



# Government Gazette

**REPUBLIC OF SOUTH AFRICA**

**Vol. 449   Pretoria   25   November 2002   No. 24101**



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## GOVERNMENT NOTICE

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### DEPARTMENT OF EDUCATION

No. 1485

25 November 2002

### HIGHER EDUCATION ACT, 1997

## LANGUAGE POLICY FOR HIGHER EDUCATION

I, Professor Kader Asmal, MP, Minister of Education, hereby publish in terms of section 3(2) of the Higher Education Act, 1997 (Act No. 101 of 1997), the language policy for higher education set out in the Schedule hereto



Professor Kader Asmal, MP  
Minister of Education

18 November 2002



# **LANGUAGE POLICY FOR HIGHER EDUCATION**

**MINISTRY OF EDUCATION**

**NOVEMBER 2002**

# LANGUAGE POLICY FOR HIGHER EDUCATION

## INTRODUCTION

*“... the building blocks of this nation are all our languages working together, our unique idiomatic expressions that reveal the inner meanings of our experiences. These are the foundations on which our common dream of nationhood should be built...The nurturing of this reality depends on our willingness to learn the languages of others, so that we in practice accord all our languages the same respect. In sharing one’s language with another, one does not lose possession of one’s words, but agrees to share these words so as to enrich the lives of others. For it is when the borderline between one language and another is erased, when the social barriers between the speaker of one language and another are broken, that a bridge is built, connecting what were previously two separate sites into one big space for human interaction, and, out of this, a new world emerges and a new nation is born.”*

President Thabo Mbeki  
27 August 1999

1. South Africa is a country of many languages and tongues. However, our languages have not always been “working together”. In the past, the richness of our linguistic diversity was used as an instrument of control, oppression and exploitation. The existence of different languages was recognised and perversely celebrated to legitimise the policy of “separate development” that formed the cornerstone of apartheid. However, in practice, all our languages were not accorded equal status. The policy of “separate development” resulted in the privileging of English and Afrikaans as the official languages of the apartheid state and the marginalisation and under-development of African and other languages.
2. The use of language policy as an instrument of control, oppression and exploitation was one of the factors that triggered the two great political struggles that defined South Africa in the twentieth century – the struggle of the Afrikaners against British imperialism and the struggle of the black community against white rule. Indeed, it was the attempt by the apartheid

state to impose Afrikaans as a medium of instruction in black schools that gave rise to the mass struggles of the late 1970s and 1980s.

3. The role of all our languages “working together” to build a common sense of nationhood is consistent with the values of “democracy, social justice and fundamental rights”, which are enshrined in the Constitution. The Constitution, in line with its founding provisions of non-racialism, non-sexism, human dignity and equity, not only accords equal status to all our languages, but recognises that given the marginalisation of indigenous languages in the past, the state “must take practical and positive measures to elevate the status and advance the use of these languages” (Section 6 (2) of the Constitution).

- 3.1 The Constitution, furthermore, in the Bill of Rights, grants that:

- 3.1.1 “Everyone has the right to use the language and to participate in the cultural life of their choice, but no one exercising these rights may do so in a manner inconsistent with any provision of the Bill of Rights” (Section 30 of the Constitution).

- 3.1.2 “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 29 (2) of the Constitution).

- 3.2 The Constitution delineates clearly the limit to the right of individuals to receive education in the language of their choice. The exercise of this right

cannot negate considerations of equity and redress in the context of the values that underpin our shared aspirations as a nation. In this regard, as the late Chief Justice Ismail Mahomed, stated in 1995:

*“All Constitutions seek to articulate, with differing degrees of intensity and detail, the shared aspirations of a nation; the values which bind its people and which discipline its government and its national institutions; the basic premises upon which judicial, legislative and executive power is to be wielded; the constitutional limits and the conditions upon which that power is to be exercised; the national ethos which defines and regulates that exercise; and the moral and ethical direction which the nation has identified for its future.”*

Chief Justice I Mahomed in *S v Makwanyane and another* 1995

- 3.3 The values and shared aspirations of a democratic South Africa, which are enshrined in the Constitution of 1996, require the Constitution, as Justice Kate O'Regan suggests, to compel transformation. She argues that the attainment of the vision of the Constitution is dependent on urgently addressing “the deep patterns of inequality which scar our society and which are the legacy of apartheid and colonialism”. The Constitution, is therefore, according to Justice O'Regan:

