

A Critique of Multilingualism in South Africa's Post-Democratic Parliament with
particular reference to the use of Selected Minority Languages

By

Elizabeth Lucy Masombuka

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Supervisor: Professor Russell H. Kaschula

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DECLARATION

I declare that this study on the topic “A critique of multilingualism in South Africa’s post-democratic parliament with reference to the use of selected minority languages” is my work and that I acknowledged all sources that I have used and quoted in the study by means of complete references.

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E.L. MASOMBUKA

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DEDICATION

I dedicate this study to my late Husband Mr Sampie Thandangubani Masombuka who has been a pillar of strength throughout my journey and my career.

DEFINITIONS OF TERMS AND ACRONYMS

POSA	Parliament of the Republic of South Africa
SONA	State of Nation Address (Presidential speech that is presented in the beginning of each year which is regarded as the opening of Parliament)
PO	Presiding Officers (Speaker of NA, Chairperson of NCOP or the Chairpersons of the Two houses)
LOD	Legislation and Oversight Division
KIS	Knowledge Information System
LSS	Language Service Section
NA	National Assembly
NP	National Party
NCOP	National Council of Provinces
TU	Translation Unit
IT	Interpreting Unit
RU	Reporting Unit
MP	Member of Parliament
SASL	South African Sign Language
Hansard	An official verbatim report of the proceedings in the Houses of Parliament.
Unrevised Hansard	Hansard that is transcribed and loaded to the website without Translation and is not edited
Logging	Electronic Recording of the speeches in the two houses
PanSALB	Pan South African Language Board

Portfolio committees	Committees of the National Assembly (NA) that are appointed from among its members to shadow the work of the various national government departments
Standing Committee	A permanent committee, as of a legislature, society, etc., intended to consider all matters pertaining to a designated subject (NA)
Ad hoc committee	Is a short term Committee formed for a temporal time to deal with the specific issue. The committee ceases to exist once it has completed its mandates.
Joint committee	A joint committee is a committee made up of members of both chambers of a bicameral legislature (i.e. NA and NCOP)
Select committees	A select committee is a committee made up of a small number of parliamentary members appointed to deal with particular areas or issues in the NCOP
Internal Committees	an internal committee is a committee established to solve problems and engaging staff on internal issues of the institution.
Oversight	Oversight is a function granted by the Constitution to Parliament to monitor and overseeing government actions
Bicameral Parliament	Bicameral/a Legislature or Parliament consisting of two chambers
Tricameral Parliament	Practice of having three Legislative or Parliamentary chambers
Sitting	A meeting of a house, Joint Sitting or an Extended Public Committee

ABSTRACT

Language is an essential tool in effecting transformation in a community, society as well as in a culturally diverse institution like the Parliament of South Africa. This study is undertaken to establish the progress made in the use of official languages in the Parliament of South Africa.

This study critically looks at the use of eleven South African official languages by the Parliament of South Africa in its daily debates in ensuring transformation to a multilingual parliament. The focus of the study is on the publication of Hansard in all official languages, with specific reference to previously marginalised languages as declared by the Constitution. The study was done in the Language Service Section of the Parliament of South Africa.

Firstly, the study looked at the History of Parliament and Hansard publications in relation to the sittings and debates of MP's since the beginning of Parliament in South Africa. Secondly, a literature review was done on Language Policy implementation, monitoring and promotion of languages in South Africa. Review of legislative frameworks on language matters was undertaken in order to find out the compliance of parliament in using official languages in the publication of Hansard. The study evaluates the recognition of languages as well as the parliamentary in-House Language Policy (Operational Language Policy) in relation to the prescriptions of the Constitution.

Findings of the study are indicated in chapter 5 of the thesis. The presentation of data comprises of the work experience of the languages practitioners in parliament, availability and critique of the Language Policy Operational Policy in Parliament, as well as findings in the published Hansard Volumes since the first parliament. The study further tries to look at challenges that hinder the use, and promotion of all languages

in parliament, including the use of these languages in the publication of Hansard. The study focuses on minority languages and previously marginalised languages.

Recommendations are provided as a means of helping to improve the situation regarding the implementation of the language policy that will assist parliament to transform in order to become truly multilingual. This will allow parliament to be in a position to develop previously marginalised languages.

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Chapter 1

General Introduction

Introduction

South Africa is a multilingual, multicultural country governed through a democratic Parliament. The Parliament of South Africa (POSA) has two houses, the National Assembly (NA) and the National Council of Provinces (NCOP). Parliament's role and ultimate aim is to represent the people and ensure government by the people under the Constitution, as well as represent the provinces in the national spheres of government. In 1996 South Africa had its Constitution approved under the democratic government in which Chapter 2 upholds the Bill of Rights for every person living in South Africa. The mandate of parliament is to uphold the prescript of the Constitution and to ensure that the laws of the country are respected by every person. Part of the role of parliament includes the promotion of the values of human dignity, equality, non-racialism, non-sexism, upholding the values in the Constitution, entrenching universal adult suffrage and upholding a multi-party system of democratic government.

The mandate of POSA is achieved through passing legislation, overseeing government's actions and facilitating public involvement, co-operative government and international participation. Parliament operates through two houses which conduct plenary sessions, committee meetings and joint sittings, which are recorded and published as part of Hansard. Hansard refers to the edited verbatim report of proceedings and debates of both houses of parliament and the joint sittings. POSA has a number of divisions and units. Among its divisions, POSA has the Language Service Section (LSS) located in the Legislation and Oversight Division (LOD).

The mandate of the LSS is to render language services such as translation, interpreting and reporting, which represents three elements of the process of recording parliamentary proceedings in Hansard. Translation, interpreting and reporting are the pivotal discourse of communication ensuring that what takes place in the two houses of Parliament is captured and recorded accordingly for future reference in various languages. In a democracy such as ours it is generally acknowledged that the multicultural, diverse and multilingual citizens of South Africa need to play a significant and effective role in the functions of parliament and in the designing of laws that govern the people of South Africa. This can only be done through making inputs and contributing to the laws that are passed in order to ensure that they are ethical and put into practise. Arguably this participation by multicultural and multilingual citizens can be done most effectively in the language they best understand.

Section 6 (1) of the Constitution of the Republic of South Africa Act 108 of (1996) recognises eleven official languages, all of which must enjoy parity of esteem and be treated equitably. The recognised languages are isiNdebele, Sesotho, Setswana, Tshivenda, Xitsonga, Siswati, isiZulu, isiXhosa, Sepedi, Afrikaans and English. By virtue of its multilingual and multicultural nature, POSA has to ensure the use of the eleven official languages as stated in the Constitution. As stated above, it is my contention that participation by South African citizens can best be done through the use of these eleven official languages.

Section 6 of the Constitution further states that:

Recognising the historically diminished use of the indigenous languages, the state must take practical and positive measures to elevate the status and advance the use of these languages. It is through the use of these languages

that their development and terminology compilation will be ensured which will promote their elevation.

The current minimal use of indigenous languages in POSA does not promise their development. The mission of POSA is to freely represent the people of South Africa and act as the voice of the people in fulfilling the Constitutional functions of passing laws and overseeing executive actions. The role of language is imperative to the mandate of POSA in ensuring fulfilment of its mandate.

It is also stated in Section 31.1 of the Constitution that:

Persons belonging to a cultural, religious or linguistic community may not be denied the right with other members of that community to enjoy the use of their language to form associations with other organs and associations of the civil society using their languages.

Alexander (2003:7) is of the opinion that: "Linguistic diversity is as necessary as biodiversity for the survival and perpetuation of the human species and it is something with which we have to engage." This thesis engages with research pertaining to this "linguistic diversity" and how it is used in parliament, particularly in relation to the use of minority indigenous languages such as isiNdebele and SiSwati.

Among the programmes of POSA, is public participation in parliament, a form of public submissions and public hearings that requires in-depth knowledge of the country's legal documents, bills and policies. The choice of languages used by government and the simplicity or obscurity with which documents are expressed, impact significantly on the ability of citizens to obtain information and participate meaningfully in government's decision making. This can be compounded by high illiteracy rates and often the extremely complicated language used in government publications,

particularly legislation, which is written in English and translated into indigenous languages.

The use of languages in POSA forms part of this thesis as an in-depth investigation regarding how languages other than English are used in the daily communication with the public, and also in the publication of legitimate government documents that give guidance to the behaviour of the community. It is the obligation of Parliament and its organs to ensure the use of African languages and this is also entrenched in the Use of Official Languages Act 12 of 2012, which requires National Government and the Provincial Governments to use and develop the indigenous languages. This study aimed to determine the challenges that result from the present emphasis on English as the primary language of communication (with translation and interpreting into other languages) and publication of government documents, especially documents containing the laws of the country such as Hansard, Bills, and the day to day debates and speeches of members in parliament.

David Crystal (2000:198) states that “some languages die in many forms, one of which is through cultural change and language replacement by assimilation into a dominant culture and language.” This process is broad, but the one major contributing factor is a negative attitude to a language, both by government policy makers as well as local communities. South African minority official languages are underdeveloped compared to isiZulu and other majority languages. Arguably it is partly through their use by organs of government that they will no doubt be elevated and improved.

Section 32 of the Constitution of South Africa states that: “Everyone has the right of access to any information held by the state and this may rightfully be done in the language one fully understands.” Most people in South Africa are speaking their

mother-tongue languages and they arguably understand and perform better if information and instructions are posed in their mother-tongue languages. Alexander (2010:3) states that "...language is the main instrument of communication at the disposal of human beings." He further states that if one does not have the requisite command of the language of production, one is automatically restricted in one's options. In order for community members to contribute and access information for meaningful participation with government, language and understanding then plays a pivotal role.

The researcher gained an interest in studying language use in POSA as the researcher is presently working as a language practitioner in parliament.

Objectives of the Study

This study determines the challenges regarding the use of minority indigenous languages in POSA. Arguably, these minority languages represent the most underdeveloped languages among the official languages of South Africa. The study focused on the process of communication in POSA which results in the publication of Hansard as the main source of the recording of deliberations and debates in POSA.

The study sets out:

- To outline the work of the Language Services Section in Parliament;
- To identify weaknesses that may hinder the use of previously marginalised indigenous languages;
- To investigate the extent of the use of indigenous languages in Hansard since the democratic parliament was constituted.

The empirical focus of the study was then largely on the use of language in the publication of Hansard in the democratically multilingual and multicultural parliament of South Africa from 1994. The study looked critically at the implementation of policy by parliament as the custodian of the laws of the country and the crafter of the Constitution that declared the eleven languages official. The objectives are to investigate as to whether parliament is in the process of fulfilling the mandate of creating the multilingual parliament in publishing Hansard. Furthermore, the thesis sought to make recommendations on the use of indigenous languages and in particular minority languages such as isiNdebele and SiSwati.

Why study the use of language in Parliament?

Language is a crucial means of gaining access to important knowledge and understanding, which assists in the acquisition of skills. Language is the key to cognitive development and can promote growth and understanding of the world around one's life. The importance of language understanding is recognised and is seen as a barrier if not considered as an important mode of communication and meaningful participation of individual in their social or organisational lives (Kaschula & Wolff 2017).

Chapter Summary

What follows is a brief chapter summary:

Chapter 1

This chapter provides a brief introduction to the study and it outlines the objectives of the research.

Chapter 2

Chapter two provides the methodology that was used in order to conduct the research for this thesis. All methods employed to find information have been indicated in detail in this chapter. The methods use are data collection, sampling by means of questionnaires, semi-structured interviews, ad-hoc interviews, documentary analysis and the use of Hansard bound volumes to verify the languages used in them.

Chapter 3

In this chapter a history of the South African parliament is presented. This is to provide a backdrop from which to view the present research. The background to the formation of the post-1994 democratic parliament is also included.

Chapter 4

This chapter provides the legislative framework for language planning and implementation in parliament.

Chapter 5

This chapter deals with findings of the study against the backdrop of the publication of Hansard. The role of the Language Services Section in parliament is furthermore outlined. This is done in relation to the legislative framework outlined in chapter 4.

Chapter 6

This chapter provides specific recommendations based on the findings of the research. A general conclusion is also provided for the research.

Conclusion

South Africa is a multilingual society, with diverse languages, which exerts a powerful influence in communication among and between individuals and groups in the country. This communicative complexity can have an effect on the administration of the country if multilingualism is not handled correctly in parliament. Since the dawn of democracy

South Africa had to effect necessary changes that included a change in language policy. In the chapter that follows the methodology that has been used in this thesis is outlined.

Chapter 2

Methodology

Introduction

The methods, techniques and procedures followed in this thesis included the following: This study made use of both qualitative and quantitative research. Qualitative strategies were used in order to express my views on the analysis of the sampled documents, in terms of frequency, quality and accuracy of translation. The use of questionnaires and observation of language use in POSA was also undertaken. The qualitative approach provided a detailed overview of language use in Parliament.

The use of languages in daily communications in POSA and in the publication of Hansard was collected through observation, interviews and the use of questionnaires. Questionnaires were distributed to the staff members who were approached through systematic sampling. This sampling included the Section Manager (SM), Unit Language Managers (ULM), Control Language Practitioners (CLPs), as well as Language Practitioners (LPs).

