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LANGUAGE AND EMPOWERMENT

African language and empowerment

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Empowerment is an elusive concept, having many aspects. Consequently, it means many things to many people. In the present context, empowerment means the upliftment and advancement of a people by means of their language as well as the enhancement of the status of that language. In the field of sociolinguistics this can be achieved by resource to two forms of linguistic engineering, namely status and corpus planning.

In this paper this advancement will be considered on four broad levels: cultural, economic, judicial and political. The languages which form the subject of the discussion are Northern Sotho, Southern Ndebele, Southern Sotho, Swati, Tsonga, Tswana, Venda, Xhosa and Zulu. The size and numerical strength of each of these languages differ markedly. It ranges from Zulu which comprises 8 541 173 people (or 21,61 per cent of the population); Xhosa comprising 6 891 000 people (or 17,44 per cent); Tswana comprising 3 601 609 people (or 9,11 per cent); Northern Sotho with 3 437 971 people (or 8,7 per cent); Southern Sotho with 2 652 590 people (or 6,71 %); Tsonga with 1 349 022 people (or 3,54 per cent); Swazi with 926 094 people (or 2,34 per cent); Southern Ndebele with 799 216 people (or 2,06 per cent) and Venda with 763 247 people (1,93 per cent). This amounts to 73,44 per cent blacks of the entire South African population. These figures include blacks in the homelands and the so-called TBVC states (Schuring in Webb 1991:14).

These statistics raise a number of concerns, some of them quite irrecconcilable. For instance, the biggest groups such as Zulu and Xhosa might argue that they are so big that their languages need to be recognised as

official or national languages. On the other hand, smaller groups such as Southern Ndebele and Venda might feel that they are so small that their language rights need to be entrenched in the constitution. One may even ask whether it is economically viable even if it is desirable to provide language services and facilities to majority and minority groups to the same extent, or should the provision be proportionate.

CORPUS PLANNING

Kloss (in Cobarrubias & Fishman 1983:42) describes corpus planning as a linguistic exercise which seeks to change the corpus of a language. This means that certain innovations are introduced for the purpose of modifying the structure of a given language, changing its vocabulary, morphology or spelling. This is often brought about by grammarians and lexicographers, language academies and other linguistic institutions. In a nutshell these bodies codify and standardise the languages as well as safeguard and even prescribe its 'correct' usage. South African languages are not lacking in this kind of planning. All the languages in question have acceptable orthographies. Their development and promotion is attended to by the various language boards and bureaux under the auspices of the Department of Education and Training.

Thus all these languages have dictionaries, grammar books and literature. With the exception of Ndebele, which is taught only at school level, others are taught at school, college and university level. It appears also that their development and promotion will prevail even in the new South Africa since this is advocated by African organisations. For instance, the KwaZulu/Natal Indaba (1986), the South African Law Commission (Olivier 1989) and the Constitutional Committee of the ANC (1990) have already proposed various fundamental language rights for inclusion in a new constitution (Schuring 1991:3). The Constitutional Committee of the ANC spells it out in no uncertain terms when it maintains that: 'The State shall act positively to further the development of these (eleven) languages, especially in education, literature and the media, and to prevent the use of any language or languages for the purposes of domination or division' (*op. cit.*:5).

Accordingly, the only inhibiting factor might be the degree of illiteracy among blacks since this empowerment is via the written word. According to the 1980 statistics the number of illiterate people in South Africa was as high as 5 678 000 (Webb 1991:18). This figure clashes radically with the one supplied by Project Literacy who claim in their 1991 Newsletter (p. 1) that at present there are 9,5 million illiterate South

Africans of whom only 1 per cent attend literacy classes. The disparity between the two statistics is probably partially attributable to various definitions of illiteracy on which the statistics are based. To illustrate, I would like to cite definitions of literacy or illiteracy: 'The *Concise Oxford Dictionary* defines the word 'illiterate' as: ignorant of letters; unlearned; unable to read' (Nxumalo 1992:1).

Gray's definition is more detailed. He defines functional literacy thus: 'A person is functionally literate when he has acquired the knowledge and skill in reading and writing which enables him to engage effectively in all those activities in which literacy is normally assumed in his culture or group' (*ibid.*).

Does this mean a person has to pass Standard 2 or 4 or what? What if a black person reads and writes his mother tongue but none of the official languages? Be that as it may, it is difficult to speak of African language empowerment with millions of illiterate people around us. Needless to say, the majority of these luckless people are blacks who for years were deprived of the basic right to free education.

The repercussions of this sorry situation are far-reaching. First, they affect the particular language empowerment itself in that because of the greatly reduced literate community its development becomes too costly. Fewer books are printed because of the limited market, etc. Second, the individual's empowerment is also affected in that he cannot participate fully in decision-making bodies which require literacy as a bargaining tool. Third, the particular community also suffers from a reduced number of linguistically empowered people in its midst.

However, before discussing the implementation of corpus planning policy and its consequences, let us turn to status planning because the two overlap to such an extent that it might prove difficult to discuss the one without commenting on the other.

STATUS PLANNING

Basically, status planning relates to the allocation of language functions to a given language or languages (see Cobarrubias & Fishman 1983:42). Here one must consider such functions as medium of instruction, language of wider or international communication, national language, official or regional language, language of economic, religious, judicial or administrative communication. '[I]n order to know what the status of a language is, we must know what language functions it performs. Furthermore, language status is also relative to other languages and their suitability or

eligibility to perform certain functions in a given speech community. Thus it refers to the relative standing of a language *vis-à-vis* its functions, *vis-à-vis* other languages or language varieties' (Cobarrubias & Fishman 1983:51).

In practice it would not be possible to empower all the nine African languages with the status of national or official languages, although certain politicians might consider that option. Also unacceptable is the idea of linguistic assimilation ideology which, in a multilingual society like our own, seeks to elevate one African variety and give it a superior status *vis-à-vis* the others. This would require all citizens to acquire such an African language despite their divergent linguistic backgrounds. Only with unanimous agreement by speakers of all the other African languages can such a policy be entertained. The present government did try in the 1970s to force all South African nationals to assimilate Afrikaans, at least to the same level as English. Black pupils protested and this led to the 1976 national blood bath. In actual fact, according to the functions which each African language is presently able to fulfil, it would be impractical to consider one of them an official language. However, there are other functions that these languages might be empowered to fulfil, and these will be discussed below.

AFRICAN LANGUAGES AND EMPOWERMENT

Let us now attempt to assess the implications this theoretical background on the empowerment of both the African and his language. The discussion will focus on the most important life domains already cited, namely cultural, judicial, political and economical. The cultural aspects to be discussed will be limited to education, religion and the mass media.

Cultural domain

African languages and education

In this section African languages will be considered firstly as subjects and secondly as media of instruction. In the interests of equity, acceptability and equal opportunity the status quo of having every African language on the curriculum of school, college and university should be maintained. The question is: does everybody concerned regard this as empowerment? The political organisations cited above definitely think so but what about individuals? In answering these questions one needs to consider people's feelings. Needless to say, here one meets with fixed attitudes. People's reactions are influenced by a variety of motivating factors. For instance,

there are those who are frustrated by the poor progress made by blacks in the economy. These rate the economic function of a language as the most essential. Since none of the African languages can at present be used as a bargaining tool in the labour market such people are very sceptical about the desirability of learning an African language at school. When certain white schools opted for a multiracial status, such people were the first to apply for the admission of their children to such schools to enable them to acquire fluency in English and Afrikaans as soon as possible. There are those of course who are forced by the disruptive atmosphere in the African schools to send their children to the multiracial schools where the atmosphere is more conducive to learning. Others still are sceptical about the standard of education meted out to their children by the DET.

This negative and even hostile attitude to the learning of indigenous languages at school is evidenced by the following: First, at the HSRC conference on the role of language in black education (1987:111–113), Professor A. L. Mawasha stated: 'Black development and advancement in the world have become so closely intertwined with English that it is almost impossible to separate them without at the same time affecting, adversely, the very fabric of black development in a world context. To be educated and trained means having acquired knowledge and expertise mainly through the medium of English' (in Webb 1991:17).

Second, a recent survey revealed that the language most liked as a school subject is English with 51,5 per cent of the respondents, followed by an African language (19,7 per cent) and Afrikaans (7,1 per cent) (Webb 1991:17–18).