*“...a call to action to all South Africans, to seek to build a just and free democratic society in which the potential of each person is freed”.*

Justice O'Regan in *Equality: Constitutional Imperatives*, 2002

4. The role of language and access to language skills is critical to ensure the right of individuals to realise their full potential to participate in and contribute to the social, cultural, intellectual, economic and political life of South African society.
5. Language has been and continues to be a barrier to access and success in higher education; both in the sense that African and other languages have not been developed as academic/scientific languages and in so far

as the majority of students entering higher education are not fully proficient in English and Afrikaans.

6. The challenge facing higher education is to ensure the simultaneous development of a multilingual environment in which all our languages are developed as academic/scientific languages, while at the same time ensuring that the existing languages of instruction do not serve as a barrier to access and success. The policy framework outlined below attempts to address this challenge.

## **BACKGROUND**

7. The Minister of Education must, in accordance with Section 27(2) of the Higher Education Act of 1997, determine language policy for higher education. Subject to the policy determined by the Minister, the councils of public higher education institutions, with the concurrence of their senates, must determine the language policy of a higher education institution and must publish and make such policy available on request. The requirement of the Act takes into account the authority of institutions to determine language policy provided that such determination is within the context of public accountability and the Ministry's responsibility to establish the policy parameters.
8. The Ministry's framework for language policy in higher education is outlined in this statement.
9. In developing such a framework, and in accordance with the Higher Education Act, the Minister of Education requested advice from the Council on Higher Education on the development of an appropriate language policy for higher education. This followed the decision of Cabinet in 1999 to prioritise the development of a language framework for higher education. In July 2001, the Council submitted its advice to the Minister in a report entitled "Language Policy Framework for South African Higher Education". The Report is attached as Annexure 1. A range of

proposals and recommendations has been advanced in this report, many of which have informed the development of this policy document. However, a few of the recommendations will require further consideration. The Ministry will engage with the Council in this regard.

10. Subsequent to the advice received from the Council, the Minister invited Professor G J Gerwel to convene an informal committee to provide him with advice specifically with regard to Afrikaans. In particular, the committee was requested to advise on ways in which Afrikaans “can be assured of continued long term maintenance, growth and development as a language of science and scholarship in the higher education system without non-Afrikaans speakers being unfairly denied access within the system, or the use and development of the language as a medium of instruction wittingly or unwittingly becoming the basis for racial, ethnic or cultural division and discrimination”. The reason for this focus on Afrikaans is that other than English, Afrikaans is the only other South African language which is employed as a medium of instruction and official communication in institutions of higher education.
- 10.1 In January 2002, the Gerwel Committee submitted its advice to the Minister, which is contained in its report entitled “Report to Minister of Education A K Asmal by the Informal Committee Convened to Advise on the Position of Afrikaans in the University System”. This Report is attached as Annexure 2. In addition, the Ministry considered the views expressed by a number of different constituencies, including those of the Vice-Chancellors of the Historically Afrikaans Institutions.
11. By way of background information, it is important to note that the South African student population in higher education is linguistically diverse and it is not uncommon to find a variety of home languages represented in the student body of a single institution. Table 1 below provides a breakdown of the home languages of students registered in public universities and technikons in 2000. As indicated, although English and Afrikaans are the two most frequently reported home languages, the extent of linguistic



diversity is evident in the fact that 50% of total student enrolments report an indigenous African language or another language as the home language. The extent of linguistic diversity within individual institutions depends on the degree to which students are recruited locally, regionally or nationally.

