



the Practitioner's page

Dirk Brand of Western Cape, South Africa: Making multiculturalism a reality in South Africa

Dirk Brand is currently responsible for the management of intergovernmental relations in the Western Cape Provincial Government. He was involved in the constitutional negotiations for the current South African Constitution and was further instrumental in the drafting of the Western Cape Constitution in 1996. One of the developments that flowed from the Western Cape Constitution was the adoption of legislation regarding the use of official languages for the purposes of provincial government. He was the author of the Western Cape Languages Act, 13 of 1998. In this note he discusses some of the practical consequences of this Act as well as current developments regarding multilingualism.

In terms of the South African Constitution there are 11 official languages in South Africa. While most of the indigenous languages are regionalised, Afrikaans and English are the two official languages that are most widely spoken in South Africa.

Before 1994 South Africa was officially a bilingual country with Afrikaans and English the two official languages. A new inclusive democratic system was established in 1994, one of the implications being that recognition had to be given to all the major languages in South Africa.

This was easier said than done.

In practice it soon became clear that English was evolving as the language of government in most instances. The Western Cape, having a predominantly Afrikaans speaking community, was the notable exception, and Afrikaans dominated official communication by the Provincial Government.

The Bill of Rights recognises that everyone has the right to use the language and to participate in the cultural life of his or her choice. Furthermore, the national government as well as the nine provincial governments may use any particular official language for the purposes of government, but in doing so they must use at least two official languages and take 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.

Scope is thus created constitutionally for provinces and the national government to use two or more official languages and not all eleven of them at the same time. In a multilingual country such as South Africa this constitutional framework creates serious challenges to the various government institutions, but it also creates opportunities for writers, interpreters and translators as well as other professions.

Western Cape taking the lead

The Western Cape, the only one of the nine provinces that has adopted a provincial constitution, has taken a practical approach to the issue of official languages. This matter was debated thoroughly during the negotiations for the provincial constitution. In addition to the requirements in both the South African Constitution and the Western Cape Constitution a provincial law on languages, the *Western Cape Provincial Languages Act, 13 of 1998*, was adopted by the Provincial Parliament.

This was the first language Act in South Africa and is currently still the only one. Other provinces in South Africa have also

taken decisions on using two or more official languages for purposes of government, but nowhere has the issue of languages been addressed so comprehensively and within an innovative and modern legal framework as is the case in the Western Cape.

This *Provincial Languages Act* translated the constitutional requirements regarding the use of official languages into a more practical legal framework by creating a Language Committee for the Western Cape and determining a whole range of practical steps that must enhance the concept of multilingualism within the Western Cape. The Language Committee consists of 11 members representing the three official languages within the Western Cape, namely Afrikaans, English and Xhosa, Sign language and heritage languages. Its mandate is threefold, namely to promote multilingualism, to monitor the use of the three official languages of the Western Cape and to support the development of previously marginalised languages.

What do all these legal arrangements mean in practice? After the initial reaction of many people that it is perhaps impossible or that it will at least take many years to achieve the constitutional aim of recognising the equal status of the three official languages in the Western Cape, a new view is slowly gaining momentum, namely that we all need to approach the constitutional demands and the practical realities of living in a multilingual society positively and creatively. It will certainly take time, but it is achievable. Language diversity is an intellectual, cultural and economic asset that needs to be recognised and utilised.

The establishment of the Language Committee has really kick-started the promotion of multilingualism in the Western Cape. Language diversity is a reality in the Western Cape and forms part of our heritage. Approximately 60% of the inhabitants of the province speak Afrikaans as their mother tongue, while the rest is roughly equally divided between English and Xhosa. This does not mean that many people can speak all three languages. A substantial percentage of the inhabitants can, however, speak two of the three languages.

The Language Committee has a wide scope of activities and a quite daunting task to empower all the people of the Western Cape through language, to enhance human dignity through respect for one another's languages and to promote multilingualism. In the short period of time since its establishment in 1998 it has produced a number of concrete achievements, which include the formulation of a language policy for the Western Cape, providing financial support to projects aimed at improving communication and developing the three official languages and awarding bursaries to post-graduate students for language-related studies.

Some of the key principles of the Western Cape Provincial Government's language policy are:

- The province's language resources must be developed while protecting the language rights of its citizens;
- The language of the target audience will determine the language used by the provincial government in dealing with and providing services to the public;
- A member of the public may use any of the three official languages in communicating with the provincial or local government;
- The provincial and local governments shall serve a person in the language of his/her choice;
- Provincial and local government institutions must decide on their working languages for internal communication; and

- Signage for offices or facilities in provincial and local governments must be in the three official languages.

Some of the practical steps determined by the *Provincial Languages Act* are:

- All three official languages may be used in debates and other proceedings of the Western Cape Provincial Parliament and its committees;
- All legislation and official reports of the Provincial Parliament and its committees must be made available in all three official languages; and
- All official notices and advertisements issued by the Provincial Government for general public information must be issued in Afrikaans, English and Xhosa.

The specific functions of the Language Committee include:

- Monitoring the use of Afrikaans, English and Xhosa by the Western Cape Provincial Government;
- Making recommendations to the Provincial Minister and the Provincial Parliament regarding any proposed legislation, practice and policy dealing with language matters;
- Promoting the principle of multilingualism in the Western Cape;
- Promoting the development of previously marginalised indigenous languages; and
- Advising the Provincial Minister on any other language matter in or affecting the Western Cape with regard to the three official languages.

Language in education

The medium of instruction in primary and secondary schools is either Afrikaans or English, which means that a substantial group of learners do not receive instruction in their mother tongue. Evidence indicates that there is a direct relationship between poor examination results and a lack of mother tongue

education. The Western Cape Minister of Education has recently announced that multilingualism should also be addressed in schools by introducing mother tongue education at least in the formative years in primary school and teaching all learners a third language. An investigation is currently being done into the practical implications of such a policy. The Provincial Government has decided to go this route in order to improve the quality of education across the board, to empower people and to enhance their language skills.

Benefits of multilingualism

In a multilingual and multicultural society such as South Africa multilingualism is not only a reality, but also an important asset that brings a lot of benefits when properly utilized. These include:

- Improving effective communication;
- Enhancing efficiency in business by optimizing the language resources;
- Making education more accessible and of equal value; and
- Improving acceptance and understanding of different cultures and thus contributing to a positive change in attitude regarding different languages and cultures.

These practical measures taken by the Western Cape Provincial Government signify the start of a journey on which the various language communities are all travellers and all have a role to play. Languages develop over time and the proper development and utilisation of multiple languages can even take longer. These measures give expression to the basic values of the South African Constitution, the Bill of Rights and more specifically the language provisions in the national and provincial constitutions. In embarking on this road the Western Cape has not only taken the lead in South Africa but, more importantly, has made a significant contribution in building our constitutional democracy. ☺