In view of these considerations the DET decided to change their policy in 1990 and make the study of an African language optional for matric. Needless to say, this is the exact opposite of African languages empowerment. On the other hand, now that African languages have been relegated to an optional choice for matric, certain Africans are becoming concerned not only with loss of status and consequently empowerment for these languages, but also their very survival. This goes to demonstrate that some Africans appreciate that besides being a medium of communication, a language also performs such invaluable functions as conveying one's culture and giving expression to one's identity. Of course, it is true that without our technology we could not exist but without our culture we could not live.

But now let us turn to African languages as media of instruction.

Unesco and other bodies have reached consensus that the best language to use as a medium of instruction for the child is his mother tongue. Unfortunately, where this mother tongue is not a vehicle for science and commerce the child is not ideally equipped. It is common knowledge that none of the South African indigenous tongues are suited to this function, hence children throughout African schools switch to English as the medium of instruction from Standard 3 onwards. In the interests of empowerment, it may be argued that what one language can do another one can also do – which implies that African languages should also be developed until they become vehicular languages for science and commerce. While the rationale behind this is quite understandable, one must take into account that science and commerce are international disciplines and studying these in a regional or even national language variety will deprive one of an opportunity to engage in an international debate with international scholars on these subjects. It then becomes a give-and-take situation and one must consider the price of abandoning the right to be an international scholar in the interests of one's language empowerment.

In most of South African universities African languages are taught through the medium of a foreign language. Again this militates against language empowerment. And tutors and students alike often question the rationale behind this policy. But again linguistics and literary theory, which are used as tools in the analysis of these African languages, are, as pointed out above, universal sciences. Even more than that, it is often argued that Bantu languages form a family, and this fact could never be discovered if these languages are not put together and analysed by a superimposed medium which is common to all scholars involved. A Venda student who analyses Venda in Venda will not be able to identify similarities between Venda and Xhosa, for instance.

Owing to the bias by certain departments of English and Afrikaans in our universities, who do not appoint Africans into these departments, blacks also feel that in order to empower their languages and lecturers, African language departments should be manned only by African tutors. This tends to discourage white scholars with the necessary potential and acumen from embarking on African linguistics and literary studies. Again this is unfortunate in that such view overlooks merit, and applies apartheid in reverse.

African languages and religion

Now that the Bible has been translated into all South African indigenous tongues, it may be argued that African languages are suitable vehicles for religion. Indeed, in schools and some theological institutions theology is taught in African languages. Many Africans worship in their languages. Even a foreign priest feels obliged to acquire the language of his congregation. Only two problems stand in the way of empowerment in this instance. First, the teaching of theological subjects at university is still in the medium of English or Afrikaans. Second, there is a problem of which language to choose in a multiracial environment such as the PWV. The former could be solved by translators; the latter by interpreters. With regard to the former my reservation still stands, that by localising the discipline, you are depriving yourself of a comparative perspective in studying it and you are also isolating yourself from meaningful participation in an international debate on your discipline.

With regard to interpretation, one often notices that the most empowered language varieties are Nguni (i.e. Ndebele, Swazi, Xhosa and Zulu) and Sotho (i.e. Northern Sotho, Southern Sotho and Tswana). If the preacher preaches in Sotho the interpreter must interpret into Nguni and vice versa. Surely this is not equitable in that minority languages such as Tsonga and Venda are left out of consideration, but how does one resolve this problem? As far back as 1944, Jacob Nhlapho put forward the view that Nguni varieties should be harmonised to form a single Nguni language, and the same for the Sotho varieties. He considered this as the first step. The second step would be to harmonise standard Sotho and standard Nguni to form a single national language for South Africa. The first step is probably within our reach; the second is somewhat too idealistic to be realised. Unfortunately all of these solutions have a smack of apartheid. Their exponents do not think of South Africans as would, for instance, American citizens, but they always divide the population into two groups, black and white.

African languages and the mass media

Here I wish to focus on radio and television. The SABC succeeded to a certain extent in empowering at least the main languages equally. With the exception of Southern Ndebele, Swazi, Tsonga and Venda, the rest of the African services broadcasted 24 hours a day every day, until the intervention by Radio Metro which was introduced a few years ago and interrupted the African services by broadcasting in English between 23:00 and

05:00. Also each African service broadcasts in its own medium. We are often told, however, that owing to the large number of services run by the SABC, a number of small services run at a loss, and the whole corporation suffers. This means that to empower all the services equally is not financially viable. Accordingly more money would have to be found if in the new South Africa all African radio services were to receive absolutely equal treatment. The same goes for television where blacks are even worse off. At present only on TV1 is there equal treatment of English and Afrikaans. CCV TV seems to be too much of a hodge-podge, and viewers decry the discontinuing of the erstwhile TV2 and TV3 channels. It might be argued that CCV TV is probably trying to move with the times and is trying to find a common medium for all South Africans citizens. If that is the motive, it is unfortunate in that it is not equitable and probably not acceptable either.

Judicial domain

Here one needs to consider various types of language rights, namely individual, group or collective, and territorial language rights. It is only in the tribal courts that these rights apply fully. In each court the proceedings are conducted in the African language of the relevant court, and the parties to the proceedings also put their cases in their own languages. In magistrates and higher courts, however, only individual rights apply. The proceedings are conducted in English or Afrikaans but the accused and witnesses have a right to use their own language. The court is then obliged to appoint an interpreter to translate from the official language into an African language and vice versa. It is common knowledge that there are very few qualified interpreters in South Africa. Consequently this partial language empowerment does not benefit the African very much. Meaning is lost because of certain nuances in the idiom of one language which cannot be conveyed accurately in another language. Such discrepancies and distortions have often led to the acquittal of guilty people and the conviction of innocent people. Since law is very much a domestic phenomenon (with the exception of international law) these unfortunate eventualities could be prevented by applying territorial language rights as well. This would mean, for instance, that in Tsonga territory the proceedings will be conducted in Tsonga for the benefit of Tsonga participants in those proceedings. An official language could be used as an option or for making court records only. Unfortunately, this equitable empowerment cannot happen before African languages themselves are so empowered that it is possible to train jurists in the medium of these languages. Even

then there would still be a problem of intercommunication between jurists across regional boundaries as well as in metropolitan areas with a citizenry which speak a variety of African languages. Giving equal rights to each language would be impractical in a multilingual community. A lingua franca would be the only bridge language.

Political domain

No doubt Africans would love to engage in politics using their own African languages. However, any political organisation would tell you how impossible this is where a party claims to be truly national. This is the case even where the organisation has black supporters only. This will be even more the case in the new South Africa where black and white will rub shoulders in the same organisation. Yet if they choose a language of wider communication they will be losing power where it matters most. At Codesa we hear such proposals in the form of a presidential college. If this succeeds and it turns out that one member of the college is a Tsonga, another an Afrikaner and yet another a Zulu, and absolute equality of language treatment should prevail, in which language will they communicate?

Economic domain

Here one must think of the various tiers of our economy: primary, secondary and tertiary. In all these domains it is necessary to have a common vehicular language. Economy pools together people from various language backgrounds. In primary industries such as mining and agriculture African empowerment is not jeopardised in that most Africans use a lingua franca called Fanakalo. Even management communicates with the labourers through Fanakalo. In the secondary industries, especially factories, labourers use Tsotsitaal, which is yet another African variety. This is a development which is favoured by sociolinguists such as Bernd Heine, who refers to it as an instance of 'bottom-up language planning'. He adds: 'In all cases concerned, language spread and linguistic innovation took place spontaneously without interference from governmental or other agents; they were a 'natural' response to the rise of new forms of life which developed in the course of this country, especially in the centres of trade and communication ... Compared to the relevant European languages, these spontaneously emerging forms of speech have the characteristics of what I have described elsewhere as *horizontal media*, they symbolize solidarity, rather than authority, and familiarity, rather than social distance' (1991:8-9). Heine would like to urge South African language planners to

seriously consider this proposition. Unfortunately, Fanakalo is presently regarded by linguists, especially purists, as a corruption of language, and Tsotsitaal as nothing but street language.

Even if they were acceptable, however, we would still need another medium which would enable management to communicate with other business people locally and abroad. Moreover, in the tertiary industry we would need a language which would function as an economic vehicular language.

CONCLUSION

Accordingly, it transpires that where language empowerment is concerned, language planners should attempt to make a distinction between what is desirable and what is practicable. No doubt it would always be desirable to confer on each African language rights which will result in absolutely equal treatment of all South African languages, but would it be feasible? And if the answer is yes, would it not lead to a new Tower of Babel?