Quantitative methods were used to analyse data through statistical methods to determine the manner in which the indigenous languages are used and the frequency of translations done from, for example isiNdebele into English and vice versa. Interviews were conducted with Members of Parliament in order to determine their use of language in the deliberations and debates of Parliament. The data is presented in the form of pie charts, graphs and tables. Lastly, the researcher drew conclusions regarding her findings, and recommendations on the use of official indigenous languages in parliament are made.

Prior to embarking on with this research, the secretary granted permission to do this research in parliament. Interviewees were made aware before that the research permission was granted so that they were free to engage and to give information since parliament is a highly sensitive political institution.

For the purpose of this research this chapter focuses on the research design and methodology used for the study. The research design and methodology chosen are such that they can be appropriated for the research questions. According to (Denzin & Lincoln 2000:22) the purpose of the research design should provide, within an appropriate mode of enquiry, the most valid and accurate answers possible to the research question.

This study is a way of gaining a better understanding of Parliament's LSS and to investigate the challenges that hinder implementation of multilingualism in the POSA with reference to the publication of Hansard as the sole record of parliamentary debates. Engaging in a study at parliament has not been an easy task since this is a highly political institution. The conceptual framework and the literature review presented in chapter 3, together with this research design, outline the approach employed regarding the subject under study in addressing the research questions presented in chapter 1. This research was largely conducted by means of open-ended and in-depth methods, which also incorporated in-depth interviews. The open-ended questions as well as the in-depth research methods were used in this study for the undermentioned reasons.

Qualitative research and interviews

In-depth interviewing is a qualitative research technique that involves conducting intensive individual interviews with a small number of respondents to explore their perspectives on a particular idea, program, or situation. I chose to use Language

Practitioners as well as Managers in the LSS as my stakeholders since they work on the various languages in parliament. This method was chosen because it is a loosely structured interview. It allows freedom for both the interviewer and the interviewee to explore additional points and to change direction, if necessary.

This method was used to gain an understanding about the parliamentary Language Practitioners who operate in different languages in order to get some preliminary ideas from the participants, who assisted to provide this study with a history of behaviour for LSS and the use of languages in parliament. Some of the respondent have worked in parliament and the Language Service Section for a long time. They have in-depth knowledge as to how parliament works and the objective was to find out whether there have been changes since the dawn of the democratic parliament. The interviews were therefore able to show whether any change had occurred over time.

The nature of the study and research design

Research design is the research plan of enquiry (Bogdan & Knopp Biklen 2006:54). Triangulation has been employed to validate the data collected as the research deals with a politically sensitive organisation with regard to information-giving. Methodological triangulation is defined as the use of more than two methods in studying the phenomenon under investigation (Mitchell 1986).

This research was exploratory and descriptive in nature. The blending of methods in this research was used in order for the researcher to have the ability to statistically analyse data while also recognising the complexity of the language framework and parliamentary practices in relation to the whole country. This was done taking into consideration the influence of the use of official languages in our society, and parliament more specifically. An effective research design outlines the defined

purpose in which there is coherence between the research questions and the methods or approaches proposed to ensure that generated data is credible and verifiable (McMillan & Schumacher 2001:74).

"The research builds complex, holistic pictures, analyses words, reports detailed views of informants, and conducts the study in a natural setting" Creswell (1998:15). A combination of methods was used in order to give a more detailed and balanced picture of the situation so that the approach assists regarding an understanding of the primary data from POSA from different perspectives (Denzin 1978:291). The triangulation research method has been employed in order to understand the social context and processes in LSS at parliament on the publication of Hansard.

The perception of the respondents related to personal experience practices and operational systems in the LSS and these perceptions were used in this research. As much as the study was an exploratory and descriptive type of study, it was also a social exploratory research platform that "seeks to find out how people get along in the setting under question, what meanings they give to their actions, and what issues concern them. The goal is to learn 'what is going on here?' and to investigate social phenomena without explicit expectations" (Schutt 2006). The approach used is also to gain divergent points of view so that the researcher may be able to generate ideas from the participants as well as those of other structures outside of the LSS. A qualitative, exploratory descriptive and contextual design was followed using the phenomenological method to explore the practical experiences of the LSS and its processes in the production of Hansard (Streubert & Carpenter 1999:18).

Exploratory research, as the name states, intends merely to explore the research questions and does not intend to offer final and conclusive solutions to

existing problems. It is employed in this research in order to determine the nature of the problem in the research conducted. This type of research method is not intended to provide conclusive evidence, but helps to us with a better understanding of the problem. It is in this context that the ad hoc interviews were also conducted.

Unit Analysis

The unit of analysis was the LSS in Parliament, and its practices of multilingualism and assistance with the publication of Hansard. The LSS is part of the Knowledge and Information Services Division of Parliament with its accompanying sister sections being the Parliamentary Information Centre, Documentation Services and Research Service of Parliament.

The Language Services Section provides language services to parliament in the eleven official languages and also sign language. The section is divided into three units. The Interpreting Unit provides interpretation services of both houses of Parliament, Committees and at public hearings. The Reporting Unit, which deals with the recording of member speeches and SONA debates records, also transcribing and collating debates. The Translation Unit provides translations and general language services, including editing, indexing and assists with the publishing of Hansard. The Language Section is meant to improve public participation and public access to parliamentary debates, processes and documentation. The structural representation and operation of languages in the LSS, as well as the parliamentary debates are investigated as part of the main focus of this study.

The main aim of the establishment of the LSS was, among others, strategic action taken by Parliament to comply with the prescripts of the Constitution and the NLPF. It was, among other activities, established to:

- Ensure the availability of interpreting services in all official languages;

- Ensure the recording, transcription and editing of members' speeches of both Parliament houses;
- Ensure the transcription of verbatim reports of international conferences or seminars held in Parliament;
- Facilitate the translation of parliamentary documents and reports written into official languages of South Africa;
- Publish and produce Hansard bound volumes;
- Produce or undertake the annual review of bound terminology lists;
- Ensure that translation of Private Members' Bills are also in all official languages;
- Assist with the translation of questions and motions presented in the two houses etc.

All of the above form part of the research presented in this thesis. In other words the thesis attempts to assess the extent to which the above mandates are actually carried out in practice.

Data Collection

Interviews

Data was collected through questionnaires' and one-on-one interviews. Data collected from questionnaires through respondents and interviews were analysed to identify challenges for the implementation of the principle of multilingualism as prescribed by and envisaged in the Constitution, the NLPF and the Parliamentary Language Policy (PLP). In terms of interviews, these included respondents at management level, the 3 Unit Managers, and then the 12 CLPs and the 44 SLPs. Approximately 106 Language Practitioners were given hard copies of the questionnaire and they were requested to respond. The respondents were randomly picked since the LSS is divided into three

units. Out of the questionnaires distributed 32 respondents answered and filled out the questionnaires which is 30.2% of respondents.

Cohen and Manion (1994:89) state that: "In purposive sampling, researchers handpick the cases to be in the sample on the basis of their judgement of their typicality. In this way, they build up a sample that is satisfactory to their specific needs." The respondents were handpicked according to their experiences in the processes of the publication of Hansard. Handpicked respondents are therefore the build-up sample that would be satisfactory for the specific needs of the research. Selected Language Practitioners within the LSS are directly involved in the Hansard publication process and have direct and practical experience in publication as well as language use in POSA.

There were also Ad Hoc interviews that were used for the purposes of this research. These were not planned and took place on the spur of the moment as the researcher saw fit.

Documentary Analysis

Formal legal and informal or ephemeral documents were consulted. Documents were consulted with reference to the various relevant time periods, but mostly for the time under review, that of the democratic, multicultural and multilingual dispensation. The combination of primary data and documentary analysis and observation methods were used (Mouton 2001:69-74). Analysis of existing documentary sources (Mouton 2001:159) in the form of the Parliamentary Language Policy, Reports, Motions, Questions as well as Bound Volumes of Hansard were consulted. Document analysis was based on the language used dating back to the establishment of Cape Parliament, the Union of South Africa, the Apartheid era and the democratic dispensation as explicated in the following chapter. However, more focus was placed on the publication

of Hansard since 1994, based on the availability of material and the contemporary nature of the documentation.

In order to gain access to the publication of the hard-bound volumes of Hansard, the Library of Parliament was consulted and the archived new and old documents were accessed through the Special Librarian. Other primary data was gained through interviews with the Control Language Practitioners and management of the LSS. The CLPs were targeted owing to their long service with parliament and since some of them are at the coalface of the process of controlling the recording, translating, collating as well as editing of Hansard speeches, which are later brought together for publication in bound volumes.

The respective time periods of documents that were consulted from Hansard are outlined below. Some of the documents were traced back to the first years of parliament, after the formation of the South African Union in 1910. These documents included the following:

Hansard bound volumes 1910-1915;

Hansard bound volumes 1925-1948 (prior to apartheid);

Hansard bound volumes 1976-1984 (period of establishment of homelands or Bantustans);

Hansard bound volumes 1992-1994 (transformation era just prior to democracy);

Hansard bound volumes 1994-2005 (South African Democratic Parliament before the formation of the LSS);

Hansard bound volumes 2005-to date (Democratic Parliament after the formation of the LSS).

Questionnaires

To access of primary data, the main instrument for data collection was semi-structured questionnaires subdivided into two sections. Part of this research was done through reliance on questionnaires that were completed by LSS staff members. Where information received was not enough or not clear enough, interviewing sessions were scheduled to be able to access the required information.

The first section of the questionnaire, Section A, contained the demographics of the respondents, while Section B was further divided into five questions. The same questionnaire was designed for Managers, CLPs, SLPs and LPs. The designed questionnaire was first piloted and, after receiving some comments and inputs, the final questionnaire was then given to the respondents to complete. The questionnaire was in a hard copy format.

The aim of this questionnaire was to find out information about multilingualism, the processes followed, personal experience and views of language practitioners on language use in the POSA, as well as the use of various official languages and the monitoring tools used in the publication of Hansard in relation to these languages. Most important was to find out about the existing policies that guide the process of the publication of Hansard and how the issue of multilingualism is catered for.

All questionnaires were distributed to respondents, who were requested to fill them in, and they were collected after a day or two. Different dates were given to respondents due to the nature of POSA operations. The special interviews with the two CLPs who are at the coalface of the Publication of Hansard were also done during this time of data collection.

As far as the library documentation and special information relating to the publication of Hansard, the study intended to find the documents and verify the languages used in the documents studied.

The study was partially limited to language services, but speeches delivered by members in the two houses were not excluded from the research as they actually form the core of parliament's business and are the end product of Hansard bound volumes.

Interviews were done at their workstations and some documents that were mentioned during the interviews were requested and analysed after submission.

Sampling of respondents

As indicated above, random sampling was done in different units including the Section Manager for interviews and to make follow-ups and verification of the information provided in the questionnaires. All languages were considered in order to avoid a situation where information would come from only a particular language group. Initially all LPs in the LSS were targeted, but due to the respondents' lack of willingness to participate in the research, not all of them were part of the research. No special criteria were used in selection, as the LPs are representatives of all eleven official languages.

Profiling of respondents

Respondents were profiled according to their qualifications and years of experience in the LSS and in POSA. Profiling was done to determine their expertise, interest and knowledge in language matters.

Ethical Issues

The study was undertaken in Parliament with the permission granted by the Secretary to Parliament as the Accounting Officer. Questionnaires were filled in privately ensuring privacy and the rights of the participants were observed by keeping them anonymous. Key findings of the study may be published and will be made available to

the management of Parliament in two languages, namely isiNdebele and English, the primary focus of this study.

Limitations to the research study

As parliament is an institution of two Levels as indicated in the chapter that follows, it was required of me to seek permission from the Secretary to Parliament before embarking on the study within the precinct of parliament. The researcher's first step to the study was to get as much relevant information as she could from the library sources, managers, and language practitioners of all languages. The researcher was hoping to have full cooperation and assistance from the managers but this was not the case. Due to the nature of parliament being a highly political institution one had to be sensitive to this as a researcher. At some point the researcher had to prove to managers or their secretaries that she had permission granted to do the study. It turned out that some managers within the Language Services Section were not willing to give out information at all and the researcher had to work around this sensitive matter, convincing managers and creating an understanding of the research for managers in order to make them feel comfortable.

The researcher consulted the parliamentary website with the hope that she will find some information on the Language Service Section Reports and its Units but such information is not uploaded. The reports on information on the Publication of Hansard was minimal and only divisional reports are uploaded which are very complex in nature. The researcher depended on some parliamentary employees together with library staff who were very helpful.

Using the questionnaires helped me even though the respondents did not return some of issued questionnaires. However after some convincing, more than 60% of my questionnaire samples were returned. The researcher collected data from all units of

the Language Services Section. It was also through Hansard that the researcher found information on language matters and the history of parliament.

The researcher had difficulty in finding parliamentary reports that speak directly on language matters in relation to the publication of Hansard in parliament, though she was able to draw some conclusions.

The researcher's efforts to find information from the annual reports of the language units was also complicated and challenging. However, in terms of reports the researcher depended largely on the Divisional Report available on the website.

Conclusion

This chapter has set out the methodology that has been employed in order to collect data for this research. This was a combination of document analysis, interviews and questionnaires that were used to assess how languages are used in parliament, more especially in relation to the Hansard Volumes and in line with the language plan that has been put forward for parliament. Some challenges facing the research were also outlined. In the chapter that follows a brief history of parliament is presented in order to provide further background for this research.

