three ways:

- The first, rather commonly expressed criticism is that it is impossible to implement a policy of eleven official languages because it will cost too much and cannot be implemented in practice.

These critics obviously assume that the intention of the Constitution is to use eleven languages in all official domains. However, it is not the case. Firstly, the stipulations state explicitly that both the national government and provincial governments must use at least two official languages for government business, and secondly, the stipulations include a number of qualifying conditions (such as usage, practicality, expense, regional circumstances, and the balance of the needs and preferences of the population), which must be considered to decide on specific policies.

In case of third-level government, a number of languages is not specified, suggesting that they may use only one language for official purposes. Therefore, whilst full multilingualism is in the spirit of the Constitution, the language stipulations also recognize the principle of functional and demographic differentiation, and the need to separate domains and levels of language policy development.

- A second criticism of the language stipulations is that the principles they espouse (parity of esteem, equity, language promotion) are in potential conflict with the qualifying clauses (sometimes negatively called “escape clauses”), making it possible for state institutions to avoid adopting and implementing language policy in the spirit of the Constitution.
- The third criticism is that state institutions become more monolingual in practice (that is, more English), which means that the government acts in contrary to the spirit of the Constitution.

THE SOUTH AFRICA LANGUAGES BILL

The second document, which must be considered, is the proposed Languages Bill. This bill begins with a list of its strategic goals:

- (a) To facilitate individual empowerment and national development
- (b) To develop and promote the Bantu languages
- (c) To provide a regulatory framework for the effective management of the official languages in the public service
- (d) To facilitate economic development via the promotion of multilingualism
- (e) To enhance the learning of the South African languages
- (f) To develop the capacity of the country's languages, especially in the context of technologization

The bill proposes the following policy decisions:

- 1) The national government should use not less than four languages for official work
- 2) These languages should be selected from each of four categories of official languages on a rotational basis, namely:
 - The Nguni languages (Ndebele, Swazi, Xhosa and Zulu)
 - The Sotho languages (Pedi, Sotho and Tswana)
 - Venda and Tsonga/Shangaan
 - Afrikaans and English
- 3) Governments at provincial and local level as well as institutions which perform public functions should be subject to the policy provisions of the bill
- 4) The policy should be applicable for legislative, executive and judicial functions
- 5) Language units should be established for each department of the national government and each province, to implement and monitor policy, to conduct language surveys and audits in order to assess existing language policies and practices, and to inform the public about the policy
- 6) Regulations concerning a language code of conduct for public officials should be produced

The bill also proposes a plan of implementation (what has to be done, by whom, for whom and when) for selected core activities, such as the establishment of language units, the development of a language code of conduct, and language audits. An important facet in the preparation of the bill is the question of costs so cost-estimation has been undertaken for selected state departments.

The proposed bill is obviously not intended as an explicit policy for individual state institutions. At most it provides a framework within which further policy development must take place. Each state department (at whatever level) will need to determine its own specific policy and a plan of implementation on the basis of the functions it has to perform and the types and levels of communication in which it needs to be engaged in fulfilling its functions.

Acceptance of the bill by the cabinet and the national assembly will not mean its immediate and full implementation at all three levels of government and in all state departments. In fact, effective policy implementation could take several years, depending on the political commitment of the heads of state departments, and national and provincial budgetary constraints.

Source: World Congress on Language Policies, Barcelona, April 16-20, 2002, "Language Policy Development in South Africa," by V. N. Webb, Center for Research in the Politics of Language, University of Pretoria, <http://www.linguapax.org/congres/taller/taller3/webb.html>

Background notes

Updated (September 2002)

THE LANGUAGE POLITICAL SITUATION

The main South African languages are deeply embedded in the political history of the country. Colonialism and apartheid meant that all languages have acquired socio-political meanings, English currently highly prestigious, Afrikaans generally stigmatized, and the Bantu languages with little economic or educational value. In fact, the Bantu languages are viewed by their own speakers as a symbol of people who are "uneducated, traditional, rural, culturally backward with lower mental powers," and as languages, which are "sub-standard and less capable of carrying serious thought."

Though the Bantu languages, as well as Afrikaans, are numerically "major" languages, they are "minority languages" in language political terms. In terms of power and prestige, English is the major language of

the country and Afrikaans and the Bantu languages are effectively marginalized.