Table 1

HOME LANGUAGE	UNIVERSITIES	TECHNIKONS	TOTAL	% OF TOTAL ENROLMENTS
Afrikaans	71,979	27,363	99,342	16
English	136,957	55,509	192,466	32
IsiNdebele	2,641	637	3,278	1
IsiXhosa	38,247	28,396	66,643	11
IsiZulu	39,363	28,509	67,872	11
SeSotho	22,176	15,597	37,773	6
SeSotho sa Lebowa	20,818	10,332	31,150	5
Setswana	19,661	15,542	35,203	6
SiSwati	4,236	2,242	6,478	1
Tshivenda	9,199	4,817	14,016	2
Xitsonga	9,239	5,547	14,786	2
Other language	21,319	4,070	25,389	4
Language unknown	6,294	4,805	11,099	2
<b>TOTAL</b>	<b>402,129</b>	<b>203,366</b>	<b>605,495</b>	<b>100</b>

Higher Education Management Information Systems (2000)

11.1 Evidence suggests that the majority of universities and technikons use English as the sole medium of instruction or, as is the case in most historically Afrikaans medium institutions, offer parallel/dual instruction in English and Afrikaans. According to the Council on Higher Education (2001), the University of Stellenbosch is the only university where “at the level of policy, Afrikaans is the only Language of Tuition at undergraduate level”. It is clear, however, from the recent language audit carried out by the University of Stellenbosch, that in practice there has been a shift towards the use of English as language of instruction in conjunction with Afrikaans.

11.1.1 The shift on the part of historically Afrikaans medium institutions to parallel/dual language instruction may be ascribed to the demographic changes in the student population over the past decade and, in particular, to the increasing numbers of students for whom Afrikaans is not a first or

second language. The decision by both universities and technikons to adopt a more flexible language policy has, in all cases, been voluntary and self-funded, reflecting in part a growing commitment to transformation. In fact, no requests have been received from such institutions for additional resources to support their language strategies. The Ministry gives due recognition to these changes, while acknowledging that implementation has been uneven. In some instances, the commitment of institutional leadership to parallel and dual medium approaches has not necessarily translated into appropriate practice at departmental and individual levels.

- 11.2 The future of South African languages as areas of academic study and research is a matter of serious concern. In particular, the importance of studying and mastering different South African languages for the development of a common sense of nationhood cannot be over-emphasised. Regrettably, enrolments in language programmes have declined in recent years resulting in the closure of several language departments. These developments, if not addressed, have the potential to jeopardise the future study of languages, literature and culture in our country.

Such a shift away from language studies also has serious implications for teacher training and the promotion of multilingualism in general and further education.

- 11.3 The study of foreign languages is also under threat, with declining enrolments in most language programmes.
- 11.4 As in other spheres of society, higher education has not yet succeeded in establishing multilingualism in both the day-to-day institutional life and in core activities. For example, few institutions include an African language as a training requirement for undergraduate and postgraduate study, or offer short courses in African languages as in-service learning opportunities for professionals in practice. The failure to promote

multilingualism also hampers the creation of an inclusive institutional environment advancing tolerance and respect for diversity.

## **THE POLICY FRAMEWORK**

12. The framework for language in higher education takes into account the requirements of the Constitution, the advice received, as well as the objectives and goals of the National Plan for Higher Education (2001). In particular, it recognises the need to ensure equity of access and fair chances of success for all who seek to realise their potential through higher education. The framework also reflects the values and obligations of the Constitution, especially the need to promote multilingualism. For the first time, a genuine attempt will be made to ensure that all of our official languages are accorded parity of esteem.
13. The Ministry acknowledges that the implementation of multilingualism will, in practice, be in tension with other imperatives and considerations such as the need for financial affordability and the rights of others. The Constitutional provisions in respect of language in education explicitly state that such rights as receiving education in the official language(s) of choice in public educational institutions are subject not only to considerations of equity and the need to redress the results of past racially discriminatory laws and practices, but also to those of practicability (Section 29(2) of the Constitution).
14. The policy framework for language in higher education addresses the following issues:
  - languages of instruction;
  - the future of South African languages as fields of academic study and research;
  - the study of foreign languages; and
  - the promotion of multilingualism in the institutional policies and practices of institutions of higher education.