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Language and empowerment: a community educator's perspective

Buntu Mfenyana

This is such a broad and topical, exciting and elusive topic that one needs to unpack it step by step to get to its essence. Since one has limited access to the big scholarly books, one will define a few key terms briefly and leave detail to full-time academics. Being a 'community educator' means constant immersion in community issues where 'language and power', 'the language of power', 'the power of language', 'disempowerment' and calls for 're-empowerment' feature prominently. Besides the fancy prefixes and suffixes, the heart of the matter is that LANGUAGE (defined as broadly as possible) IS POWER.

In the 'New South Africa' promoted so vigorously by the minority regime, the buzz-word 'empowerment' has become very fashionable. Suddenly everybody wants to 'empower' others or to be empowered. In one sobering article Professor Zeke Mphahlele states quite bluntly that Africans need to take a second cautious look at this 'economic empowerment' game and understand its roots, dynamics and flaws: 'Yet big Politics, big business, seminar enthusiasts, the grey-suited profession, the citizens who march and demand – they all utter these incantations. And they feel happy that they are not going to do anything beyond the lofty resonances of the song and the promises it carries' (*Sowetan*, 26/9/91).

Let me provoke you further by asking: 'At the end of the day, which is *the language of power in South Africa/Azania?*' Clearly when it comes to academic, scientific, business, commercial, legislative, judicial and admin-

istrative pursuits, South African English has the edge, closely followed by South African Dutch/Afrikaans.

Since 1910 these two juggernauts, especially English, have dominated, shaped and affected the lives of the oppressed African masses at the expense of the indigenous languages. If anyone, including the ANC Language Commission and the National Language Project (NLP), would like to see this position reversed and the African languages promoted and re-empowered, if not as national official then at least as regional official languages, they just need to know clearly what they are up against.

There is a dangerous tendency in academic discourse (and one has attended quite a few conferences on the language question recently, from LiCCA April 1991 to NLP September 1991 etc.) to bandy about statistics and thus reify and 'thing-ify' language, as if it floats on an ethereal plane out there, with a life of its own. We need to remember that behind each language is a group of living people, with human feelings, ideas, attitudes, dreams and hopes. Solidly positioned behind 'English' is the British Royal family, Shakespeare, Lord Lugard, Professors Green and Jenkins and the sports commentator with a quaint accent on my TV set. With the English language, as with many others, goes a whole history, tradition, literature, agenda and programme. Yes, if we say 'English is Powerful' we mean the English people have power: we take our tattered caps off to them for dominating, influencing and changing our attitudes, languages and cultures for so long across the length and breadth of Africa, Asia and Latin America.

While the theologian says 'In the beginning was the word', the linguist says 'In the word was the beginning: the beginning of communication, writing and culture'. The religious domain affords us countless examples of the power of language, music and chanting:

AUM MANU PADME UM

MUTHU OM-KHURU, SINTU OM-GURU

ABBA-THU ABBA-KHURU KA-GURU

ALLAH AK-BAR

HARE KRISHNA, HARE RAMA, HARE KRISTO

UMOJA NA-UJAMAA

PAMBERI NE-CHIMURENGA

PAMBERI NE-HONDO, PAMBILI NOMZABALAZO

WABA-NTU

By using all sorts of combinations, as I have attempted above, the priest/shaman can heal/afflict, bless/curse as the occasion demands.

Thus we conclude that language as a system of meaningful symbols can be open/closed, weak/powerful, simple/complex, inclusive/exclusive, etc. It is the solemn duty of community educators to make it as *accessible* and understandable as possible – to reduce the verbiage and jargon and thus empower and enlighten the illiterate and semi-literate millions.

The nuclear family (consisting of mother, father and child(ren)) remains the primary educational unit in which language is acquired. I was charmed the other day when I saw a portly African matron confronting a grimy toddler on a Kagiso street: *U e a i?* (She had actually reduced the question Uvelaphi, 'where do you come from?', to its bare essentials. Thus the child could understand, and point in the correct direction.)

Thus we move from basic communication to the vexing issue of language in education. Nowadays parents have to make some tough decisions about where to send their children for primary and secondary education. We take the issue of MOI (Medium of Instruction) as an example.

One hears that some parents in Pimville, Soweto, decided that their children should have English as MOI from year 1 onwards: no bridging, no fuss. One wonders if they also resolved to teach their children correct, pure and standard African languages at home, consciously and regularly. Otherwise those children, in my opinion, stand a good chance, especially if they are within the new suburban 'multiracial' schools, of becoming culturally estranged: becoming emotionally and intellectually colonised and disoriented. Such alienation could have disastrous consequences for the new nation: a whole generation of 'Anglo Africans' who are at home neither in African nor suburban settings. Imagine a whole generation of artificial, distorted personalities who 'cannot speak Zulu/Xhosa/Sotho' and could not care less because such 'lower status languages' will not help to get one a job or to be promoted. One may say I am tilting at windmills here, but I think these are genuine psycholinguistic concerns.

What happened to the joy of learning a new language? What word-games are being played today, at school and at home? The fifties generation realised that in order to 'tame' the English language they must literally play with words: 'Dictation of Standard 2' ('Isidudu sona ndisit-handa tu', which means something totally different, but at least helps the speaker to relate to the foreign sounds/concepts, by using his/her African

language as a base). 'Where are the dull boys?' ('aphi na amakhwenkwe amadala': here 'dull' and 'dala' do not mean the same thing, but a new vocabulary item 'dull' has been 'domesticated' or 'nationalised'. We could go on and on in this vein).

The point is that a new language learned properly can open so many doors: we begin to relate to each other as people, equals, colleagues, friends and neighbours, not just as 'problems'. With functional literacy and numeracy comes a deeper sense of self-worth, a deeper understanding of the other, a firmer grip on one's whole life and future. What is the other side of the coin?

South Africa has an illiterate black population of six to nine million people. These people cannot read or write any language, including their own. We do tend to link illiteracy with the inability to speak/write/read the two 'official' languages (i.e. English and Afrikaans), but the problem/challenge goes further than that. If one cannot decode a simple, graphic traffic sign, then problems could arise. The other day I saw an African mother, with a baby on her back, dashing across a busy Johannesburg street. When she was half-way across, the traffic roared to life. She looked about desperately, as if to say, 'Now what is going on?' Fortunately the motorists allowed her to cross to safety. What struck me about this woman's predicament is that she looked everywhere, except at the 'green/red flashing sign' where her redemption lay. Thus illiteracy can literally kill you. The question then becomes: how many people who get killed on our roads every day cannot read or write, cannot decode basic signs? What can be done about them? Let us look quickly at the politics of literacy projects.

All those who seek to teach the illiterate and the innumerate basic skills need to look at the ultimate goal: self-reliance. Surely when you start a literacy class you should be working yourself out of a job? The challenge is to gradually 'let go' as the adult learners begin to master the programme or curriculum set for or negotiated with them. If you are serious about basic education/empowerment, you will find another desperate community over the next hill. A recent conference (South African Association for Literacy and Adult Education (SAALAE), 3-6 April 1992 in Johannesburg), stressed that literacy projects should not promote dependency, as the IMF and the World Bank have done to many African states. They should empower, not patronise. They should enable our people, not disable them.

As we move towards the political-economic arena we must remember that people have taken various positions on the language debate. A few examples should suffice:

The jubilant/excitable: 'This is good! We have been waiting for this for years! Let the debate begin!'

The curious/remote/stand-offish: 'What's the big fuss all about? We will go on talking our languages and slanguages anyway, whatever you politicians decide! So what else is new?'

The scholars/researchers: 'Now Mrs Mazeebukow, what language or variety do you speak at home/work/with your friend/boyfriend?'

The resentful/defensive: 'You bloody well leave my language alone! You are deceitful and skelm! You know very well that English will rule the roost, okay? So stop that fancy footwork of yours!'

The overwhelmed: 'I am really not an expert you know! This language jazz is too complicated for me! Where do I begin?'

The nervous/concerned: 'What will happen to my moedertaal in the end? Will it be demoted or banned?' etc., etc.

In the final analysis, the language issue is a political hot potato, a question of power and resources. As the debate intensifies around a desirable, fair and democratic dispensation for all, parliament, voting powers, the courts, the civil service all come under intense scrutiny. Certain 'major players' or interest groups such as The English Academy of South Africa (EASA), Linguistic Society of Southern Africa (LSSA), SA Association of Language Teaching (SAALT), NLP, the HSRC and, of course, the ANC/Cosatu/SACP alliance, are beginning to take positions around an imaginary conference table.