Chapter 3

The History of Parliament in South Africa

Introduction

This chapter provides the history of the Parliament of South Africa, dating back to the arrival of the settlers in the Cape, up to the present post-democracy era, which is looked at in this thesis. This is done with the intention to trace the use of languages during debates and in the publication of Hansard.

This chapter also shows the history of parliament starting from the first parliament in order to show the changes and transitions it went through until the formation of the democratic parliament. The years indicated are from 1854-1994.

The structure of parliament is also discussed in the study (see chapter 4) in order to indicate the focus of the study, since parliament is an institution made up of two sectors, namely a political sector and a parliamentary administrative sector. The study also indicates the concurrent working of the two houses of parliament viz. the NA and NCOP. The mandate of the two houses is included in the study because Hansard is the record of the deliberation of debates of the two houses. Part of this chapter speaks to the committees of parliament which are the means of doing oversight and public participation, in other words public involvement.

The Slogan of the Parliament of South Africa is that it is the “**People's Parliament**” - which means that the people of South Africa are the Parliament. Language plays a vital role in discourse at the Parliament of South Africa (POSA). Language is used during Parliamentary Plenaries. Plenaries refer to formal meeting sessions of either the National Assembly (NA) or the National Council of Provinces (NCOP). It is during these plenaries sessions or debates, where formal decisions are

taken and the process of passing laws is effected through consensus or voting. All of this requires language and effective communication.

Parliament has a number of Committees which perform oversight, which have an influence on the debates during the plenary sessions of parliament. During the sittings of the two houses of parliament, MPs are free to use their language of choice and members of the public are free to sit in the gallery and listen to the debates. When different languages are used then these are interpreted back into English and so on. It may also be necessary to interpret from English into other languages such as isiNdebele, SiSwati, Tshivenda and Xitsonga.

POSA has a number of programmes that require public participation. Starting from the meetings of committees of the parliament and all programmes such as public hearings, taking parliament to the people and consultative programmes where communities are consulted on proposed legislation or amendments of a Bill. Such Bills normally have to do with the passing of a law and any other matter that is of public interest and that requires the use of various consultative and relevant languages for effective communication and informed decisions.

An important question is always asked: How is language used in parliament since the dawn of democracy in South Africa i.e. with the eleven official languages? In order to understand the answers to this question, it is important to trace back the language use and practises of parliament since its formation in 1854. It becomes clear that there has always been a language issue in South Africa.

The history of Parliament of South Africa

In order to understand the language use and situation in Parliament of South Africa Post-1994, it is necessary that a brief history and background of this institution be discussed. The history of the Parliament of South Africa is here discussed from the

period of the first Parliament of the Cape Colony, which was established by the British Government after the discovery of Cape of Good Hope. It further looks at the transitions that parliament went through, based on the Government after each term of elections in relation to five year terms. Most changes took place after the formation of the Union of South Africa, which was established in 1910. South Africa started to engage with political discourse from the arrival of the Dutch East India Company, which founded Cape Town as their refreshment station in 1652 (Davenport & Saunders 2000).

From the beginning of the first Parliament only foreign languages i.e. English, Dutch and Afrikaans were used as official languages and languages of Government, Afrikaans being added at a later date. More recently, the post-1994 Constitution of South Africa grants equal status to eleven official languages. The eleven languages of South Africa are Afrikaans, English, IsiNdebele, IsiXhosa, IsiZulu, Sesotho, SiSwati, Sepedi, Setswana, Tshivenda and Xitsonga as indicated in chapter 1. All other languages were previously regarded as diminished indigenous languages with the exception of English and Afrikaans, which were considered official under apartheid. English is a foreign language, which arrived in South Africa when the British Settlers settled in the Cape. It was used by the South African government under British colonial rule, while Afrikaans was developed and emanated from the Dutch Language, which was also a foreign language from the Netherlands and it was used as early as 1652 as indicated above. The other nine languages are the indigenous languages of African People who were found by the British and Dutch to be living in South Africa. The South African Constitution (1996) stipulates that all eleven official languages should be used and be treated equally in all government spheres. English, has been the language that

has been used dominantly in South African even though its native speakers according to Stats SA 2011, comprise 9.6% of the population of South Africa.

The first Europeans to settle in the Cape

The first European people to settle in the Cape were the Dutch settlers from the Netherlands. A Refreshment station for the crew of ships was established in the Cape of Good Hope. The main aim to establish a refreshment station was to supply the crew of the Company's passing trading ships with fresh water, vegetables and fruit, meat and medical assistance (Kilpin 1938).

The beginning of the Company Garden by the European Traders meant that the trader and Europeans were now starting up a fort for permanent settlement in South Africa under the command of Jan Van Riebeeck, where they would get fresh supplies. This refreshment station was later named Cape Town as it known even today. From the Arrival of Jan Van Riebeeck, Dutch was the language used by most settlers around the Cape of Good Hope. Other people, who were found around Cape Town then, were the Khoisan people and they were named by the Dutch as Hottentots. According to history passed from generation to generation of the Khoisan people, they show the original name to be "Hui! Gaeb," a Khoisan word meaning, "Where clouds gather" (Kilpin 1938).

The Netherlands Dutch speaking settlers gave their own names to the native inhabitants that they encountered, calling the pastoralists "Hottentots", and those that lived on the coast and subsisted on shell fishing "Strandlopers". Those who were hunter-gatherers were named "Bushmen. It was into this environment that the first parliament was born in South Africa.

The arrival of Van Riebeeck marked the beginning of permanent European settlement in the region. Along with the Council of Policy, Van Riebeeck came equipped with a document called the '*Remonstrantie*', drawn up in the Netherlands in 1649, which was a recommendation on the suitability of the Cape for this VOC project. Cape Town was founded by the Dutch East India Company or the *Vereenigde Oost-Indische Compagnie* (VOC) in 1652 as a refreshment outpost (Davenport & Saunders 2000).

There were a number of war outbreaks that took place between the Dutch and the British over the ruling and governing of The Cape of Good Hope. The Cape was under Dutch rule from 1652 to 1795 and again from 1803 to 1806. The Dutch lost the colony to Britain following 1795 but had it returned following the 1802 Peace of Amiens (Kilpin 1938).

Cape Town experienced major changes under the British occupation as it increasingly became the capital of an expanding British colony. In the 1820s more British officials were appointed and English became increasingly used as the official language. The Dutch garrison at the castle was replaced by English soldiers. There was a steady immigration of British citizens to Cape Town especially young men in search of a new life and with the hope of making their fortunes.

Under the terms of a peace agreement between Britain and France, the Cape was returned to the Dutch in 1802. Three years later, however, the war resumed and the British returned their garrison to the Cape after defeating Dutch forces at the Battle of Blaauwberg (1806). This period saw major developments for the city, and can be said to be the start of Cape Town as a city in its own right. The native inhabitants were

forced to declare a fixed residence and were not permitted to move between regions without written permission (Davenport & Saunders, 2000).

The war between France and England ended in 1814 with a British victory. The British drew up a complex treaty whereby pieces of real estate were exchanged for money by various countries. The British in return for a large sum of money permanently took the Cape from the Dutch. In this period, the British saw the control of the Cape as key to their ability to maintain their command in India. The Dutch government was too impoverished and depleted to argue, and agreed with the condition that they be allowed to continue to use the Cape for repairs and refreshment (Kilpin 1938).

The vagrancy and pass laws of 1809 were repealed in 1829. Thus, the Hottentots, in theory, were equal with the Europeans. As in the rest of the British Empire, slaves – estimated to be around 39,000 in number – were emancipated in 1834. This led to the establishment of the Bo-Kaap by a Muslim community after being freed. The Cape Town Legislative Council was also established in the same year. One of the most momentous events in South African history, the Great Trek (Afrikaans: *die Groot Trek*), began in 1836. About 10,000 Dutch families, for various reasons, left for the north in search of new land, thereby opening up the interior of the country. This signified the beginning and mass growth and radical development of Afrikaans as a new language in South Africa. Further political development occurred in 1840 when the Cape Town Municipality was formed. At its inception, the population stood at 20,016, of which 10,560 were whites (Kilpin 1938).

Given the ensuing political developments, it then gradually moved towards greater independence from Britain and towards a degree of political inclusiveness.

The First Parliament in South Africa: Cape Parliament

In 1854, the Cape Colony elected its first parliament based on the multiracial Cape Qualified Franchise, whereby suffrage qualifications applied universally, regardless of race. After a long political struggle, this was followed by responsible government in 1872, when the Cape won the right to elect its own locally accountable executive and Prime Minister. A period of strong economic growth and social development ensued, with a rapid expansion of the Cape Government Railways and other infrastructure, connecting Cape Town to the Cape's vast interior (Kilpin 1938; Davenport & Saunders 2000).

The British Governor opened this first parliament at his residence, "the Tuynhuys" in 1853. The Queen granted the Cape its first Parliament in 1853, and the local leadership was permitted to draft a constitution. The availability of the Constitution is not confirmed as some of the first document of the first parliament were produced and published by a private company, for example the Cape Times. Confirmation of the establishment of the first parliament is found in Ralph Kilpin's (1938) (Page 83 - See Annexure A) book titled *The Romans of a colonial Parliament*. This was a relatively liberal document that prohibited race or class discrimination, and instituted the non-racial Cape Qualified Franchise, whereby the same qualifications for suffrage equally applied to all males, regardless of race.

The first parliament comprised a Governor, fifteen members and officials that were presided over by the Chief Justice. The official had no rights to vote. The new Parliament was a bicameral Parliament which was composed of the House of Assembly (the lower house) and the Legislative Council (the upper house), which were elected according to the two main provinces of that Cape at the time. The operating language of the Parliament in the first years of the Responsible Government was

Dutch and English for debates, standing rules and orders (Kilpin 1938). This set the scene for what would later happen under apartheid where Afrikaans and English were officially recognised as the two working languages of parliament.

The following Cape Parliament eras can be noted from 1854 until the Union of South Africa, where the official languages were Dutch and English (Kilpin 1938; Davenport & Saunders, 2000).

Parliaments of the Cape (1854–1910)

- 1st Cape Parliament (1854–1858)
- 2nd Cape Parliament (1859–1863)
- 3rd Cape Parliament (1864–1869)
- 4th Cape Parliament (1870–1873)
- 5th Cape Parliament (1874–1878)
- 6th Cape Parliament (1879–1883)
- 7th Cape Parliament (1884–1888)
- 8th Cape Parliament (1889–1893)
- 9th Cape Parliament (1894–1898)
- 10th Cape Parliament (1898–1903)
- 11th Cape Parliament (1904–1907)
- 12th Cape Parliament (1908–1910)

South African Parliament from 1910-1948

When the Union of South Africa was established in 1910, This Parliament was bicameral and answerable to the King the Queen of England under British rule, the Senate, and the House of Assembly (known in Afrikaans as the *Volksraad*). The

South Africa Act of 1909 could be considered as empowering of the decisions reached at the National Convention of 1908 by the British Parliament. This is to say that draft laws, such as a language policy and the denial of the franchise to Black South Africans, as well as the eventual form the Union of South Africa were now finalised (Davenport & Saunders 2000). In brief the procedure was as follows:

- The King (from 1952, the Queen) was represented by the Governor.
- The Senate consisted of senators nominated by the four provinces, and by the Governor-General, initially for a period of ten years. The number of senators changed from time to time. The Senate was chaired by a President of the Senate who was chosen by the senators from among themselves.
- The House of Assembly consisted of members who were directly elected by the voters. Each MP represented an electoral district (constituency), and most of them were elected based on their political party. The number of constituencies and parliamentary seats were increased from time to time, in line with increases in the population. A Speaker chosen by the MPs among themselves chaired the House.
- Only white men could be senators or MPs. This Union was formed under the new Act, South Africa Act 1909. From 1910 Dutch and English were still declared official languages of the Union. Similarly, the constitution prescribed that the official languages are treated equally - See Annexure A (Dutch Publications).
- Eventually, in the 1830s, large numbers of Boers migrated in what came to be known as the Great Trek. Among the initial reasons for their leaving the Cape colony was the English language rule. Religion was a very important aspect of the Afrikaner's culture and the bible and church services were in Dutch. Similarly, schools, justice and trade up to the arrival of the British, were all managed in the

Dutch language. The language law caused friction, distrust and dissatisfaction (Kilpin 1938; Davenport & Saunders 2000).

If one considers the historical background put forward above, then it stands to reason that only exoglossic languages such as Dutch and English were used in South Africa's early parliament. The parliament was controlled by white men who no doubt had little or no knowledge of indigenous languages and no interest in using them as political languages of power.

Parliament of South Africa during 1948 to 1961

The composition of Parliament was changed by constitutional amendments from time to time. In 1923, the Pass Laws were adopted, initiating the enactment of Apartheid laws that would taint the country's history forever. For several decades, a relative status quo was maintained until the freedoms of black South Africans were further restricted in 1948 with the implementation of Apartheid laws (Davenport & Saunders 2000).

The Constitution in place for much of this period was the 1961 Constitution adopted when South Africa became a sovereign Republic. Characteristic of this Constitution was the political disenfranchisement of all non-white groups, the recognition of only two ("white") languages as being official i.e. Afrikaans and English and a system of Parliamentary sovereignty (Davenport & Saunders 2000).