Source: World Congress on Language Policies, Barcelona, April 16-20, 2002, "Language Policy Development in South Africa," by V. N. Webb, Center for Research in the Politics of Language, University of Pretoria, <http://www.linguapax.org/congres/taller/taller3/webb.html>

The use of language in everyday life, education, broadcasting and other

Updated (September 2002)

According to the LANGTAG Report, there are eighty languages spoken in South Africa.

Table below contains the numbers of speakers of the main South African languages.

Language	Number of speakers	% of population in 1996	Estimated knowledge as second language (in mill.)
ZULU	9,200,144	22.9	24.2
XHOSA	7,196,118	17.9	18.0
AFRIKAANS	5,811,547	14.4	16.5
PEDI	3,695,846	9.2	12.6
ENGLISH	3,457,467	8.6	18.5
TSWANA	3,301,774	8.2	11.3
SESOTHO	3,104,197	7.7	10.5
TSONGA	1,756,105	4.4	4.7
SWAZI	1,013,193	2.5	3.4
VENDA	876,409	2.2	2.5
NDEBELE	586,961	1.5	2.2

Besides those languages, Portuguese is said to be spoken by 57,080 people; Hindi by 25,900; Gujarati by 25,120; Tamil by 24,720; Greek by

16,780; Italian by 16,600; Urdu by 13,280; German by 11,740; Dutch by 11,740; French by 6,340 and Telegu by 4,000 people.

Although there is no general national lingua franca, English is the major language in the country, being almost solely used in formal public communication. Afrikaans is still used in the workplace and the Bantu languages are used only for low-level functions, such as personal interaction, cultural expression and religious practice.

Afrikaans has the widest geographical, demographic and racial distribution, with 81.4 percent of the so-called colored community (South Africans of “mixed” racial origin), 57.7 percent of the white population, 1.5 percent of the Indian population and 0.7 percent of the black population using it at home. English is mainly an urban language, being used in most of the major cities of the country. The Bantu languages, on the other hand, are spoken mainly by black South Africans as home languages (1996 census), with reasonably well-defined geographical distributions.

The majority of black South Africans are functionally highly multilingual (they probably speak about four languages each), and the rest of the population is at least bilingual, knowing Afrikaans and English.

Concerning the knowledge of the country’s languages among South Africans, the following observations can be made:

- Knowledge of the Bantu languages as primary and non-primary languages is largely restricted to black South Africans
- English is probably known by more than 50 percent of the SA population at a very basic level of communication and Afrikaans by about 40 percent

Concerning proficiency in Afrikaans and English among black South Africans, a recent sociolinguistic survey commissioned by “PanSALB” (2001) reported that 49 percent of their respondents often did not understand or seldom understood speeches in English. This lack of English language proficiency rose to 60 percent among speakers of Tswana, Ndebele and Venda, particularly among less educated respondents, respondents in rural areas and semi-skilled or unskilled communities.

The lack of English comprehension skills is also apparent in informal contexts. Respondents rated their ability to follow a story on radio or television in English as follows: Zulu - 32 percent, Sotho - 28 percent, Swazi - 27 percent, Tsonga - 24 percent, Xhosa - 24 percent, Pedi - 19 percent, Tswana - 14 percent, Ndebele - 3 percent and Venda - 0 percent.

Source: World Congress on Language Policies, Barcelona, April 16-20, 2002, "Language Policy Development in South Africa," by V. N. Webb, Center for Research in the Politics of Language, University of Pretoria, <http://www.linguapax.org/congres/taller/taller3/webb.html>

APPENDIX A

MAP OF SOUTH AFRICA

APPENDIX B

SOUTH AFRICA - CONSTITUTION

as adopted on May 8, 1996

Section 6

(1) The official languages of the Republic are Sepedi, Sesotho, Setswana, siSwati, Tshivenda, Xitsonga, Afrikaans, English, isiNdebele, isiXhosa and isiZulu.

(2) Recognizing the historically diminished use and status of the indigenous languages of our people, the state must take practical and positive measures to elevate the status and advance the use of these languages.

(3)

(a) The national government and provincial governments may use any particular official languages for the purposes of government, taking into account usage, practicality, expense, regional circumstances and the balance of the needs and preferences of the population as a whole or in the province concerned; but the national government and each provincial government must use at least two official languages.

(b) Municipalities must take into account the language usage and preferences of their residents.