15. In relation to languages of instruction:
- 15.1 The Ministry acknowledges the current position of English and Afrikaans as the dominant languages of instruction in higher education and believes that in the light of practical and other considerations it will be necessary to work within the confines of the status quo until such time as other South African languages have been developed to a level where they may be used in all higher education functions.
- 15.2 The Ministry agrees with the Council on Higher Education that consideration should be given to the development of other South African languages for use in instruction, as part of a medium to long-term strategy to promote multilingualism. In this regard, the Ministry will give urgent attention to the establishment of a task team to advise on the development of an appropriate framework and implementation plan, including costing and time-frames. The specific recommendation of the Council on Higher Education with respect to the development of other South African languages will be considered as part of this investigation.
- 15.2.1 The promotion of South African languages for use in instruction in higher education will require, amongst others, the development of dictionaries and other teaching and learning materials. The Ministry will work in close collaboration with the Department of Arts and Culture in this regard.
- 15.2.2 The success of such a historic undertaking will depend on the injection, over a period of time, of substantial financial resources. The level of resourcing will be comparable to the investments that were made, in the past, to develop Afrikaans as a medium of instruction in higher education.
- 15.3 The Ministry is committed, as stated in the National Plan for Higher Education, which was adopted by the Cabinet in 2001, to ensuring that language should not act as a barrier to equity of access and success. In this regard, the Ministry would like to encourage all higher education institutions to develop strategies for promoting proficiency in the

designated language(s) of tuition, including the provision of language and academic literacy development programmes.

- 15.4 The Ministry acknowledges that Afrikaans as a language of scholarship and science is a national resource. It, therefore, fully supports the retention of Afrikaans as a medium of academic expression and communication in higher education and is committed to ensuring that the capacity of Afrikaans to function as such a medium is not eroded. In this regard, the Ministry endorses the views of the then President, Mr. Nelson Mandela, as expressed in his speech to the University of Stellenbosch in 1996, on the occasion of the acceptance of an honorary doctorate that:

*“The real issues is not the extermination or preservation of Afrikaans as an academic medium. Rather, the question is this: Amongst ourselves, how are we to negotiate a dispensation for the South African university system that meets the following three criteria? Firstly, that a milieu should be created and maintained for Afrikaans to continue growing as a language of scholarship and science. At the same time, that non-speakers of Afrikaans should not be unjustly deprived of access within the system. And moreover, that the use and development of no single language medium should - either intentionally or unintentionally – be made the basis for the furtherance of racial, ethnic or narrowly cultural separation”.*

25 October 1996

The Ministry has built on this statement in the National Plan for Higher Education.

- 15.4.1 The Ministry does not believe, however, that the sustainability of Afrikaans in higher education necessarily requires the designation of the University of Stellenbosch and the Potchefstroom University for Christian Higher Education as ‘custodians’ of the academic use of the Afrikaans language, as proposed by the Gerwel Committee.
- 15.4.2 In this regard, the Ministry agrees with the Rectors of the Historically Afrikaans Universities that the sustained development of Afrikaans should

not be the responsibility of only some of the universities (Views on Afrikaans, by the rectors of the HAUs, 23 September 2002). The concern is that the designation of one or more institutions in this manner could have the unintended consequence of concentrating Afrikaans-speaking students in some institutions and in so doing setting back the transformation agendas of institutions that have embraced parallel or dual medium approaches as a means of promoting diversity. Furthermore, some of those making the call for Afrikaans as the anchor language of one or more institutions are of the view that access for non-Afrikaans speakers could be accommodated provided that they acquire proficiency in the Afrikaans language for academic purposes.

15.4.3 While it could be argued that such a requirement in the case of foreign students is reasonable, requiring the same of South African students no doubt constitutes an unjust imposition and an additional burden of demand. The Ministry is also concerned that some individuals have equated institutional responsibility for promoting Afrikaans as an academic medium to the establishment of 'Afrikaans' universities. The notion of Afrikaans universities runs counter to the end goal of a transformed higher education system, which as indicated in the National Plan for Higher Education (NPHE), is the creation of higher education institutions whose identity and cultural orientation is neither black nor white, English or Afrikaans-speaking, but unabashedly and unashamedly South African (NPHE: p. 82).

15.4.4 The Ministry is of the view that the sustainability of Afrikaans as a medium of academic expression and communication could be ensured through a range of strategies, including the adoption of parallel and dual language medium options, which would on the one hand cater for the needs of Afrikaans language speakers and, on the other, ensure that language of instruction is not a barrier to access and success. In this regard, the Ministry will, in consultation with the historically Afrikaans medium institutions, examine the feasibility of different strategies, including the use of Afrikaans as a primary but not a sole medium of instruction.