In brief the changing political landscape can be summarised as follows:

- From 1930, white women had the vote, and the right to serve as senators and MPs, on the same basis as white men.

- In 1934, Parliament was declared "the sovereign legislative power in and over the Union".
- From 1950, white voters in South West Africa, which was under South African administration at that time, were represented by four senators and six MPs.
- From 1957, Coloured voters were separated from the whites – in the Senate they were represented by separate senators, and in the House of Assembly by MPs elected in separate Coloured constituencies. To pass this amendment in the face of strong opposition and two Supreme Court rulings, prime Minister Johannes Strijdom had to enlarge the Senate and appoint enough pro-government senators to get the two-thirds majority he needed to force through the constitutional change
- Representation of black voters ended in 1960.
- Voting age was lowered from 21 to 18 in 1960 (Kilpin 1938).

Parliament of the Republic 1961 to 1984

From 1948-1994, South African politics were dominated by Afrikaner nationalism. Racial segregation and white minority rule known officially as apartheid came into existence in 1960, and become an official law of segregation when South Africa became a republic, Apartheid being an Afrikaans word meaning "separateness". It was an extension of segregationist legislation enacted in 1960. The Republic of South Africa was established in 1961. The only change made to the composition of the Parliament was the substitution of the State President for the Queen, thereby indicating further political autonomy. A few significant changes were made later:

- Coloured representation ended in 1968, leaving both the Senate and the House of Assembly representing white voters only. Blacks were later represented by representatives when homelands were introduced.

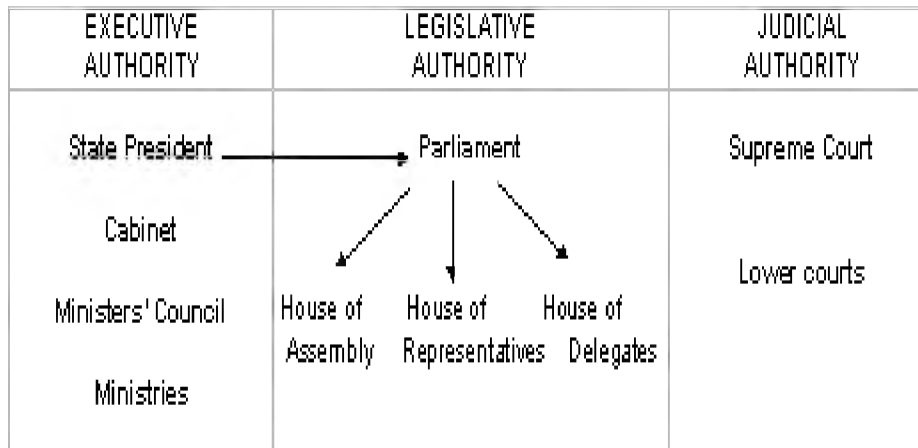
- South West Africa ceased to be represented in Parliament from 1977 (Davenport & Saunders 2000).

The Parliament of 1960 which was the Tricameral Parliament consisted of three houses: The House of Assembly with 178 white members only, the House of Representatives with 85 Coloured members, and the House of Delegates, with 45 Indian members. The executive authority was vested with the State President, the Cabinet and three Ministers' Councils, one for each of the Houses of Parliament. The State President had far-reaching powers. The judiciary was exercised by a network of courts, including the Supreme Court as well as lower courts. For the period 1948-1985, the NP remained in power and Afrikaans was the powerful language used by the government. It was forced upon people of South Africa in such a way that it was declared the medium of instruction in schools from 1975. The declaration of Afrikaans as the medium of instruction in school led to the uprising in 1976 (Anthonissen & Kaschula 1995).

State structures at the national level in terms of the Constitution of 1983

The transitional Period - (The Tricameral Parliament)

This parliament was a three-tier parliament where the Apartheid government attempted to accommodate Coloured and Indian voters in separate houses of parliament. English and Afrikaans dominated in this Tricameral system and it was generally seen negatively as an extension of the Apartheid system.



What follows are the list of the Parliament of South Africa under the Apartheid Government with the Tricameral Parliament which lasted for eight years 1961-1968.

- 1st Parliament of the Republic of South Africa (1961–1966)
- 2nd Parliament of the Republic of South Africa (1966–1970)
- 3rd Parliament of the Republic of South Africa (1970–1974)
- 4th Parliament of the Republic of South Africa (1974–1977)
- 5th Parliament of the Republic of South Africa (1977–1981)
- 6th Parliament of the Republic of South Africa (1981–1984)
- The Senate was abolished in 1981, changing Parliament to a unicameral legislature (Davenport & Saunders 2000).

Parliament of South Africa during 1984 to 1994

Immediately prior to democracy the following parliamentary eras can be noted:

- 7th Parliament of the Republic of South Africa (1984–1987)
- 8th Parliament of the Republic of South Africa (1987–1989)
- 9th Parliament of the Republic of South Africa (1989–1994)

A new Constitution, introduced in 1984, re-enfranchised the Coloured population (women as well as men), and enfranchised the Indian population. It retained the existing House of Assembly for whites, and established a House of Representatives to represent the Coloureds, and a House of Delegates for the Indians, making Parliament a Tricameral legislature. Blacks continued to be excluded from Parliament. The Tricameral Parliament was a reform imposed from above, and existed for about 11 years, in a manner many characterised as farcical as indicated above.

The Democratic Parliament of South Africa from 1994

In January 1989, PW Botha who was the President of the country, suffered a stroke and the NP chose FW de Klerk as the party leader. In August 1989 de Klerk became the State President and unbanned the ANC and other organisations such as the SACP and the PAC. From then the country moved towards negotiations for a transition to democracy. The real centre of power was no longer parliament but the negotiations taking place in Kempton Park under the rubric of CODESA (Convention for a Democratic South Africa). A new Interim constitution, introduced in 1994 after four years of negotiation, finally introduced all-race democracy and enfranchised men and women of all races on equal terms, the minimum age for votes remaining 18 years. Parliament was reconstituted to consist of a Senate and a National Assembly (Davenport & Saunders 2000).

The 22nd Parliament of the Republic of South Africa, was the First Democratic Parliament of South Africa and it was constituted after the elections of 27 April 1994. The elections of 1994, were the first elections where all South African people of all races including women, could cast their votes and elect the Parliament which took a stand of recognising the cultures and beliefs of all people of South Africa including

women. It is now referred to as the 1st Democratic Parliament of South Africa (Davenport & Saunders 2000). In brief the democratic parliamentary eras can be depicted as follows:

- 1st Democratic Parliament of the Republic of South Africa (1994–1999)
- 2nd Democratic Parliament of the Republic of South Africa (1999–2004)
- 3rd Democratic Parliament of the Republic of South Africa (2004–2009)
- 4th Democratic Parliament of the Republic of South Africa (2009–2014)
- 5th Democratic Parliament of the Republic of South Africa (2014–present)

From the outset this parliamentary era officially recognised eleven official languages as indicated in chapter 1 of this thesis. This was partly the result of negotiations between the NP and the ANC. In essence it was about recognising Afrikaans from the Afrikaner point of view. It could be argued that the nine African languages were added as official due to the pressure brought from the Afrikaans-speaking community.

The Structure of the new Democratic Parliament since 1994

The first house was the National Assembly consisting of 400 members, elected by voters on a proportional representation plan in relation to the political party list system. There are no electoral districts, and each party is allocated a number of seats proportionate to the percentage of the votes it receives across the country. A Speaker is elected by the MPs from among themselves, the Speaker then chairs the house.

The Senate consisted of 90 senators, ten nominated by each of the nine provinces. This house is chaired by a President of the Senate elected by the senators from among themselves.

The Constitution was finalised in 1996, on 10 December 1996 President Nelson Mandela signed the final draft of the Constitution into law effective from 3 February 1997. In 1997, the final Constitution of South Africa came into force, in which the Senate of 90-members was changed and called the National Council of Provinces (NCOP). It is made up of a 10-member delegation from each province, six delegates elected by the Provincial Legislature together with the Premier and three other members of the provincial legislature. A Chairperson elected by the members from among themselves chairs the NCOP (Davenport & Saunders 2000).

The establishment of the first democratic parliament meant that parliament, as an institution, was to undergo unprecedented and fundamental transformation as required by the Interim Constitution and later the new Constitution. A complete and new institution was to be established on both political and administrative levels. New rules, procedures, mechanisms and capacities were needed to effect the work of the new parliament.

The dawn of the Democratic Parliament, marked the inclusion of all people of South Africa and the consideration of indigenous languages that were elevated to be official languages. In the previous parliaments, the issue of language was to consider only the two languages of the colonisers, which were regarded as the language of government over the languages of the indigenous people of South Africa.

A very significant change for parliament was the establishment of a completely new House of Parliament and the NCOP to ensure that Provincial interests are

considered in the national sphere of government. Furthermore, different working methods were created that adhere to the fundamental value and theme of participatory democracy. This meant the end of committees that meet behind closed doors. Meetings were opened to the public. Hence, ordinary people, representatives of interest groups, business and trade unions are working together in Parliament. It is under this Democratic Parliament that languages are enshrined as a right, which is stated in Section 6 of the South African Constitution. The structure that shows the various aspects as they exist in the post-1994 parliament are indicated below (Davenport & Saunders 2000).

Houses of Parliament

South Africa is constituted of a bicameral Parliament supported by a joint administration. The National Assembly is the House directly elected by the voters, while the National Council of Provinces is elected by the provinces and represents them to ensure that provincial interests are taken into account in the national sphere of government.

National Assembly

The National Assembly has 400 members. The number of seats that a party has in the Assembly is in proportion to the number of voters that voted for it in the elections.

The mandate of this Assembly is to provide a national forum for consideration of public issues. Furthermore, it is designed to achieve the following:

- Pass legislation;
- Scrutinise and oversee government's executive actions;

- Maintain oversight of the bodies and institutions established by Chapter 9 of the Constitution of the Republic of South Africa;
- Ensure that Members of Cabinet are accountable collectively and individually to Parliament for the exercise of their powers and the performance of their functions.

The main function of the National Assembly is then to conduct oversight. Most of the tasks of the house, particularly those involving detailed consideration of matters, are more appropriately performed by a smaller group than the Assembly sitting in a plenary, i.e. as the full House. The NA establishes committees, in accordance with the powers given to it by the Constitution. The established committees are assigned powers and functions. Committees can be described as the foundation or engine rooms of parliamentary work.

These committees are required to report regularly on their activities and to make recommendations to the House for debate and decision. A large part of the Assembly's role in the law-making process happens in committees and much of its oversight over the executive is also done through committees, particularly the portfolio committees. There is a portfolio committee for each corresponding government department (Davenport & Saunders 2000).

There is a portfolio committee for each corresponding government department. These are permanent committees of the NA that are made of multiparty membership as per their representation in the NA. This is a committee that deliberates on Bills covering that department's area of jurisdiction and they scrutinise and report on its annual budget and strategic plan. The committee will report on a matter and makes certain recommendations. That report will be debated in a full sitting or a plenary to

give other members of the House an opportunity to engage with the content of the report. Once the report has been debated, the House decides whether to adopt the committee's recommendations. The House may also decide only to note the report or it may refer the report back to the committee with an instruction to do further work (www.parliament.gov.za).

There are also Standing Committees, Ad hoc Committees and Joint Committees which can contribute to this work if necessary. These are a smaller group than the Assembly sitting in plenary, i.e. as the full House, Much of the Assembly's work is therefore done in committees, but the House takes the final decisions on all matters. The House always has the final authority. Any language related issue would therefore have to be debated through these committees and the National Assembly as part of an Executive Decision. The decision, for example, by the Chief Justice in 2017 to single-handedly make English the only language of record in South African courts may therefore not be an acceptable one in terms of parliamentary procedure and it could be challenged in a court of law (Docrat in Ralarala *et al.* 2017).

Why Committees in Parliament?

In accordance with the powers given to it by the Constitution, various committees of the two houses are assigned with certain powers and functions. It is in committees that members of the public often get the opportunity to express their views and make representations on legislation and other matters before the NA or NCOP committee. In this way committees facilitate public involvement in the law-making and other processes of the NCOP.

Committees spend their time conducting oversight over government to ensure that policies and laws are implemented. There are committees which have been established to deal with other matters not related to government departments e.g. the Rules Committee that deals with the Rules of the NCOP, the Programme Committee that deals with the programme of the NCOP and Petitions and Members' Legislative Proposals Committee that deals with petitions and legislative proposals by permanent delegates.

The committees are required to report regularly on their activities and to make recommendations to the House for debate and decision. A large part of the Assembly's role in the law-making process happens in committees and much of its oversight over the executive is also done through committees, particularly the portfolio committees. Any change regarding language legislation related to Section 6 of the Constitution would then have to be subjected to such processes.

NCOP

The NCOP is constitutionally mandated to ensure that provincial interests are taken into account in the national sphere of government. NCOP participation in the national legislative process by providing national forums for consideration of issues affecting provinces, for example provincial language policies. A provincial delegation consists of six permanent delegates and four special delegates. Each Bill passed by the NA is sent to the NCOP for agreement (www.parliament.gov.za).