(4) The national government and provincial governments, by legislative and other measures, must regulate and monitor their use of official languages. Without detracting from the provisions of subsection (2), all official languages must enjoy parity of esteem and must be treated equitably.

(5) A Pan South African Language Board established by national legislation must -

(a) promote and create conditions for the development and use of -

(i) all official languages;

(ii) the Khoi, Nama and San languages; and

(iii) sign language ; and

(b) promote and ensure respect for -

(i) all languages commonly used by communities in South Africa, including German, Greek, Gujarati, Hindi, Portuguese, Tamil, Telegu and Urdu; and

(ii) Arabic, Hebrew, Sanskrit and other languages used for religious purposes in South Africa.

Section 9

(3) The state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, color, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.

Section 29

(2) Everyone has the right to receive education in the official language or languages of their choice in public educational institutions where that education is reasonably practicable. In order to ensure the effective access to, and implementation of, this right, the state must consider all reasonable educational alternatives, including single medium institutions, taking into account -

(a) equity;

(b) practicability; and

(c) the need to redress the results of past racially discriminatory laws and practices.

Section 30

Everyone has the right to use the language and to participate in the cultural life of his or her choice, but no one exercising these rights may do so in a manner inconsistent with any provision of the Bill of Rights.

Section 31

(1) Persons belonging to a cultural, religious or linguistic community may not be denied the right, with other members of that community -

(a) to enjoy their culture, practice their religion and use their language; and

(b) to form, join and maintain cultural, religious and linguistic associations and other organs of civil society.

(2) The rights in subsection (1) may not be exercised in a manner inconsistent with any provision of the Bill of Rights.

Section 35

(3) Every accused person has a right to a fair trial, which includes the right -

(k) to be tried in a language that the accused person understands or, if that is not practicable, to have the proceedings interpreted in that language;

(4) Whenever this section requires information to be given to a person, that information must be given in a language that the person understands.

(5) Evidence obtained in a manner that violates any right in the Bill of Rights must be excluded if the admission of that evidence would render the trial unfair or otherwise be detrimental to the administration of justice.

Section 185

(1) The primary objects of the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities are -

(a) to promote respect for the rights of cultural, religious and linguistic communities;

(b) to promote and develop peace, friendship, humanity, tolerance and national unity among cultural, religious and linguistic communities, on the basis of equality, non-discrimination and free association; and

(c) to recommend the establishment or recognition, in accordance with national legislation, of a cultural or other council or councils for a community or communities in South Africa.

(2) The Commission has the power, as regulated by national legislation, necessary to achieve its primary objects, including the power to monitor, investigate, research, educate, lobby, advise and report on issues concerning the rights of cultural, religious and linguistic communities.

(3) The Commission may report any matter, which falls within its powers and functions to the Human Rights Commission for investigation.

(4) The Commission has the additional powers and functions prescribed by national legislation.

Section 186

(1) The number of members of the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities and their appointment and terms of office must be prescribed by national legislation.

(2) The composition of the Commission must-

(a) be broadly representative of the main cultural, religious and linguistic communities in South Africa; and

(b) broadly reflect the gender composition of South Africa.

Section 235

The right of the South African people as a whole to self-determination, as manifested in this Constitution, does not preclude, within the framework of this right, recognition of the notion of the right of self-determination of any community sharing a common cultural and language heritage, within a territorial entity in the Republic or in any other way, determined by national legislation.

REPUBLIC OF SOUTH AFRICA SOUTH AFRICAN SCHOOLS BILL (1996)

The Bill provides for the following matters:

The right of learners to receive education in the official language or languages of choice, and the duty of the State in giving effect to this right are provided for. Governing bodies may determine language policy for their schools subject to the Bill and any applicable provincial law provided that no racial discrimination is practiced.

Language policy of public schools

6.

(1) A learner has the right to receive education in the official language or languages of his or her choice at a public school where that education is reasonably practicable, and in order to enable learners to exercise this

right, the State must consider all reasonable educational alternatives, including single medium institutions, taking into account-

- equity;

- practicability; and

- the need to redress the results of past racially discriminatory law and practice.

(2) A recognized sign language has the status of an official language for purposes of subsection (1).

(3) The governing body of a public school may determine the language policy of the school subject to the Constitution, this Act and any applicable provincial law.

(4) No form of racial discrimination may be practiced in implementing policy determined under subsection (3).

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