Now is the time to be vigilant: to cut through the swathe of slogans, protestations and verbiage to the essential realisation that *human rights, land rights and language rights are interlinked*. We are all part of the problem, part of the solution, part of the people: thus the debate on language and power must be taken out of academia into the streets, beerhalls, taverns, villages, trains, buses and squatter camps of this great nation. If we do not, we should not be surprised when our carefully worked out schemes (i.e. language engineering), tables, diagrams, projections and paradigms are rejected by the silent majority.

We need to keep our feet on the ground, our fingers on the pulse of the nation all the time, as all good journalists do. Then we can avoid serious mistakes like the one attributed to Dr Andries Treurnicht, then

deputy Minister of Education: 'In the white area of South Africa, where the Government provides the buildings, subsidises and pays the teachers, it is surely our right to decide what the language dispensation should be' (17/6/1976).

Of course the recommendation that African languages should be promoted and actively empowered will have economic implications. What does not? More teachers will mean more money. More translators and interpreters especially in our courts and hospitals, offices and jails, will mean some money must be taken from some department, for example the Military or Development Aid, and rechannelled to Education and *real training*.

Like other subjects, economics or finance has its own jargon which can make an outsider very miserable. Take the following extract for example: 'He said a decline in the income tax rate on individuals in the past decade masked a significant amount of bracket creep' (Sheridan Connolly of *Business Day*, quoting Rudolf Gouws, Rand Merchant Bank chief economist: 15/1/1992).

The point is that 'simple language empowers the people, makes information accessible and digestible for them, while abstruse and esoteric jargon be it legalese, journalese or medicalese disempowers and paralyzes'. This does not mean people have no right to secrecy, confidentiality or creativity, but there are reasonable limits.

In conclusion, we have to make the following recommendations:

- If people of this country want to break down walls and communicate effectively with each other, they should strive, as Neville Alexander says (1991:3), '... to be at least trilingual': For example: A person/comrade in the Western Cape would do well to learn Isixhosa, Afrikaans and English. A person/comrade in the Northern Transvaal would do well to learn Sepedi, Afrikaans and English. (Although Chivenda and Xitsonga would also be necessary.) A person/comrade in the Eastern Transvaal would do well to learn Isiswati, English and Portuguese.
- Now that Africa is opening its doors to us, we shall have to think seriously about introducing French, Portuguese and Kiswahili into our public school curriculum. It is so embarrassing to meet friends from Francophone and Lusophone Africa, who can stumble along in English, and you cannot construct one decent French sentence beyond 'bonjour' and 'je t'aime'.

- We need to mount a truly national and effective literacy campaign, which will address issues of resources, curriculum and materials development, language competence, adult-centred methods, workshops and community control. Such a project should aim to go way beyond the 2 per cent of illiterates currently addressed by independent literacy projects.
- We need to re-humanise the language debate: talk to the people behind the statistics, get the print and electronic media to open up and continue a vigorous debate, as *Pace*, *Tribute* and *The Star* have done. (Besides Radio Metro and the English Service of the SABC, what about the African channels?)
- Translation, especially in the courts of our land, should be adequate and audible: care should be taken to ensure that court interpreters are well trained, motivated and remunerated. Each magistrate or judge should check constantly with the accused if the proceedings are understood 100 per cent – not 60 per cent. Proficiency in at least one regionally important African language should be a requirement for all prosecutors, clerks of the court, ombudsmen and other court officials.

Finally we must come to a clear understanding of what we mean by slogans such as 'Power to the People'. '[I]t means that people should not be prejudiced or exploited through the use of languages they are not competent in ... it also means the fullest possible participation of all in the democratic processes whereby the nature of a future South Africa will be determined' (ANC Policy Document, undated).

We have learned through bitter experience that politics permeates every pore of our national life, and there is very little we can do about it, maybe we should take courage from Paulo Freire's dictum: 'Washing one's hands of the conflict between the Powerful and the powerful and the powerless means to side with the powerful, not to be neutral.'

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Language and empowerment

Zandile Motau

Ningizimu Afrika, vumela ulwimi lwethu, Isizulu, luthathe isikhundla esifanelekile emphakathini.

South Africa, let our language, Isizulu, take its rightful position in society!

Language may be defined as a medium of communication between humans in relation to other humans, and to their environment. The possession of a language is essential to the maintenance of group or community identity. Language forms an integral part of human social life and is a significant means of ensuring the continuation of such a speech community. The people of the community that is dispossessed of its language are at risk of losing their identity and of never developing to their full potential, be it educational, social, moral or ethical. This enabling of speakers of a language, especially mother-tongue speakers to develop maximally through the use of such a mother tongue is *language empowerment*. Language empowerment involves the ability to gain power, recognition, knowledge and identity by the use of one's own language. An underestimated, downtrodden and less-regarded language leads to an attitude of linguistic insecurity and linguistic alienation on the part of those people who speak the non-prestigious, unrecognised or underestimated variety. This leads to a mystification whereby the speakers develop a negative evaluation of themselves – and this might result in self-defeat, in feelings of inferiority and worthlessness on the part of its speakers.

In contrast, a recognised language assures its speakers of power, a sense of worth and social position, power with access to other resources within the society such as education, jobs, wealth, social and political

positions. Language empowerment is thus a prerequisite of social status, to a sense of authority and leadership.

As the French sociolinguist has said (I quote): 'Une langue amoindrie, rapetissée, déformée, tronquée et méconnaissable, ne produira jamais que des cerveaux incultes' (Roy 1960:112). (A language which is diminished, shrunken, deformed, truncated and unrecognisable will never produce anything but uncultivated minds.)

To avoid our people remaining 'undeveloped', I strongly suggest that Isizulu share on an equal basis the official status of any other language in South Africa.

FUNCTIONS OF AN OFFICIAL LANGUAGE

I shall therefore briefly outline what I regard as the essential characteristics portrayed by an official language in society (with which Isizulu complies) and briefly describe the official language situation in South Africa.

Social function

In the first instance there exists an interaction between language and social life. The function of language in social life is to ensure that respect is expressed in every society. An official language in a country should serve as a link or a foundation for communicative competence that leads to mutual understanding and mutual coexistence between speakers of different languages. South Africa today is facing linguistic trauma because of a communication breakdown among the people. This leads to mistrust, estrangement and hostility. The present official languages, that is, English and Afrikaans, are failing to bridge the gap. Only a fraction of the Zulu-speaking people, for example, have an average knowledge of either of the official languages (as is supported by the research of Van Vuuren and De Beer 1990). The white people of South Africa therefore do not see the need to learn the black languages, and they remain unprivileged by not being able to understand and to communicate to the greater South African population which is illiterate.

Educational function

Language plays a role in thought and culture. It serves as a transmission of beliefs, knowledge, values, practices and conduct of a people. Language performance (i.e. the ability of a native speaker to use his language in concrete situations) is a vehicle by which a vast body of knowledge about

the world can be acquired. Many of the black people are unable to attain language performance because the language they can develop in remains a second language to them. Some do not even have the opportunity of being educated because they are not exposed to English and Afrikaans as people in the urban areas are, and therefore cannot further their studies in languages foreign to them.

An official language should make provision or be the vehicle for the complete intellectual development of the mind, the ability to create and improve living standards in a country. Black education in South Africa is heading for doom because on the one hand young people feel that being educated means turning away from one's mother language, cultural values and moral standards, and on the other hand education did not change the apartheid system under which people lived. Black literate people are still overlooked because their languages are black, the so-called indigenous languages of South Africa.

It is my belief that our present education situation can change dramatically if the black languages of South Africa can be made official in the sense that they are to be treated on an equal footing with English and Afrikaans so that all people get an opportunity of learning further in their own languages and of improving their living standards. The present poverty and unemployment that is reigning in the country can be drastically reduced.

Administrative function

An official language is a language that is used by the government of a country for its records, rules, statutes and interdepartmental correspondences. Since a government or a state represents the people who instated it, it should speak the language of the people. To obtain this goal, all the black languages, together with English and Afrikaans, should be used as official languages for administrative purposes – be it on national, regional or district level. I am strongly opposed to the role of interpreters and translators as a permanent strategy to resolve language conflict and misunderstanding. In my experience interpreting and translating efforts usually resulted in misinterpretations and misconceptions. In courts of law, for example, the judges could not receive a first-hand report on cases, and they relied solely on interpreters who in some instances misinterpreted the cases on purpose or unintentionally because they were also translated a first language into a second language.