The permanent delegates are appointed by the nine provincial legislatures. The four special delegates consist of the Premier of the province and three other special delegates assigned from members of the provincial legislature. They are selected by

each province from Members of the Provincial Legislature (MPLs) and are rotated depending on the subject matter being considered by the NCOP. The Premier of a province is the head of the province's delegation but he or she can select any other delegate to lead the delegation in his or her absence (www.parliament.gov.za).

How the NCOP works

This body considers, passes, amends, proposes amendments to or rejects any legislation before the Council. It is empowered to initiate or prepare legislation falling within a functional area listed in Schedule 4 of the Constitution or other legislation referred to in section 76(3).

NCOP committees

Select committees

There are a number of select committees in the NCOP that are assigned specific mandates and oversight responsibilities. Committees are established in accordance with the portfolios of government i.e. each government department has a committee that oversees it. In compliance with its constitutional obligations to facilitate public participation in the law-making and other processes, the NCOP has initiated programmes called "Taking Parliament to the People" and "Provincial Week" programmes. These are discussed later in this chapter. These programmes also assist the NCOP in conducting effective oversight over the executive and also to publicise any language related parliamentary initiatives, for example related to sign language (www.parliament.gov.za).

Why committees?

The different committees have one or more of the following functions:

- Increase the amount of work that can be done;
- Ensure that issues can be debated in more detail than in plenary sessions;
- Increase the level of participation of Members of Parliament (MPs) in discussions;
- Enable MPs to develop expertise and in-depth knowledge of the specific Committee's area of work;
- Provide a platform for the public to present views directly to MPs, something which is not possible in a plenary sitting of Parliament;
- Provide an environment for Parliament to hear evidence and collect information related to the work of a specific Committee;
- They monitor and oversee the work and budgets of national government departments and hold them accountable;
- They consider and amendments to Bills, and they may initiate Bills, for example the Bill related to the Official language Act of 2012;
- They consider private members' and provincial legislative proposals and special petitions;
- They consider international treaties and agreements;
- They examine specific areas of public life or matters of public interest;
- They take care of domestic parliamentary issues;
- Committees have the power to summon any person to appear before them, give evidence or produce documents. They may require any person or institution to report to them. Committees may also receive petitions, representations or submissions from the public. A Chairperson heads each Committee.

Committees are, in general, proportionally representative of the parties in Parliament. Committee meetings are open to the public, but may be closed if there is a good reason to do so (www.parliament.gov.za; Davenport & Saunders, 2000). Committees would therefore be empowered to deal with any public participation or intervention related to language matters and the constitution or the usage of language in parliament.

Concurrent working of the two Houses of Parliament

Concurrent working of the two houses is meant to take decisions and responsibility of the law passed in the two houses. It is also meant for the NCOP to ensure that the passed laws are implemented in the provinces and take to responsibility by doing oversight over the implementation strategies and monitoring tools.

Oversight responsibilities

The NCOP also plays a unique role in the promotion of the principles of Cooperative Government and Intergovernmental Relations. It ensures that the three spheres of government work together in performing their unique functions in terms of the Constitution and that in doing so, they do not encroach on each other's area of competence. This ensures that synergy exists between these spheres on matters of concurrent competence (www.parliament.gov.za).

Taking Parliament to the People

Each year for a period of a week, the full complement of the NCOP sits away from Cape Town and in partnership with the provincial legislatures. It invites members of the public to raise challenges relating to service delivery. The programme is mainly taken to people in remote rural areas who lack resources to visit Parliament. It is crucial

for such interventions to accommodate the languages of people that are spoken on the ground, hence the need for parliamentary language practitioners who can assist with such matters.

Conclusion

This chapter has provided knowledge of the history of parliament in South Africa. Furthermore, the inner workings of parliament are outlined in order to create linkages between the day-to-day running of parliament and how language is (or can be) treated within the precinct of parliament. The chapter shows that parliament is not necessarily badly disposed towards the use of multilingual models. Committee work, public participation as well as parliamentary functions more generally can take place in any language and language practitioners are available to assist with this process. However, the hegemony of English still persists within the parliamentary precinct as will be evidenced in the chapter that follows. However, the legislative framework is favourable to multilingualism and the use of African Languages as outlined in chapter 4 of this thesis.

Chapter 4

Language planning and the Legislative Framework in the Parliament of South Africa

Introduction

A number of sociolinguists and academics in various fields of education have made valuable contributions in various areas of language planning, policy implementation and language management on different government sectors including public education as well as the private sectors. From various authors and literary works, it is clear that language policy and policy implementation has been associated with power and political will. It is clear that language policy implementation choices have been associated with power and power relations that are historically informed (Reagan 2002:420), as related to the history of parliament as presented in the preceding chapter.

This chapter deals with Language Planning and the Legislative Framework that focuses on language matters within South Africa and parliament in particular. A number of Legislative documents are reviewed to study the intention of parliament in crafting and designing such pieces of legislation. The most studied legislative documents will be those that ensure recognition of the languages and the use of them by parliament and all spheres of government. This includes the Parliamentary Language Policy.

South Africa is a multilingual and multicultural country, which is governed by a democratic parliament. The core role and mandate of parliament is to represent the people and to ensure government by the people, by passing legislation, overseeing

government actions and facilitating public involvement, co-operative government and international participation. A number of language planning, policy, and implementation and management initiatives have been produced in South Africa since the dawn of the democracy in 1994.

Language, Culture and Parliament

It is argued that in the 21st century we live in, direct contact with dissimilar others in parliament, the workplace, schools and neighbourhoods are inevitable. Discomfort can occur when intercultural contact occurs because of attributes such as unfamiliar accent, way of speaking and doing things (Ting-Toomey 1999). This is true even in parliament. Because of the discomfort caused by the above-mentioned attributes, most people prefer to spend time with people who are similar to them than those that are different from them. In parliament people prefer to be assisted by those that are similar to them in terms of race and spoken language than those that are different from them. It is argued that people with similar habits and outlooks tend to experience interaction that is predictable (Ting-Toomey 1999). Among people with dissimilar habits and communication rules, people experience a different interaction. In a familiar cultural environment, people tend to feel safe and secure. Whereas in an unfamiliar cultural environment it is the opposite, people experience emotional vulnerability and feel threatened. Parliament is still largely dominated by English and this does not create a sense of inclusivity for many South Africans.

Ting-Toomey (1999) argues that in any intercultural encounter process people use verbal and nonverbal messages to get a point across. The first characteristic they identified is symbolic exchange, this refers to the use of verbal and nonverbal symbols between a minimum of two individuals to accomplish shared meanings (Ting-Toomey

1999). We see how in parliament the verbal is often expressed in English, but to the detriment of those who do not have a good command of the language.

One would agree with Kaschula *et al.* (2007) when they argue that developing integrated language policies in Africa is important to the maintenance of cultural identity as this would ensure effective participation on the part of African language speakers in parliament and elsewhere. One would also agree with Webb (2002) when he states that: "Language can facilitate or hinder economic activity in various ways, for instance in regard to the effective distribution of information in the workplace...the productive utilisation of workers' knowledge and skills, the effective delivery of services to the public...". The latter point takes us back to the role of parliament in reaching out to the people. This also takes us back to the argument made, that people tend to feel more comfortable when using their own languages, or when communicating with people who speak their languages, people within their circle or group.

Kwamangamalu (2001) argues that a "language is marketable if it has the potential to serve as a tool by means of which its users can meet their material needs." This is also why people learn English and other foreign languages that can bring food to the table, such as Mandarin Chinese. As the Chinese economy grows, more people want to work with, and learn to speak Chinese as it has over a billion speakers (Ethnologue 2012). Language and communication is a key to trade, economic growth and political participation, for example in parliament.

One can argue that Indigenous languages in South Africa are still very much relevant because African people still exist and they use their languages and value their culture. It might not be at the rate that English is used and praised but African languages are still relevant to the South African society. The Department of Arts and

Culture has proven that indigenous languages in South Africa are still relevant. Under the Department of Arts and Culture there is a component called Cultural affairs which is made up of a National Language Services (NLS) which focuses on the promotion and development of indigenous languages and cultural development. This involves literature and terminology development, language policy and planning, translating, interpreting and editing services as well as cultural events that showcase the beauty of African culture. This is part of the contribution made by the South African government in promoting, developing and making sure indigenous languages and culture stay relevant in this English dominated society. However it is argued in this thesis that much work still needs to be done.

This chapter then explores the use of language in POSA and the role the African indigenous languages play in the publication of Hansard, as the official record of debates in the Houses of Parliament. Embarking on such an investigation leads to the realisation of the scarcity of publications, specifically written on the history of Hansard. This chapter firstly outlines the history of language usage in parliamentary debates as a step toward the contribution of the publication of Hansard.

Policy Framework

A further focus of this literature review is on language planning, language usage and the publication of Hansard in the POSA since the new Constitution of 1996 pronounced the use of eleven official languages in South Africa. There is no politically neutral theory of language planning in South Africa in spite of the fact that elites tend to examine language policy under conditions of crisis (Alexander, 2005:113).

There are various pieces of legislation considered for this study. These include the following:

- The Constitution of the Republic of South Africa, 1996
- National Language Policy Framework, 2003
- Use of Official Languages Act no 12 of 2012
- Pan South African Language Board Act No 59 of 1995
- South African Language Practitioner's Council Bill (B14B -2013)
- Parliamentary Language Policy, 2003
- National Heritage Resource Act, 1999

- Access to information Bill 2000 [DATE OF COMMENCEMENT: 9 MARCH 2001]

In terms of this research the above legislation and policy guidelines/policies are reviewed on the basis of their influence on language usage in the daily operations of the Language Service Section, LSS, in the POSA.

The Constitution of the Republic of South Africa, 1996

Section 6(1) of the Constitution of the Republic of South Africa Act 108 of 1996 recognises eleven official languages, all of which must enjoy parity of esteem and be treated equitably. The recognised languages are isiNdebele, Sesotho, Setswana, Tshivenda, Xitsonga, SiSwati, isiZulu, isiXhosa, Sepedi, Afrikaans and English. By virtue of its multilingual and multicultural composition, POSA is expected to strive for the use of all the eleven official languages as stated in the Constitution. Using the languages equitably means all shall be used for the same values as well as on the basis of the same activities on an equal basis.

Section 6 of the Constitution further states that:

Recognising the historically diminished use of the indigenous languages, the state must take practical and positive measures to elevate the status and

advance the use of these languages. It is through the use of these languages that will ensure their development and terminology compilation which will promote and elevate them.

Subsection (4) (a) further states that the national government and the provincial government by legislature and other measures must regulate and monitor their use of languages. This is the requirement for the national government, which is both parliament and provincial government to take it upon their shoulders that they embark on practical measures to elevate the status and advance the use of the previously diminished languages.

There is a need to determine whether POSA has taken steps in line with the requirements of the Constitution in terms of languages use, management, protection, promotion as well as development. Many scholars suggest that if language is not used then it dies. Holmes (1992:61) is of the opinion that language shift is shifting the one language to another language, that the one language is not used again. If indigenous languages are not used, there will be a shift of the speakers to use the language used by the majority as it is happening in South Africa.

Holmes further states that: "Language shift is a shift or displacement of one minority language mother tongue to the language of a wider society". According to Holmes, "The process of language death for the language comes about through the kind of gradual loss of the fluency and competence by its speakers" (Holmes 1992:61).

Crystal (2000:198) states as follows: "More commonly languages die through cultural change and language replacement, by assimilation to a "dominant" culture and language. This process is broad and complex, but one major factor is negative attitudes to a language, both in government policy and local communities." It may seem that government is not willing to promote the previously diminished languages if

there are no measures taken by parliament to use them and ensure their development through the laws that parliament passes itself, hence the promulgation of the 2012 Official Languages Act, although controversial in its own right.

It is clear however that South Africa's minority official languages are underdeveloped compared to English and Afrikaans, or even isiZulu and isiXhosa. Arguably, it is partly through their use by organs of government that they will undoubtedly be elevated and improved. If this fails to happen then they may die as supported by Crystal (*ibid.*).

Crystal (2000:7) further indicates that language has no independent existence, living in some sort of "mystical space apart from the people who speak it." Language exists only in the brain, mouths, ears, hands, and eyes of its users. When they succeed, on the international stage, their language succeeds and when they fail, their language fails. Non-success of the South African people is dependent on their languages' success and their ability to utilise language for their success.

Section 32 of the Constitution of the Republic of South Africa states that: "Everyone has the right of access to any information held by the state" and this may rightfully be done in the language one fully understands. Most people in South Africa are speaking their mother-tongue languages and they arguably understand and perform better if information and instructions are posed in their mother-tongue languages. Alexander (2010:3) states that "...language is the main instrument of communication at the disposal of human beings." He further states that if one does not have the requisite command of the language of production, one is automatically restricted in one's options." In order for community members to contribute and access information for meaningful participation in government, language and understanding then play a pivotal role. The late Nelson Mandela once said, "If you talk to a man in

the language he understands, that goes to his head. If you talk to him in his languages that goes to his heart.” Every person understands better and is able to make a valuable contribution if addressed in his language and if they are allowed to speak in their language.