- 15.4.5 However, as announced in the Government Gazette of 21 June 2002, “Transformation and Restructuring; A New Institutional Landscape for Higher Education”, historically Afrikaans medium institutions would be required to submit plans for the period 2004-2006 indicating strategies and time frames they intend putting in place to ensure that language of instruction does not impede access, especially in high cost programmes with limited student places such as the health sciences and engineering.
16. In relation to the future of South African languages as areas of academic study and research:
- 16.1 The Ministry is committed to the development and study of South African languages and literature, including the Khoi, Nama and San languages and would like to encourage institutions to develop and enhance these fields of study. In a country of diversity, knowledge of languages and literature offers access to and understanding of different cultures which not only enhances communication and tolerance, but also positively enriches and extends our horizons.
- 16.1.1 As part of the process of building South African languages and literature, institutions will be encouraged to pay particular attention to curriculum development in these fields of study.
- 16.2 The Ministry will over the next five to ten years, through various planning and funding incentives, encourage the development of programmes in South African languages. These include amending the funding grids for teaching inputs and outputs for specifically selected languages, providing earmarked institutional development funds for research, and facilitating the offering of scholarships to students.
- 16.3 The Ministry believes, however, that the cost of offering such studies by individual institutions is prohibitive in relation to current student demand. To ensure continued provision and sustainability of these studies it would

be necessary, therefore, to offer them on a more cost-effective regional/national platform. As indicated in its submission of approved academic programmes for universities and technikons for 2003 – 2006 (August 2002), the continued funding of programmes in these areas of study would be subject to the development of appropriate regional frameworks.

16.4 The Ministry will closely monitor developments in these areas with a view to ensuring the promotion and sustainability of the study of South African languages and literature.

17. In relation to the study of foreign languages and literature:

17.1 The Ministry will use a similar approach proposed for the development and study of South African languages and literature to encourage the study of foreign languages, in particular those languages that are important for the promotion of the country's cultural, trade and diplomatic relations. Attention will also be paid to languages commonly used by communities in South Africa, such as German, Greek, Portuguese, French and Hindi.

18. In relation to the promotion of multilingualism in institutional policies and practices:

18.1 The Ministry recognises the important role of higher education in the promotion of multilingualism for social, cultural, intellectual and economic development.

18.2 The Ministry encourages all institutions to consider ways of promoting multilingualism. These could include changes to events such as graduation ceremonies to acknowledge and accommodate diversity in the constituency body, requiring proficiency in an African language as a requisite for a range of academic fields of study and offering short courses in African languages as part of staff development strategies. In addition,



institutions could consider the allocation of preferential weighting to applicants who have matriculation passes in indigenous languages.

Clearly, change in the diversity of student and staff profiles, initiatives such as student support, mentorship and counselling, and the creation of a receptive institutional culture which embraces linguistic diversity are also other crucial ways for promoting a climate where all people feel affirmed and empowered to realise their full potential.

- 18.3 Higher education institutions are required to indicate in their three-year rolling plans the strategies they have put in place to promote multilingualism, including progress in this regard.
19. The Ministry recognises the need for this policy framework to be responsive to the needs of the disabled, for example, developing competencies and capacity in sign language. This matter will be taken forward as part of the process and strategies identified in the National Plan for Higher Education for addressing the needs of disabled persons.
20. All higher education institutions are required to develop their own language policy subject to the above policy framework, which should be submitted to the Minister by 31 March 2003. The Ministry will continue to monitor the impact of language policy in higher education.

## **SUMMARY**

21. The above framework is designed to promote multilingualism and to enhance equity and access in higher education through:
- The development, in the medium to long-term, of South African languages as mediums of instruction in higher education, alongside English and Afrikaans;
  - The development of strategies for promoting student proficiency in designated language(s) of tuition;

- The retention and strengthening of Afrikaans as a language of scholarship and science;
- The promotion of the study of South African languages and literature through planning and funding incentives;
- The promotion of the study of foreign languages: and
- The encouragement of multilingualism in institutional policies and practices.

**November 2002**