Such a strategy has resulted in most black people losing their confidence and trust in the law management of the country. An inability to communicate in the same home language has also been one of the major causes that has led to the dislike of the Police and the Defence Force. The people do not understand how the law is managed, what is meant in the regulations on law and order and these misunderstandings lead to law breaking and subsequent arrest. When people do not understand each other, much distrust can result.

LANGUAGE AND EMPOWERMENT, WITH SPECIFIC REFERENCE TO ISIZULU

As a Zulu speaker, I maintain that Isizulu should be declared one of the official languages of South Africa for the following reasons:

The geographical factor

The Isizulu language is spread evenly throughout southern Africa, with speakers from KwaZulu, Natal, Eastern Transvaal, the PWV area and the northeastern Orange Free State. The highest concentration of speakers is found in the Natal/KwaZulu area.

Statistics

Among all the language populations of South Africa, the Isizulu speakers comprise the largest number, and this gives to the language a sense of importance and power. With the exclusion of the TBVC states, there are at least 24,5 per cent Zulu-speakers (approximately seven million) compared with 11,3 per cent (approximately three million) English-speakers and 19,8 per cent (approximately five million) Afrikaans-speakers.

Historical background

Even though history should not be a basis for evaluating language, it is worth noting that the Isizulu language has a rich background and deep-rooted origins. Zulu speakers have inhabited the southern regions since at least the sixteenth century, like the Xhosas. The struggle of King Shaka especially to maintain the Zulu-speaking nation, has lent a strong hand to the strength, power and pride of the language and its speakers.

The first grammatical description was published in 1847, a dictionary in 1855 and a translation of the New Testament in 1865. At present written

Zulu in its standard form is regulated by the Zulu Language Board of KwaZulu.

Wide range of communication

Isizulu is understood by speakers of most of the so-called Nguni languages (Swati, Ndebele, Tsonga, Xhosa) and it has many dialects such as the Zulu spoken in Pretoria, Soweto and Zimbabwe. There are a reasonable number of Sotho speakers who can understand Isizulu and most Indians and many white people living in Natal/KwaZulu and some sections of the Transvaal have a basic knowledge of the language.

Isizulu is also used as a medium of instruction at lower primary schools and it serves as first language of instruction up to matric level. It is also taught at ten local universities such as Unisa, the University of Pretoria, Unizul, Vista and Wits.

Compared with all the other radio stations of the SABC, Radio Zulu, which broadcasts 129 hours per week, has the largest listener ratio of 2,994 million listeners in South Africa. CCV TV, which presents programmes mainly in Isizulu and Isixhosa, broadcasts for approximately 14 hours a week.

IN CONCLUSION

I propose that the language planners of South Africa consider and reconsider the present standpoint with regard to Isizulu. It might be argued that the vocabulary of the language is still underdeveloped and lacking in terminology. It is true to some extent, but it should be borne in mind that because of the past apartheid system in the country, the black languages were not privileged to develop. As I mentioned earlier, scholars were discouraged from learning their mother tongues because, no matter how learned they might become, they would still be overlooked in the predominantly Afrikaans/English educated society of South Africa, because their languages were black. Writers of literature were subsequently silenced or their books banned under the so-called censorship because they were either criticising the government or enlightening their people on the prevailing situations. As D. B. Z. Ntuli, professor of African languages at Unisa, states, citing examples of such writers as Sipho Sepamla and Mazisi Kunene:

Many a black writer for fear of being inconvenienced has made them not to write involved at all. Others used diplomatic language as a means of camouflaging their protest and smuggling the message to

their readers. Others resorted to English as medium because there was more freedom – their works could be read overseas (Malan 1987).

There were also no facilities, and little financing was given to the language boards to improve the black languages. Another factor is that nowhere in the country were black language professional people required in professional positions using their black languages, for example in placing people in good jobs, filling in tax forms, bank forms, applying for identity documents or house loans. They cannot even listen to speeches by their State President or other Cabinet Ministers in their own languages.

The Isizulu Language Board is presently improving the language. New terms are being introduced, more books are being written and students are encouraged to be proud of their languages, and to see to its advancement. These are some of the reasons, among a thousand, why I propose the Isizulu be a recognised official language on a national level in South Africa. (This should apply to all the other indigenous languages in South Africa.)

I would like to take my children to a Zulu school. I want to communicate with the government in my own language, in the language I understand best. I want to listen to parliamentary speeches in Isizulu. I do not wish to hear big, bombastic English or Afrikaans words that I do not understand, and I do not like interpreters since they are normally untrustworthy, full of hidden agendas and try to sell the speaker's point of view. How the government will provide for Isizulu as a national official language is a matter that needs their attention and it will be resolved by them. I have merely stated my language needs as a citizen of a future South Africa.

'I speak siSwati', Bhozongo explodes: language rights and the individual in a Swazi court

Sarah Thembile Mkhonza

Swaziland is a small country in southern Africa, which gained independence from Britain in 1968. It is ruled by King Mswati III. Its population is less than a million people. The people of Swaziland speak siSwati, a member of the Nguni language family that includes Zulu, Xhosa and Zimbabwean Ndebele. English is a legacy of the colonial period, and as in most countries that were colonised by the British, it is the language of power in that it dominates all spheres of Swazi life. It is used in parliament, commercial transactions, technology, education, health and the like. English is so widely used that the people of Swaziland find themselves frustrated because this is coming to be thought of as normal procedure. Since Swaziland long ago gained independence from the British, siSwati should be gaining importance so that the majority of the people can feel that they have a voice in the affairs of their own country. As it is, it is the educated people who can speak English who enjoy privileges such as employment in government posts and private companies so that intelligence is interpreted in terms of the ability to speak English. This paper will look at language use in the legal domain, a domain which, while using both languages, has English as the dominant language.

In order to understand how language is used in Swazi courts it is necessary to provide some background on the system of justice used in the

country. The judicial system of Swaziland is made up of the Court of Appeal, the High Court, Subordinate Courts, the Industrial Court and Swazi Courts.

The common law of the country is Roman-Dutch, which is the law that applied in the Cape, which was once one of the British colonies. Statute law consists of Transvaal laws which were in force in 1907, and all laws that were enacted by the British administration until 1964, by the legislature of Swaziland up to April 1967, and the King and parliament of Swaziland thereafter. Swazi Law and Custom, as practised by the Swazis before the white people came, is administered in the Swazi Courts (*The Guide to Botswana, Lesotho and Swaziland*, 1983:994).

These facts reflect the dual nature of Swaziland's legal system in that there is a Western system and a traditional system. The judicial system of Swaziland has been maintained as it was in colonial times. Language use in the courts has also tended to follow the tradition established by the colonialists. All the other courts conduct business in English, with interpreters provided when there is a need.

Records are also kept in the English language. The Swazi National Court conducts its business in siSwati because it is mostly the Swazis who cannot speak English who go there. Swazi national law is still unwritten. This means that customary law as known by the elders is practised without any record of how it has changed over the years, if at all. Records are kept in memory as was done before any Swazi could read.

This pattern of language use follows the dual nature of Swazi life in that Western ways are accommodated alongside the traditional. Although during the colonial period it was the whites who lived the Western life, the more the Swazis became educated, the more Western life opened up to them. This has been a result of stepping up the education of the people in the post-independence period. This has given access to employment in government and in the private sector in a post-independence economy that is largely dependent on foreign money. In most spheres of life in modern-day Swaziland it is the educated Swazi who can take advantage of all the opportunities that Swazi life has to offer, mainly because things are run in the English language. The ordinary Swazi, who speaks siSwati, finds himself/herself a misfit in a world of the educated when he goes to the courts, the banks and many such establishments which are meant to serve the people.

DISCUSSION

I intend to discuss language rights and the individual by looking at the experiences of one individual in a Swazi court. The court in which the situation takes place is the Industrial Court of Swaziland. The Chief Justice of Swaziland presides over this court in which industrial disputes are settled. The situation I have chosen raises some fundamental issues on the use of language and language rights of the individual and the individual's capacity to claim his/her rights when he feels that they are being violated.

THE LANGUAGE OF RESEARCH AND THE INDIVIDUAL

I have chosen an article from *The Times of Swaziland* of 11 September 1990:28 in order to sharpen the focus on how language affects real people who have the ability to express their frustration so that the world can know how they feel about this question of language rights.