The above statement is supported by section 32(1) (a) of the Bill of Rights in the Constitution of the Republic of South Africa Act 108 of 1996 which states that “Everyone has the right of access to any information held by the state.” It further gives an obligation to the national legislature (in this case Parliament) that the national legislature must be enacted in relation to language legislation in order to give credence to this right. Section 30 of the Bill of Rights suggests the following: “Everyone has the right to use the language and to participate in the cultural life of their choice...” It is also clearly stated in Section 31 of the Constitution that persons belonging to cultural, religious or linguistic communities may not be denied the right, with other members of that community to enjoy their culture, practise their religion and to form or join and maintain cultural, religious and linguistic associations and other organs of civil society.

The former President of South Africa and the father of the democratic parliament, Nelson Mandela, once said: “To deny people their human rights is to challenge their very humanity.” Further quotations supporting these sentiments expressed above can be found in Hatang & Venter (2013:124-5). Denying languages the opportunity to be promoted and to be used in the governmental documentation is denying the South African language and cultural group’s prosperity and their humanity especially in the understanding of parliamentary proceedings and compliance with the laws of this country. There cannot be a democracy conducted through a language that people do not understand.

National Language Policy Framework - NLPF (2003)

Dr Ben Ngubane, in the Foreword to this document states that “A person’s language is in many ways a second skin, a natural possession of every normal human being with which to express our hopes and ideas, articulate our thoughts and values, explore our experience and customs and construct our society and laws that govern it, it is through language that we function as human beings in an ever changing world.” This attests to the fact that it is through our language that we are able to manipulate and interact with the world we live in.

The purpose of this policy as the framework and implementation plan was set out was to coordinate language policy and implementation for the multilingual dispensation within the parameters of the Constitution and within the broad social plan of transformation in South Africa. In the introduction of this Policy Framework the following points are highlighted regarding the perception of government:

- There is a strong awareness of the need to intensify efforts in order to develop the previously marginalised indigenous languages and to promote multilingualism in South Africa. There is a need to be liberated from undue reliance on the utilisation of non-indigenous language as the dominant official language of the state.
- Management of linguistic diversity in post-apartheid South Africa has been made problematic by the lack of a clearly defined language policy leading to the use of English and Afrikaans as the most dominant languages in the socio-economic and political domains of our multilingual South African society.

- The Policy framework not only initiates a fresh approach to multilingualism in South Africa, but strongly encourages the utilisation of the indigenous languages as official languages in order to foster and promote national unity.

The policy is intended for the promotion of all South Africa's official languages, more especially those whose status was diminished and endangered by the policies of the colonial system and the apartheid regime. It is well designed to take cognisance of the constitutional provision on multilingualism and in consent with the government goal for economic, socio-political and educational growth in which part of its aim is to facilitate equitable access to government services, knowledge and information in order to enhance and sustain discourse on multilingualism with all language communities.

One of the principles of the NLFP is to enhance a people-centred approach in addressing the needs and aspirations of a wide range of the language communities through dialogue and debate. Wide language communities that do not have good language command may not effectively have involved themselves in government programmes.

Part of the scope of the provisions of the NLFP, particularly sections 2.4.6.3 and 2.4.6.5 indicate that National Government Departments, in cases that require publication in all official languages, should follow the route of functional multilingualism. Government documents may not be made available in all eleven languages, but in such cases the national government must publish documents simultaneously in at least six official languages and the selection should be as follows as indicated in the provisions made by the constitution (Constitution of the Republic of South Africa 1996):

At least one language from the Nguni group, which are (IsiNdebele, IsiXhosa, IsiZulu and siSwati);

At least one from the Sotho group which are (Sesotho, Sepedi and Setswana);
Tshivenda;
Xitsonga;
English; and
Afrikaans.

It is within the provision of this NLPF that a principle of rotation must be applied when selecting languages for publishing government documents in the Nguni and Sotho groups. One other issue highlighted by this Framework is that the regulation of language facilitation through translation, interpreting and terminology development must be done through the development of appropriate legislation. In the researcher's view this is an on-going process and to date there has not been much success in the use of these six rotational languages in a consistent manner. Further legislation and implementation plans may be necessary in order to successfully implement and oversee this move towards multilingualism. Nevertheless, a start has been made.

Pan South African Language Board Act (PanSALB) No 59 of 1995

To promote linguistic diversity section 6(5) of the Constitution provides for the establishment of the Pan South African Language Board (PanSALB) which was established through the PanSALB Act (1995, amended in 1999), which is the body that is entrusted with the promotion of multilingualism by ensuring the development and the use not only of official languages but also the Khoi, Nama and San language(s). PanSALB was and is still faced with the challenges of ensuring that the principles of multilingualism are upheld as well as developing the previously marginalised languages. The present Director of PanSALB is Dr Mpho Monareng.

Its mandate is among others to protect against unfair discrimination on the grounds of language. PanSALB is to ensure that all official languages are respected including those that are less commonly used by communities in South Africa such as German, Greek, Hindi, Portuguese, Telegu, Gujarat,i and Urdu, by creating conditions for their development and public use. In order to achieve this, systems have been put in place to guide the activities of PanSALB and to assist the board to realise its mandate, vision and mission. A number of policies were developed for the management of its finances and activities.

Alexander (2003:7) is of the opinion that: "Linguistic diversity is as necessary as biodiversity for the survival and perpetuation of the human species and it is something with which we have to engage." Section 35(5) indicates that when information has to be given to a person that information must be given in a language that the person understands. The establishment of this language agency showed the high priority given by parliament for the provision of the development of the official languages of South Africa. The question to be asked is then whether the PanSALB is achieving what it was intended for and what it set out to do? This body has been controversial and dogged by corruption and ineptitude. However, at the present time, with a change in leadership and a new Board, it seems to have a chance of achieving some of the goals as set out above.

David Crystal (2000:198) supports Alexander in his opinion that languages die in many forms, one of which is through cultural change and language replacement by assimilation into a dominant culture and language. He further states that the major contributing factor is a negative attitude to a language, both by government policy-makers as well as local communities. The underdeveloped languages of South Africa

are arguably partly underdeveloped through their lack of use by organs of government. If this were changed then they would no doubt be elevated and improved.

Unused languages therefore become endangered (Crystal 2000). An endangered language is one that is likely to become extinct in the near future. Many languages are falling out of use and are being replaced by other languages that are more widely used in the region or nation, such as English. The South African context poses some questions in relation to language use. The questions to be asked are:

- Why has the Pan South African Language Board (PanSALB) failed to carry out its constitutional duty to promote and develop conditions for the development and use of all our official languages and to promote respect for other languages used in South Africa Parliament?
- Why has the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities (CRL Commission) done so little to carry out its constitutional mandate to promote the respect for the rights of cultural, religious and linguistic communities?
- Why is there still so little appreciation and respect among South Africans for the richness of the cultural, linguistic and historic heritages of other communities such as those that belong to indigenous languages?

The answers to these questions are complex. In the researcher's view it has to do with a multitude of factors including the lack of appropriate leadership for PanSALB alluded to above, the general lack of political will to implement the language provision of the Constitution and the hegemony of English in South Africa. This latter point also affects the attitude of African language speakers to their own languages and this further disempowers them, right from the beginning of the schooling system up to their use in government structures such as parliament.

The Use Of Official Languages Act, 2012 (Act no. 12 of 2012)

A brief history is given followed by a discussion of the above-mentioned Act. The government under colonisation and the Union of South Africa ensured it made a stand in terms of the languages and how they shall be used by parliament and government sectors as discussed in chapter 3 of this thesis.

In 1909 the governor of South Africa took a stand on language usage. The South Africa Act 1909 was an Act of the British Parliament which created the Union of South Africa from the British Colonies of the Cape of Good Hope, Natal, Orange River Colony and Transvaal. (<http://global.britannica.com/>)

The Act immediately set about establishing English and Dutch as the official languages of South Africa, with equal status under the law. These languages had to be used and were required for all government documents and parliamentary proceedings were to be published in both languages (<http://global.britannica.com/>). In contemporary times, English remains one of the official languages of the Republic of South Africa. Dutch further developed a dialect which was extended to the development of Afrikaans. Afrikaans was then declared the Official Language in the Union Act, 1925 and it replaced Dutch in the Constitution of 1961 (Davenport & Saunders 2000).

Act no 32 of 1961, Section 108, of the Constitution that was drafted in 1910 and was also adopted as the Constitution of the Country in 1960 declared that, "English and Afrikaans shall be the official languages of the Republic and shall be treated on a footing of equality, possess and enjoy equal freedom, rights and privileges." This was a continuation of the two official languages of government, and the difference being that Dutch was replaced by Afrikaans. The 1961 Constitution further indicates the prescripts for the use of these two official languages stating that all records, journals,

and proceedings of parliament and provincial councils shall be kept in both official languages - English and Afrikaans - including all draft ordinances, ordinances and notices of public importance or interest. In section 110 it further states that “whenever anything is published in a newspaper at the instance of the state, publication shall take place simultaneously in both languages.”

The last remnants of the 1909 Act were finally abolished in 1983 when the apartheid-era government enacted a new Constitution, the Constitution of the Republic of South Africa Act (110 of 1983). These previous conventions and Constitutions including the 1983 version maintained white dominance over political life through a discriminatory electoral structure that disenfranchised Blacks. This discrimination included the dominance of English and Afrikaans over African languages.

Neville Alexander (2011) is of the opinion that it should be stated clearly that it is not true that languages simply develop naturally. According to him languages were formed and manipulated within definite limits to suit the interest of different groups of people. Alexander’s proposition derives from the fact that languages, like cities, are formulated and they can be planned. Dutch was replaced by Afrikaans which is the language formed, planned and developed by the government of the apartheid dispensation. In the same way African languages can be formed, planned and developed if there is political will to do so as alluded to above.

It is the obligation of our contemporary parliament to ensure the use of African languages and this is also entrenched in the Use of Official Language Act, 12 of 2012, which requires national government and the provincial governments to use and develop the indigenous languages that were previously marginalised. In the same way that the other Constitutions developed and entrenched the use of English, Dutch and

Afrikaans, the present Constitution opens a window for the planning of African languages to be used in parliament and elsewhere.

This Official Languages Act was gazetted on 8 February 2014, but had already become an Act in 2012. This piece of legislation stipulates that all government departments, national public entities or national public enterprises must have language policies that they will use to effectively communicate with members of the public through public notices, announcements, public information, signs, signage identifying facilities and services, government reports, documents, records, transcripts and other official publications intended for public distribution and at public hearings and other official proceedings. As regards to the above, parliament is not an exception in terms of the publication of its most important official document because all documents are for public use, especially when the public wants to make reference to how a decision was reached on some issues that are raised in parliament. The publication of Hansard as the document containing the proceedings of parliament is published only in English, while the other official languages used in speeches are translated only into English making English the only language in which Hansard is published. Questions and submissions are done in English. Translation of questions from the NCOP into isiXhosa was started in 2012 but was abandoned in 2014. There are no reasons why the project was abandoned as a pilot project.

Since 2002, there have been Language Practitioners for all languages, who were employed to do translation of questions and motions in order to cater for multilingualism, but they have not yet been given the opportunity to do that work. This could have been a step towards the development and promotion of indigenous languages and towards making parliament a multilingual institution.

The Act provides that every national department, national public entity, or national enterprise must publish its language policy in the *Government Gazette* within 90 days of completing its final draft. Parliament has a two-page language policy that is a Draft dating back to 2003. This was never finalised and published in the Gazette. The two-page policy is not signed by PO's as the official bearers and it does not indicate the implementation date.

The two-page policy that Parliament has only speaks to how Members of Parliament that they can use their languages of choice, that which they can register as their first languages and may use any of the official languages in any of the debates or proceedings of Parliament. No terms of reference have been detailed in this respect. The policy is general and does not speak to each of its sections and division as to how languages should be treated. A number of sections and divisions at Parliament are in a good position to be agents of language promotion and development considering their operational programmes.

South Africa Language Practitioner's Council Bill, 2013

As indicated earlier South Africa has good pieces of legislation that speak to language usage and language development. The South African Language Practitioner's Council Bill is one of the pieces of legislation that speaks to the monitoring of language practises in order to ensure that language programmes and language usage are of good quality so that the originality of each language are not lost.

Among other issues sighted by this Bill is the facilitation of the effective implementation of the constitutional obligations concerning multilingualism. According to the Bill all South Africans must be able to use the official languages of their choice as a right. The Bill seeks to ensure that the Use of Official Languages Act, 2012 (Act

no. 12 of 2012) is adhered to by ensuring equal access to information, knowledge, education, government services and programmes.

Some of the objectives of the Bill are:

- To promote and protect the language practice in the Republic.
- To regulate the provision of language provision services to members of the public.
- To provide and encourage ... opportunities for persons especially from indigenous communities, to enter and participate in the language practice in the Republic.

Preparation and development of the various policies for language usage and multilingualism in South Africa is now at a very developed level. The challenges are with the implementation of these policies. Very cautious steps have been taken to ensure that South Africa has correct and relevant policies that will help and cater for social cohesion by using all official languages. The passing of the Language Practitioners Bill and Language Practitioner's Council Bill is highly anticipated as they will protect both the language practitioner's rights and the language rights. This move will enhance the improvement, development and protection of the previously diminished languages, including their parliamentary use.