Tollefson (1990) raises an important question in his book when he points out that language planning has tended to focus on planning as an activity that tends to be removed from the problems of the people that are directly affected by it. He points out that the people who are disadvantaged by bad planning become suppressed because social science research dehumanises them. He puts the biggest blame on the language of social science research:

Most language policy research fails to capture the human experience of individuals facing the consequences of state language policy ... It is the language of research itself that dehumanizes and depersonalizes; indeed, scientific language deliberately suppresses any direct expression of human experience (Tollefson 1991:205).

Tollefson says that quite often words such as 'plans', 'formulated', 'implemented', 'subjects', 'populations', 'empirical', 'studies', 'data', and 'generalisations' are used. He points out that this terminology distorts the real portrayal of people and the situations that frustrate them. In other words, people are not real human beings in the language of research but 'samples' or 'cases' that are being studied by those who know the jargon. Even when recommendations are made, they end up being obscured by vague terminology that cannot help the people whom the research is about because all one finds are phrases such as 'planners must consider the costs involved in any implementation plans'.

He comments that: '... in the impersonal language of research people do not exist as living, breathing, feeling human beings. When real people

are discussed at all it is only in categories of characteristics, such as "minority", "Hispanic", "immigrant", "Spanish speaker" or "Asian".

He regards these as fictitious inventions that 'limit, restrict, determine, and disempower the very people that the research is meant to help'.

Even though Tollefson points out these shortcomings, he becomes guilty of the same thing to a certain extent when he relates the experiences of his subjects in indirect speech but fails to tell us what exactly it is that the people he is writing about say and feel. I have chosen an article from *The Times of Swaziland* to help me discuss the circumstances in which the Swazi person finds himself/herself when he goes to a court in Swaziland. It shows that the people who are affected by state policies are real people who can speak for themselves and can do so with the anger that the situation they find themselves in demands. Although they are rendered helpless by the policies, they have opinions and can express their language preferences when they feel disadvantaged.

In the article which appeared in *The Times of Swaziland* of 11 September 1990, Mhiengi Mbatha reported an interaction between Sam 'Bhozongo' Simelane and the President of the Industrial Court, Judge Hassanail, an expatriate employed to preside over cases in the High Court and the Industrial Court at the time when this situation took place. Sam Simelane or 'Bhozongo' (his second clan name which relates him to one of the heroes of his clan) was a well-known businessman in Swaziland. The judge addressed him in English and he exploded and stated in no uncertain terms that he spoke siSwati, the language of Swaziland. His statement drew laughter from the people in the gallery. The writer of the article focused on the linguistic factor in the article, but also brought out the social attitudes of the educated Swazis towards people who cannot speak English. His choice of words showed this very clearly.

He began: 'A business man who allegedly cannot understand English protested very loudly at the use of the language ...' It is obvious from this sentence that he is writing the article for the reader who, like himself, can speak English. In order to protect himself and his attitude in concluding that Bhozongo exploded because he could not speak siSwati, he uses the word 'allegedly', because this is an assumption. The fact that this is an assumption is also made obvious by the use of the word 'only' in the translation of Bhozongo's statement. Anybody who knows siSwati knows that the 'only' is brought in by the reporter because 'Ngikhuluma siSwati mine' translated directly is 'I speak siSwati me', that is, if one were allowed to translate this statement directly. In other words Bhozongo emphasises the self and the reporter emphasises Bhozongo's limitations by stretching

the inferences to put his reader into the mode of thought he wants by adding a nuance of meaning that is not morphologically represented in Bhozongo's speech. To avoid being challenged – as one may be offended by this allegation – he uses the word 'allegedly'.

The article went on to report that Bhozongo's declaration drew laughter from the spectators in the public gallery. The reporter pointed out why Bhozongo was angry.

Simelane was upset because Mr Hassanail had addressed him in English, which he did not understand at all.

There is no evidence in the interaction that Bhozongo said he could not 'understand' English 'at all' nor any indication that an attempt was made to establish this. The article goes on to discuss the major points that were raised in the interaction. Bhozongo is helped by an interpreter to convey his ideas. To this reporter, it is Bhozongo who has a language problem and not the judge. Not even once does the writer refer to the interpreter as interpreting for the judge, who is also being helped by the interpreter to understand Bhozongo.

The writer of the article misses the most fundamental point: Bhozongo was claiming his individual rights. The section on the provision to secure protection of law of the Report of the Swaziland Constitutional Committee (1968) states that: 'Every person who is charged with a criminal offence shall be informed ... in a language that he understands in detail, of the nature of the charge' (MaCarthy 1971:68).

Swaziland's constitution provides for people to be addressed in the language they understand. What this means in practice, however, is that interpreters are provided for people who speak siSwati. English is still the language that is used by the lawyers and the judges. The siSwati speaker relies on the interpreter while an English-speaker can answer directly if he/she chooses to.

The constitution lays a good background for a policy that accommodates both the languages that are spoken in Swaziland. However, a lot needs to be done to bring siSwati to its rightful position inside the court so that the people who speak it will feel that they are not on foreign ground. Most government activities are carried on in the colonial tradition in Swaziland at a time when things should be done to the advantage of Swazis. In the area of language one feels that the time has come to change and have most activities carried on in siSwati so that all the Swazis can feel represented. A policy of language use that bears in mind the rights of the majority has to be put into effect.

Bhozongo was laughed at. He was seen as a misfit because he could not speak English. His ability to claim his right to be addressed in the language he speaks, even though it drew laughter from the people who should have supported him, was the act of a man of integrity whose ability to voice his frustration is a good lesson for many. Most people in such a situation would be intimidated and not even know what to say. His statement can be interpreted as an outcry against the fact that it is more than twenty years since Swaziland gained independence and yet people still hang on to the English language as if their lives depended on it. Such should not be the case.

Simon Simelane or 'Bhozongo' is probably not really representative of the ordinary Swazi who is frustrated in the linguistic situation of Swaziland, because he is a businessman, successful, an employer, but what is important is the open declaration he made in the situation he found himself. I feel his frustration does portray the frustration of those who would like to make this open declaration. He speaks for the poor who cannot afford to go to school because education is expensive; the school dropouts who left because they were not academically gifted since the education has tended to focus on academic ability and expression in the English language only; the miners who are seasonal labourers who have to work in the mines in South Africa because of unemployment in a country where employment is available to those who can speak English; women who are out working in the fields to earn a living because they did not have money to go to school in a patriarchal society; children; the living and the dead because they have come a long way with the language which is their cultural heritage. All these are people who have an obligation to see the language brought into all spheres of Swazi life without being made to feel that they are outsiders who must enter the world of commerce, politics, economics and science, with a language whose origins and nuances they do not know, since it evolved in a foreign culture. These people would all agree with Bhozongo's declaration and say 'I speak siSwati' if they had the power to make the declaration, because they do speak siSwati. Since it is the language of the majority of the people, it should be the language of the courts, all courts, not just a language that is used in the Swazi National Courts.

It is obvious that the existing situation does not serve the interests of the majority of the Swazis, but talking about change means making people aware that things could have been different. This situation is an anomaly, and it is interesting to investigate it and see how it came to be the way it is. Sometimes Africans tend to blame colonialism for all the problems that

exist in African countries, and yet independence came so that people can realise that they have the power to change things and make them what they should have been. Looking into the history of language and the courts in Swaziland shows that if the Swaziland legal establishment had pushed for siSwati, it could have been the language of the courts instead of English.

LANGUAGE AND THE EMERGENCE OF THE COURTS IN SWAZILAND

The trial of King Bhunu for the killing of Mohapha Sibandze marked the first court case in which an African was taken to a European court for trial. Since the establishment of the courts Swazis had tried Swazis through their legal system and the colonialists have tried each other through their courts. This incident demonstrated the first clash in the dual legal system of the country (Matsebula 1972).

There seems to be no specific reason why the country acquired legal systems in which different languages are spoken. When the Secretary of State for Dominion Affairs arrived in Swaziland in 1932 to evaluate the country's economic situation, he was stunned by this anomaly. He noticed that the Europeans who worked as magistrates did not speak the indigenous language and wrote that:

Approximately one third of the European police have a poor knowledge of the Swazi language. They belong chiefly to the older men, and this state of affairs is partly due to the fact that the older men were for the most part transferred from the South African constabulary. In the future the Civil Service Regulations will be applied under which promotion is not possible without passing a language examination (Secretary of State for Dominion Affairs Report 1932:46).