Parliamentary Language Policy, 2003

(See Annexure D)

The Language Policy for Parliament was formulated in 2003. It has been set out with regards to the use of the official languages in parliament. It is not clear how this policy was formulated since the efforts to retrieve concept documentation went in vain. The provision of the policy was that it is to be phased in, in two phases, the first phase will be interpreting then followed by the second phase that is translation. The interpreting

services shall take place simultaneously during debates of the two Houses and within the Committees. The policy is the prescription of language use that is designed for the use of languages by all sections and divisions of parliament, including the house debates, official parliamentary records such as Committees records and Parliament proceedings (Hansard), Daily Papers such Order Papers, Announcements, Tabling's and Minutes of proceedings (The Language Policy of Parliament 2003).

The policy further states that Members of Parliament have the right to use any official languages as well as sign language (SASL) in the National Assembly, the National Council of Provinces and in the committee meetings. The official speeches will simultaneously be interpreted into all eleven official languages.

The policy speaks to all the steps that are to be taken to ensure that everything that will be happening during the parliamentary debates and duties of Parliament are available in all official languages of the country. Paragraph 2 of the policy states that "publication of the official Records of Parliament Proceedings, Hansard, Committee Reports, Questions and Replies, Motions and Statements will be published in the original language in which they were presented or submitted and they will be translated and be made available electronically in all other official languages" (The Language Policy of Parliament 2003).

The policy states explicitly that each member will exercise his/her preference for the official languages and will receive the Order Papers in the language registered as the language of his/her choice. Announcements, invitations, advertisements about parliamentary activities such as hearings and nominations, etc., will be made available in all official languages according to the predominantly language(s) of the targeted groups.

According to the policy, debates in either House will be simultaneously interpreted in any of the eleven languages, including SASL and translated into all eleven official languages. Committee proceedings and publications and distribution of Daily Papers will also need to be catered for in the relevant languages.

Proceedings of the committees will then be interpreted according to the members' and other participants who declared language preferences. Daily Papers will be sent electronically to the members in their registered language of preference and will also be published on the parliamentary website (See Parliament Policy 2003).

With regard to the publication of Hansard, Section 2.1 of the policy states that the member's speeches will be published on the parliamentary website in the languages in which they were received and will be sent to members electronically. Hansard bound volumes will be published annually. It further states in the Phase 2 section 1 that member's speeches delivered in any of the 11 languages will be interpreted simultaneously and translated into 11 official languages as mentioned above.

Bamgbose, well known as the doyen of language planning in Africa, is of the opinion that the South African Constitution, the existence of PanSALB, the NLS and all the associated organisations including the NGO's, constitute a shining model on paper only. According to Bamgbose it is a very difficult step for all African countries to deal with language issues as they have good paper planning that they fail to put into practice (Bamgbose 2003:7).

National Heritage Resources Act, 1999

The National Heritage Resources Act is a piece of legislation that aims to promote good management of the national estate and to enable and encourage communities

to nurture and conserve their legacy so that it may be bequeathed to future generations (National Heritage Resources Act 1999).

While our heritage is unique and diverse, this piece of legislation also aims to define our cultural identity, spiritual being and to affirm our potentially diverse cultures. Our heritage is everything that we inherit from our families and our society. It includes the DNA in our bodies, the languages we speak, the cultures that we are a part of, the beliefs we have, the food we eat, the music we listen to, the places we live in and the memories of our families, friends and communities. Our heritage is what gives us our sense of identity and belonging (SAHO).

According to the National Heritage Resources Act, 1999, our heritage celebrates our understanding of society and encourages us to redress past inequalities because it educates, deepens our understanding of society and encourages us to empathise with the experience of others. Each language community group's heritage can only be displayed and presented through its language.

Celebrating the heritage of each cultural group may then include the following:

1. Cultural significance, architectural, historical and linguistic values.
2. living Heritage which are intangible aspects of inherited culture that may include:
 - cultural tradition
 - oral history
 - performances (drama plays, music singing, etc.)
 - rituals
 - popular memory
 - skills and techniques
 - indigenous knowledge systems

All the above can only be preserved through language usage. Language plays an important role in the preservation of cultural valuables as they can only be names which are explained in their cultural original indigenous languages. Heritage resources in South Africa, which are of cultural significance or other special value for the present community and for the future generations, must be considered as part of the national estate since only the older generation can pass cultural and language values from one generation to the other.

Principles of this Act require that heritage resources should have the capacity to promote reconciliation, understanding and respect, and contribute to the development of a unifying South African identity (National Heritage Resources Act, 1999). Furthermore, the Act indicates that the skills and capacities of persons and communities involved in heritage resource management must be developed and provision must be made for the ongoing education and training of existing and new heritage resources management workers (National Heritage Resources Act 1999). The above mentioned principles are transferable through language and communication. The rich heritage therefore resides with the older generation most of which have never had the advantage of schooling and are only competent in their indigenous languages or mother tongues. This Act is therefore very empowering once again when it comes to the promotion and use of our African languages as a resource that underpins our indigenous knowledge systems.

Conclusion

For the past centuries of colonisation and Apartheid in South Africa, the country was under white rule. In the past language issues were not challenges in House debates and Parliament's daily activities including the publication of parliamentary documents such as Hansard publication were in English and Afrikaans. The focus was on these

two languages only. The indigenous languages were used as a tool for segregation of the South African communities in different areas. Members of Parliament were the members constituted of whites only and who were fluent in English and Dutch or English and Afrikaans as the languages of government.

Since the dawn of democracy and the multi-party state of South Africa, representation in parliament has changed. More black people and people from all walks of life and different communities are now represented in parliament. Parliament has changed from being an only white institution to a multicultural, multilingual institution and it represents the diverse nature of the South African community. Therefore language is a matter that should be taken seriously by parliament so that the entire diverse community receives information and is able to participate effectively in the activities of parliament.

Language has a special social function in the communities but it seems it is not regarded and taken as such. As long as our immediate communicative needs are met, language is not experienced as a problem (Webb and Kembo-Sure 2000:1). Webb and Kembo-Sure have a number of functions that a language can perform in a society which can bring prosperity for a community. The following are the social functions of languages identified (Webb and Kembo-Sure 2000:2). Alexander (2004:117) also concurs with Webb and Kembo-Sure stating that languages came to be seen as a resource in both the economic and the cultural sense of the term.

The social functions of language are described in relation to two properties that is the instrumental and the symbolic function of the language.

- The instrumental informative function of language is when it is used as a tool, an instrument used in giving or receiving information or expressing emotions or desires.

- Language can be used as an instrument which people use to group themselves together or to separate themselves from others and this is termed as the binding or separation function.
- The participatory function of language can be used to participate in activities and enjoy certain privileges.
- Language can have symbolic function which usually symbolises identity (Webb and Kembo-Sure 2000:2).

The identified functions show that language can play a role in resolving social, educational, economic and political problems. Multilingualism is very important, if more people speak more than one language, it will be easier to communicate without the need for interpreting or translation. It is therefore imperative that multilingualism be entrenched as a resource in South Africa right from the beginning of the schooling system. This may then relieve the present language challenges faced by parliament in time to come. The chapter that follows looks specifically at the use of language in relation to the publication of Hansard.

Chapter 5

The use of Language in Parliament in relation to Hansard

Introduction

This chapter defines Hansard and indicates the language history of the publication of Hansard within the Parliament of South Africa. Before the findings related to the publication of Hansard can be analysed, it is imperative that the word Hansard is defined and its origin traced. Hansard as a name can be traced back to Britain where two family members were entrusted with the recording of British parliamentary debates.

The Origins of Hansard

Hansard is the traditional name of the transcripts of parliamentary debates. It is named after Luke Hansard during the period July 5, 1752-October 29, 1828, and his son Thomas Curson Hansard (1776-1833). Luke Hansard (July 5, 1752- October 29, 1828) was a London printer and publisher, who was the first official printer to the Parliament at Westminster in the United Kingdom. Though the history of Hansard began in the British Parliament, each of Britain's colonies developed a separate and distinctive history of this Publication (Davenport & Saunders, 2000).

van Wyk defines Hansard in Afrikaans as follows:

Hansard het 'n Briste ontstaan, maar bronne is dit nie eens oor die herkoms van die naam nie. Die meeste sê dit kom van die Brit Luke Hansard (1752-1828) wat in die tweede helfte van die 18de eeu met die spreekwoordelike

ghienie in sy sak van Norwich na Londen kom en die eerste word wat die verslae van die parlementere debatte uitgee.”

Hansard has British origins, but sources do not agree on the origin of the name. Most state that it is derived from the Brit Luke Hansard (1752-1828), who came to London from Norwich during the second half of the 18th century with the proverbial guinea in his pocket and became the first to publish the reports of parliamentary debates.

What is Hansard?

It is a substantially verbatim report - with repetitions and redundancies omitted and obvious mistakes corrected. It is named after the English printer, L Hansard (1752-1828) and his descendants, who compiled the reports until 1889. Hansard is then an edited verbatim record of parliamentary proceedings of what was said in parliament. It also includes records of votes and written ministerial statements. The report is published daily covering the preceding day, and is followed by a bound final version. (www.parliament.uk) Members' words are recorded by Hansard reporters and then edited to remove repetitions and obvious mistakes but without taking away from the meaning.

Language usage in relation to South Africa's Parliament

As indicated in chapter 2 of this thesis, the Language Services Section has a Section Manager, who is the overseer of the three units, and each has a manager in charge. In each of the three language units there are Control Language Practitioners (CLPs), Senior Language Practitioners (SLPs) and Language Practitioners (LPs). Representation within each unit is shown in the tables below.

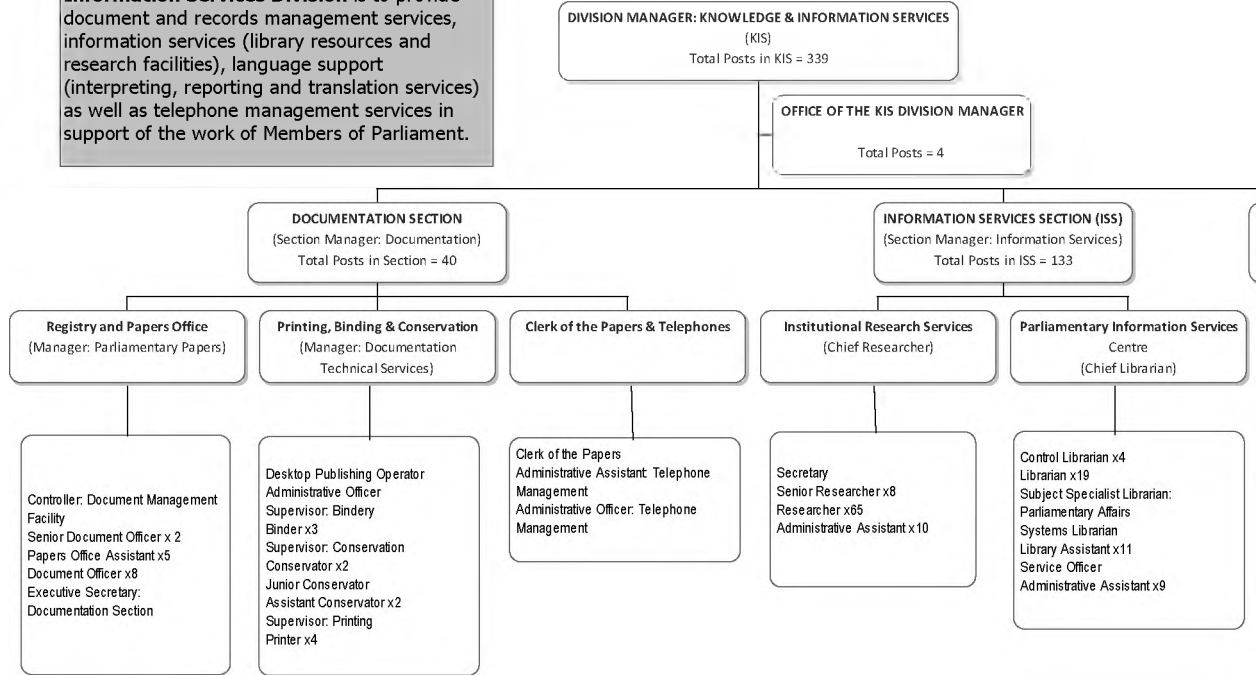
The Structural Representation of the LSS

The columns below show the structure of Language Services Section in the Parliament of South Africa. The section is divided into three units, namely the Interpreting Unit, the Reporting Unit and the Translation Unit.

	Section manager LSS		
Interpreting Unit Manager	Reporting Unit Manager		Translation Unit Manager
Control language Practitioner	Control language Practitioner		Control language Practitioner
Senior language Practitioner	Senior language Practitioner		Senior language Practitioner
Language Practitioner	Language Practitioner		Language Practitioner

Sub-chart 1

The mandate of the **Knowledge and Information Services Division** is to provide document and records management services, information services (library resources and research facilities), language support (interpreting, reporting and translation services) as well as telephone management services in support of the work of Members of Parliament.