He also noticed that there were many interpreters, which was something the budget could not allow. A feature of the cadre which at once strikes anyone with experience of India is the number of interpreters, including six native corporals and three constables. They act as interpreters not only for the police, but also for the magistrates, however well acquainted with the language the magistrates may be (Secretary of State for Dominion Affairs Report 1932:47).

He pointed out that this is how things were done in the Union of South Africa. While he was concerned about the use of interpreters in an ailing economy, he could not institute that siSwati be used even though this seemed to be the most logical thing to do. The maintenance of the use of English was supported by three arguments:

- that one was regarded with more respect when speaking through an interpreter;
- that no European can convey the finer shades of meaning in the same way as a Swazi when translating from English into Swazi;
- that so many people who could not speak siSwati were involved in the legal process that magistrates could spend their time translating everything instead of paying attention to the case.

The Secretary of State for Dominion Affairs did not find any of these reasons satisfactory. Even though the first one was the opinion of the Inspector, he did not find it at all true in the courts other than in the case of public ceremonies. The second reason, he pointed out, 'tends to prevent adequate efforts being made to learn the language fluently'. He pointed out that this practice had been so well established that he could not do anything about it, especially because 'the advanced natives who pressed for its abolition merely wanted to substitute others presumably from their own ranks'.

This is an obvious case that illustrates that the knowledge of English had already created Africans who benefited from the use of English in the courts. Even though the use of interpreters was an expense, siSwati was ruled out of the question of being established as the language of the legal system of the country. The question of making siSwati the language of the law was never considered even after independence. The Swazis came into power and maintained the status quo.

One wonders how much is lost when an interpreter speaks for someone who is to be tried. An attempt to answer this question shows that the interpreter has to be someone who is skilled because the ability to interpret legal jargon requires proficiency. One wonders if interpreters in Swaziland have this skill.

O'Barr points out that connotation and tone are important in law:

Law and legal argument are largely a matter of words in which connotation and tone may be critical. Adversaries choose their words carefully to put their own case in the best light. Statements of fact may include interpretations of motive which require judgments of degree that are difficult to differentiate. A translator may miss the emphasis in a qualification or fail to emphasize a key word in a statement. Faced with such possibilities in translation, litigants have reason to feel less legally efficacious (O'Barr 1976:89).

This shows that in order to help people in courts it would be better if their first languages were used so that they could understand what is said. Tanzania is one country that has tried to have an African language used in its courts. This has involved some political declarations and the attempt to come up with a nomenclature. In 1965, a Swahili dictionary of law was compiled. Even though this dictionary has been criticised for translating British legal concepts into Swahili, its availability made it possible for Swahili to be used in the courts instead of English. Although the lawyers are still trained in English they are able to represent people in courts where Swahili is spoken. This is one of the few cases in which the situation Bhozongo protests against would not have arisen.

LANGUAGE AND THE RIGHTS OF THE INDIVIDUAL

It is a fact that language is used by individuals and it is for this reason that one is forced to emphasise the rights of the individual to the use of language. The statement that has to be made clear is that language is an individual right which should not be withheld by state policy. The situation which exists in most African countries is one that is becoming intolerable to the majority of the people who are suffering under it. Hence people like Bhozongo are forced to explode. The importance of language rights as the key to economic and social justice cannot be overemphasised. Tollefson observes that there are many people who do not have the right of expression in the world because they do not have the power to institute these rights. He says: 'Rights are granted when those who support them have the power to insist that they be enacted. In other words, the foundation of language rights is power' (Tollefson 1991).

The Association Internationale pour le Développement de la Communication Interculturelle, which was held in Recife, Brazil, in October 1987, pointed out the main points about these rights:

- the need to arouse and foster awareness, within and across cultures, of the recognition and promotion of the linguistic rights of individuals and groups;
- the need to acknowledge, promote and observe linguistic rights nationally, regionally and internationally, to bring about and assure the dignity and equity of all languages;
- the need for legislation to eliminate linguistic prejudice and discrimination, and all forms of linguistic domination, injustice, and oppression, in such contexts as services to the public, the place of work, the educational system, the courtroom and the mass media;

- the need to sensitise individuals, groups, and states to linguistic rights, to promote positive societal attitudes toward plurilingualism and to change societal structures toward equality between users of different languages and varieties of languages (Tollefson 1991:171).

These resolutions raise important points that Swaziland has to consider. This means a reconsideration of the provisions in the constitution to make sure that language rights are emphasised. All the domains of language that deal with services should make sure that people's language rights are not violated. It is not just the individuals who should constantly fight for their rights to be addressed in a language that they understand; the country should support people's rights in its constitution. It is crucial in such places as hospitals and the courts to make sure that language rights are adhered to because it is necessary for people to express themselves and be listened to. Sometimes this may be a matter of life and death. Swaziland is a country which needs to make sure that language rights are adhered to, because at the moment it is only people who can speak English who are not restricted in all domains because of language. This is critical in such domains as employment because the people who have been to school are the only ones who are able to get good jobs since education is available only to a few. Deprivation of language rights affects many areas, and since the majority of the people speak siSwati, it means most of the Swazi people's rights to the language of the law, work, business and the like have been traded away in a country which operates in the language of England.

The situation which prevails in Swaziland exists in many African countries. African countries have tended to place emphasis on the importance of English as an international language that connects African countries like Swaziland with other countries. This has prevented people from realising that in those domains in which language is meant to help Swazis like the domain of the law and health, this does not apply.

The resolutions of the conference held in Recife show that language rights should be at the centre of discussions on language policy if any country wants to make changes for the better in this area. It is also true that the changes that will be effected will be determined according to the needs of each situation. Different countries have different language needs. A monolingual country such as Swaziland has different needs from most of the African countries which have more than one language. One would think that Swaziland stands a chance of solving its problems because it does not have this major problem which most African countries have. While this may be the case, Swazis have to know that if the people who

are problem-solvers are not aware of the need for the protection of the people's right to language, very little can be done.

Since the context for discussion will also be provided by each domain of language and the way language is used in it, it is important to be sure that discussions on language rights take into consideration what the real language needs of each situation are. The situation that exists in Swaziland courts shows that the English language does not serve the interests of the majority. Something has to be done to ensure that this situation changes. How this situation can be changed will be determined after a thorough discussion on what the languages in the courts are used for, by whom, and for what purpose.

I am not suggesting that siSwati should be substituted for English in Swaziland courts. Replacing one language with another would not do much to help the situation, because colonial legal concepts still dominate. These legal concepts, even if spoken in siSwati, originated in a different culture. A lot of thinking and articulation of cultural perspectives by Swazis in the language that they speak has to accompany language planning for this problem to be solved. This implies language planning, which can be best carried out in the writing of a proper language policy of the country. Within the legal domain this means Swazi experts in legal matters have to meet with linguists and discuss aspects of the law and their articulation, bearing in mind the culture that these must reflect. Experts in customary law and the people who are aware of their rights, such as Bhozongo, should not be barred from such an exercise. Such an exercise can be done as a preliminary to language planning even though the best outcomes can be arrived only at if all the stages of the language planning process are undertaken.

Scholars generally agree that there are two major subdivisions in language planning: status planning and corpus planning. Status planning is a decision that points out the function that a particular language will play in a society. The stages of status planning are five: decision-making, codification, elaboration, implementation and evaluation.

The decision-making stage is a stage in which political authorities, after serious deliberations, resolve what to make of the language of the country. Codification is a stage in which a statement of purpose that reiterates what went on in the decision-making stage is made. Elaboration deals with rules and regulations that support the formulated order and how it will operate. Implementation is putting the plan into operation. It deals with funding the planning process as it goes into operation. Evaluation looks at whether the goals are effective or not.

Corpus planning goes hand in hand with status planning. As Fishman says, languages can neither be written without writing systems nor can they be used as languages of technical instruction without written terminologies. Corpus planning deals with the linguistic content of the language. This stage of decision-making requires the choosing of a language variety that is supposed to be standard. Codification in corpus planning is usually done by language academies. They write the grammar of the language. Elaboration means the production of the nomenclature of the language. Terminology, dictionaries and the like are compiled. Evaluation means finding out how the results of the elaboration are progressing in the real world.

In the case of Swaziland siSwati has to go through status planning. After independence it was decided that siSwati and English would be the languages of Swaziland, but no proper language planning was done. It was necessary to define clearly the roles that these languages would play in a country that has a majority of people who did not speak English.

SiSwati was written as a language, and introduced in the schools, in parliament and all other areas alongside English. This was to replace Zulu which had been the Nguni language that the Africans learned in schools. Later efforts were made to standardise the language and develop a literature. This is all that has been done in the area of language planning.

This means that in all other spheres of life things remained the same as they had been during colonial times. The courts are a good example of an area in which language use remains as it was in colonial times. Swaziland needs to sit down to form a body that will take siSwati through all the stages of language planning so that even in the courts legal language and concepts can be expressed in the language of the people and also to form a perspective of the culture of the people.

Many writers have observed that the dual nature of Swazi life raises problems because it maintains inequalities. Even if the courts changed and had siSwati as the language, the ordinary Swazi would still go to the Swazi national court and the educated Swazis would go to the higher courts because they have been westernised and carry the legal culture with which the educated Swazis have come to identify themselves. The situation requires a replanning of language use and a consolidation of the courts so that there is one legal system, that of the Swazis of today. This would enable the people to see themselves as one and be able to uphold their future together. This implies a bringing together of ideas from the colonial laws and the Swazi National law, because Swazis of today cannot help but live in the Swaziland of today, which is a Swaziland that has been shaped

by a bringing together of these sociohistorical situations. The reasons why the elite go their own way and the majority of the people go theirs is that the dual system is not pulling in the same direction. These are not two equal systems. This is shown in controversial cases where the legal systems clash. A case will go into the Swazi Court on one occasion and the Western court the next, and as everybody knows, it is always Swazi National Law which has to succumb. The law of the people is thrown out.

Tollefson points out that language does not cause inequalities but merely maintains them. Since this is the case, the languages spoken in Swaziland have adapted to the inequalities of this dual system and have entrenched them (the inequalities) as the system demands.

THE TANZANIAN SITUATION

The Tanzanian situation is useful in looking at an attempt to adapt a language in the post-independence era. In Tanzania, English was the language of power during the colonial era. With the coming of independence, however, the people of Tanzania changed to Swahili. In order to effectively change language use in the courts and involve all people, the legal system also had to be changed.

In the colonial period two types of courts existed. These were the English Courts, in which the British law of the colonies was used, and the Native Courts. English was the language of the courts established by the British, and Swahili and the local languages were spoken in the Native Courts.

The courts were integrated in 1964 in a system which had a High Court, District Courts and Primary Courts. Swahili became the language of the courts and customary law cases were first heard in the Primary Courts before they were taken to the District Courts. Civil suits were heard at district level. Although not all Tanzanians speak Swahili, the changes which were effected involved more people as equals in Tanzanian courts. The language planning which went into the change was part of the major language planning process which affected the whole country. There were changes from English to Swahili in most spheres of life, not just in the courts. While the process has not been completed, it shows that the language situation of a country can be changed in the interests of the majority. Swaziland can also effect such changes.

SWAZI PEOPLE AND THEIR ATTITUDES TOWARDS SISWATI AND ENGLISH

The article that appeared in the *Times* provides a good example of the attitudes of Swazis towards siSwati and English. English is the language of power and siSwati is the language of the home. The attitude of educated Swazis towards siSwati is revealed in the laughter of the people in the gallery. A person who speaks only siSwati is regarded with ridicule, especially when he is in a situation like the one in which Bhozong found himself.

Ngugi (1986) says that the real aim of colonialism was to control the people's wealth: what they produced, how they produced it, and how it was distributed. He points out that while this was a control over what the people produced, the most important way in which it could be done was through mental control. Language played a big role in effecting the mental control of Africans. Knowledge of the English language became the means by which people gained power and when independence came people were able to obtain voting rights because they were able to speak English. Paver's discussion of Northern Rhodesia and Nyasaland and voting rights make the role of language in the rise to power of Africans very clear (Paver 1958).

The situation that the Secretary of Dominion Affairs found existing in Swaziland courts in 1932 is an example of this. It was not just the colonialists who were working as magistrates who objected to having siSwati as the language of the courts instead of English. Already there were African interpreters who were benefiting from the use of English and would not support the introduction of siSwati in the courts. Even though he pointed out that this situation had to change so that proficiency in the language of the people became the language requirement for becoming a magistrate, nothing was done about it. The status quo was maintained and remains the same today.

When Swaziland gained independence in 1968 the Swazis should have changed this situation, but they did not. Instead they moved into the shoes of the colonisers and became the coloniser.

The attitude of the educated Swazi towards English is one of idolising the language. The British accent is highly regarded in Swaziland. The saying goes 'Akasikhulumi siphuma ngemakhala', meaning 'he speaks English so well it comes out through the nostrils', likening the speaker to the British person and his nasalisation that most Swazis cannot produce when they speak in their Swazi accent. Stigmatised accents are seen in

polarisation with the epitome of success, the British accent. In the circles of the educated, life is indeed reduced to the linguistic. The better your English, the more respect you get among your colleagues. This is why the people in the gallery laughed at Bhozongo. Being a well-known figure in the commercial world of Swaziland, he emerged way below the expectations of those who hear advertisements about his business on Swazi radio. This is because Bhozongo's business enterprise has his name. When the people expected the typical businessman he emerged Bhozongo, the illiterate, the native.

Like educated Africans in many African countries, the educated people of Swaziland are caught up in a double bind, of having to use the language of the coloniser in the courts, schools, business, and the like, but living with the fact that they are non-native speakers of the language who speak siSwati as their first language. While the people cannot deny that siSwati is their heritage, they have been unable to develop mentally with the language of their forefathers. They have agreed to be mentally marginalised because they cannot write and understand English like native speakers and they have not developed the language they know best. This is why I feel Bhozongo speaks for everybody in Swaziland. It is not through English that the Swazis will be liberated socially, economically, politically and otherwise. It is through siSwati, the language in which they think best, do research and explore for themselves truths about themselves and their world. It is evident in all spheres of life that in Swaziland, since English is the language of power, native speakers of English have the real power since they can express themselves well in their own language. Even though educated Swazis can claim to have knowledge, if it is learned in a foreign language, the language factor has a marginalising effect. Swaziland is no different from a colonised country because there has been very little change since colonialists handed over power. The area of language use reflects this. This means Swaziland should write a language policy that takes all these things into consideration.

CONCLUSION

While one realises the importance of English in the international world, one may also maintain that in the domain of the law it is the people of the country who must be given the right to speak, because the law is for the people, not the international world. This thinking that English connects Africa with the international world is sometimes used to justify the oppression of the African majority who do not speak English.

Swaziland does not have the problem of multilingualism like most African countries. In a country such as Swaziland where there is only one indigenous language, siSwati, there is no reason to have English as the dominant language in the courts. The situation can be changed if people can realise that this is the right thing to do. While language planning in Swaziland will take a long time to accomplish, it does not mean that nothing can be done at the present moment. SiSwati should be promoted in the courts so that all people will feel that the courts are for them. People should be educated about their language rights.

This means that the planning should be undertaken with some long-term and short-term goals in mind. Making people aware that they have the right to use siSwati without feeling inferior does not have to wait for the whole language-planning process. Having a clause in the constitution does not mean that people know that they have these rights. Most of Swaziland's population is illiterate and since these people cannot read the constitution, they do not know anything about their language rights. Even educated Swazis do not know about language rights. Since they do not feel the inconvenience, they are not even aware of their rights to language. It is the Swazi who cannot speak English who suffers. This is why it is people like Bhozongo who speak as he does in court.

As pointed out, long-term solutions can be accomplished in a language-planning policy that involves the whole country. Only then can Swaziland be a country in which there is freedom for all the people. Language rights should be at the centre of language planning in Swaziland. Deprivation of language rights is tantamount to a deprivation of freedom of speech, because the people whose languages are not languages of power are perpetually silenced since they do not understand what is said. Each country provides a different context for the discussion of language-planning issues. These are shaped by its sociohistorical evolution. Each domain of language planning has different language needs and we can see that in the legal domain, it is the needs of this domain that will determine how changes can be effected. The domain of the law in Swaziland has its own specific needs which have to be taken into consideration. The sociohistorical evolution of the courts plays an important part in helping us understand how the use of language came to be what it is today. Changes that are brought about must take this into consideration.

One hopes that this paper will initiate a discussion that will bear in mind that language affects real people who should be involved in discussions on language policy because the policy affects them. Bhozongo's outburst in the industrial court is a good example of the fact that it is not

just experts who should discuss language policy. Ordinary people have their opinions and these are very important because the consequences of poor language planning can be very serious.

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