Profile of the Respondents Interviewed

Number	Sex	Highest Qualifications	Home language	Years of Service in P OSA (Experience in LSS)
1	Male	Diploma	English	11+
2	Female	Doctorate	Afrikaans/English	6-10
3	Female	Honours Degree	IsiZulu	1-5
4	Female	Honours Degree	IsiZulu	11+
5	Male	Bachelor's Degree	Setswana	11+
6	Male	Master's Degree	Setswana	6-10
7	Male	Honours Degree	Setswana	6-10
8	Male	Honours Degree	Setswana	6-10
9	Male	Bachelor's Degree	Setswana	1-5
10	Female	Honours Degree	IsiXhosa	1-5
11	Female	Honours Degree	IsiXhosa	1-5
12	Male	Bachelor's Degree	Sesotho	1-5
13	Female	Bachelor's Degree	SiSwati	1-5
14	Female	Bachelor's Degree	SiSwati	1-5
15	Male	Honours Degree	SiSwati	1-5
16	Female	Master's Degree	IsiZulu	1-5
17		Honours Degree	SiSwati	1-5

	Female			
18	Female	Bachelor's Degree	IsiZulu	6-10
19	Female	Honours Degree	IsiNdebele	6-10
20	Male	Honours Degree	IsiNdebele	6-10
21	Male	Diploma	IsiNdebele	1-5
22	Male	Diploma	IsiNdebele	6-10
23	Male	Bachelor's Degree	Tshivenda	6-10
24	Male	Master's Degree	Xitsonga	1-5
25	Male	Master's Degree	Xitsonga	1-5
26	Male	Honours Degree	Xitsonga	6-10
27	Male	Bachelor's Degree	Xitsonga	1-5
28	Female	Honours Degree	Tshivenda	1-5
29	Male	Honours Degree	English/Afrikaans	6-10
30	Female	Honours Degree	English/Afrikaans	6-10

The experience and qualifications of the respondents covered all the official languages of South Africa with the relevant skills in the LSS. They come from diverse linguistic backgrounds and were disseminated throughout the three language service units in the Language Services Section of the POSA. Each language unit caters for all eleven official languages with the exception of the Interpreting Unit that also caters for South African Sign Language.

The use of Official Languages in the publication of Hansard

The table below indicate the African languages (excluding English because it is the language used across all languages by Government), and the distribution of these languages across the nine provinces:

PROVINCE	LANGUAGES
Eastern Cape	isiXhosa / Sesotho / Afrikaans
Free State	Afrikaans, Sesotho
Gauteng	IsiZulu / isiNdebele / Sesotho / Pedi / Tswana
KwaZulu-Natal	IsiZulu
Limpopo	Tshivenda / Xitsonga / Sepedi
Mpumalanga	IsiNdebele / SiSwati / Xitsonga /
North West	Tswana
Northern Cape	Afrikaans / Khoi-san
Western Cape	Afrikaans / isiXhosa
Parliament	All Nine Languages

How do the Units work?

Interpreting Unit	Reporting Unit	Translation Unit
Interpret during sittings of the two houses, committee meetings where there is the need also in Taking Parliament to the People Programme conducted by NCOP	Record all the debates of the two houses through the prism recording system and divide them into time slots which are called takes. The time slots are then allocated to language practitioners who transcribe them into an unrevised Hansard section.	Various translations are allocated to relevant Language Practitioners for translation into English. Then the speeches are collated and given for printing. Printouts are given back for proofreading and corrections. The final document will then be sent for final print which is then bound into a series of volumes that are indexed accordingly.

The three units are working together in the process of producing bound volumes of Hansard. The production of Hansard starts with the debates in the two houses, they are transcribed and translated and then bound into volumes that are also indexed according to the year, month and date of the debate. Each unit has a specific role as indicated above in order to produce a full and bound volume of Hansard.

As indicated above, Hansard emanates from the debates of sittings of the two houses. At times the debates are called by the committee that has finalised their

findings, investigations or sight visits regarding a social issue. The sitting may be on the consideration of the committee finding, proposition of the Bill by the committee or the report on the finding on a particular project of the committee. The following are possibilities that may have to be dealt with through various languages:

1. The committee does a sight visit or makes a proposal for a Bill and does a report. It further does analysis of its finding and makes recommendations. This part of the meeting is recorded separately by the Committee secretary.
2. The report or the proposal of a Bill is then tabled in the NA for their consideration and debate. The debates give Parliament members the powers to approve or dismiss the tabled report or Bill.
3. If the Bill or the report is approved in terms of members in the NA as the house votes, it is then sent to the NCOP for concurrent consideration as to whether it serves the needs of the Provinces as the lower house.

During all the meetings of the two houses which are called sittings, when debates are conducted, there is then electronic recordings of all the deliberations of the debate, no matter what language that they take place in and then such is again translated as required.

Language usage and the Parliaments of South Africa

The tables that are included below show what languages were used in the South African parliament and for the purposes of recording Hansard as well as for what periods:

Parliament	Years	Language of Hansard Publication
1 st Cape Parliament	(1854–1858)	English & Dutch (English dominating)
2 nd Cape Parliament	(1859–1863)	English & Dutch
3 rd Cape Parliament	(1864–1869)	English & Dutch
4 th Cape Parliament	(1870–1873)	English & Dutch
5 th Cape Parliament	(1874–1878)	English & Dutch
6 th Cape Parliament	(1879–1883)	English & Dutch
7 th Cape Parliament	(1884–1888)	English & Dutch
8 th Cape Parliament	(1889–1893)	English & Dutch
9 th Cape Parliament	(1894–1898)	English & Dutch
10 th Cape Parliament	(1898–1903)	English & Dutch
11 th Cape Parliament	(1904–1907)	English & Dutch
12 th Cape Parliament	(1908–1910)	English & Dutch

Parliaments of the Union of South Africa (1910 to 1961)

Parliament	Years	Language of Hansard Publication	Dominating language in debates
1 st South African Parliament	1910 -1915	English (while the war and Great trek continues)	English
2 nd South African Parliament	(1915–1920)	English	English

3rd Parliament	South African	(1920–1921)	English	English
4th Parliament	South African	(1921–1924)	English	English
5th Parliament	South African	(1924–1929)	Starting of emerging of Afrikaans	English
6th Parliament	South African	(1929–1933)	English	English
7th Parliament	South African	(1933–1938)	English	English
8th Parliament	South African	(1938–1943)	English	English
9th Parliament	South African	(1943–1948)	English	English
10th Parliament	South African	(1948–1953)	English /Afrikaans	English
11th Parliament	South African	(1953–1958)	English /Afrikaans	English
12th Parliament	South African	(1958–1961)	English /Afrikaans	English

The Apartheid Parliament and Hansard (1961-1994)

Parliament	Years	Language of Hansard Publication	Dominating language in debates
1st Parliament of the Republic of South Africa	(1961–1966)	English/ Afrikaans	Afrikaans
2nd Parliament of the Republic of South Africa	(1966–1970)	English/Afrikaans	Afrikaans
3rd Parliament of the Republic of South Africa	(1970–1974)	English/Afrikaans	Afrikaans
4th Parliament of the Republic of South Africa	(1974–1977)	English/Afrikaans	Afrikaans
5th Parliament of the Republic of South Africa	(1977–1981)	English/Afrikaans	Afrikaans
6th Parliament of the Republic of South Africa	(1981–1984)	English/Afrikaans	Afrikaans
7th Parliament of the Republic of South Africa	(1984–1987)	English/Afrikaans	Afrikaans
8th Parliament of the Republic of South Africa	(1987–1989)	English/Afrikaans	Afrikaans
9th Parliament of the Republic of South Africa	(1989–1994)	English/Afrikaans	Afrikaans

The parliamentary period of 1961 to 1984 was then a parliament which was dominated by the use of Afrikaans and English and increasingly in English with documents published in English more especially after the 1976 Soweto uprising.

Parliament of 1984 to 1994: Transition to Democracy

Tricameral Parliament

A new Constitution, introduced in 1984, re-enfranchised the Coloured population (women as well as men), and enfranchised the Indian population. It retained the existing House of Assembly for whites, and established a House of Representatives to represent the Coloureds, and a House of Delegates for the Indians, making Parliament a Tricameral legislature. Blacks continued to be excluded as pointed out in chapter 3 of this thesis. However, during this Tricameral system it was mainly English that dominated and to a large extent Afrikaans in the Coloured House of Representatives.

Parliament in the democratic South Africa: 1994 onwards

As pointed out in chapter 3, the 22nd Parliament of the Republic of South Africa was elected in the elections of 27 April 1994 and was the first Parliament which was voted by all the racial groups of South Africa including women. It is referred to as the 1st Democratic Parliament of South Africa. This Parliament came into existence after a long struggle where major political parties were banned by the apartheid Government. A new interim constitution, introduced in 1994 after four years of negotiations, finally introduced an all-race democracy and enfranchised men and women of all races on equal terms. Parliament was reconstituted to consist of a National Assembly and a Senate. What follows below is a table depicting the language usage during the post 1994 democratic era:

The Democratic Parliament and the language of Hansard Publication

Parliament	Years	Language of Hansard Publication	Dominating language in debates	Translations
1st Democratic Parliament of the Republic of South Africa	(1994–1999)	11 languages	English with Questions in Afrikaans	All indigenous languages into English for Publication
2nd Democratic Parliament of the Republic of South Africa	(1999–2004)	11 languages	English with Questions in Afrikaans	All indigenous languages into English for Publication
3rd Democratic Parliament of the Republic of South Africa	(2004–2009)	11 languages	English with Questions in Afrikaans	All indigenous languages into English for Publication
4th Democratic Parliament of the Republic of South Africa	(2009–2014)	11 languages	English with Questions in Afrikaans	All indigenous languages into English for Publication
5th Democratic Parliament of the Republic of South Africa	(2014–present)	11 languages	English with Questions in Afrikaans	All indigenous languages into English for Publication

Language Policy for Parliament: Respondents' views

There were 30 respondents that were interviewed regarding language practices in parliament and their points of view can be consolidated as follows:

14 respondents indicated that Parliament has a Language Policy, making up 56.6% of the respondents;

8 indicated that there was no policy and

8 were not sure. The latter 16 make up 53.3% of the respondents.

The results indicate that the majority of language Practitioners who should be working with the fulfilment of the languages policy in parliament have no knowledge of the policy. This is indeed ironic. The results indicate that the majority of the respondents have not been exposed to or have no knowledge of the language policy. This means that parliament is failing in its advocacy work and this requires urgent attention.

A follow-up was made and a copy of the policy was furnished by one of the unit managers. Some indicated that there is one, but they could not produce a copy of such policy. The copy that is in existence has no official signatures and was not published in the *Government Gazette*, as should be the process with policy formulation of the Department of Arts and Culture. There is only a copy that was last updated in October 2003.

A policy is an important document that gives guidance as to how languages should be worked with or used in an institution. However, at parliament 75% of the respondents stated that there was no policy or guide for the use and the monitoring of language use in parliament. Those who agreed that there was a policy in parliament indicated that they had no clue of the content of the policy and how it should be followed. There is a two-page policy document that I managed to secure from one of the managers which is analysed below.

The objectives of the policy of parliament are stated as follows:

All official languages shall be used for:

1. House debates and Committee proceedings
2. Official records of Parliamentary proceedings (Hansard) and committee reports
3. Daily Papers such as Order Papers, Announcements, Tablings and Committee Reports, Minutes of proceedings of the House and debate.

The policy further states the following:

“Members will have the right to use any of the official languages and interpreting will be available for the visitors in the galleries, the media and other Houses visiting Parliament. Publication of the official records of parliamentary proceedings, i.e. Hansard, Committee Reports, Questions and Replies, Motions and Members’ Statements will be translated and be available in all languages electronically. Daily papers of each member will be made available in the registered language of that member and these translated papers would only be available electronically. For the translation of the daily papers, the member is expected, according to the policy, to register one language of preference at the beginning of the term of office in which the daily papers will then be made available. Papers are to be e-mailed to the members.”

Furthermore the document states that:

“External communication with the public: Public oral address and written submissions to Parliament may be in any of the official languages. All public submissions are to reach Parliament 21 days in advance and the Parliament would respond in any official language. Efforts would be made that Parliament’s response is in the language used by the member of the public concerned.

Notices, adverts, information packs and any information that concerns the public will be made in all official languages, according to the predominant language/s of the targeted group/s.”

The policy was intended to be implemented in full in three to five years following 2003. It was intended to be implemented in two phases:

Phase 1: Interpreting during debates in the Houses, and during the committee proceedings, publication of Hansard and publication and distribution of daily papers. Hansard was to be published and made available electronically on the parliamentary website and Hansard bound volumes are to be published annually.

Phase 2: Debates in the House: Members’ speeches delivered in any language, including SASL, are to be interpreted simultaneously and translated into all official languages, as stated in the Constitution. Committee proceedings will be interpreted according to the members’ and other participants’ registered or declared language preferences. Hansard will be published electronically and bound volumes published annually. Members’ speeches will be translated and sent to members electronically. Publication and distribution of daily papers will take place electronically in all official languages on the Parliament website.

The respondents stated in the interviews that if the policy is available, it is not helping Parliament to develop the previously disadvantaged languages. They further indicated that the LPs are employed as a result of the Constitution, not the policy, with a view to the development of the languages. The policy according to the LPs does not emphasise the use of all official languages.

Support for the full use of languages that were diminished during apartheid was declared to commence in 1996 after the Constitution was signed into an Act by then President Mandela. This was the start of reform and recognition of various rights of

the majority of Black and indigenous people in South Africa. One of the recognitions was the official recognition of the eleven indigenous languages of the various peoples of South Africa as outlined in chapters 1 and 2 of this thesis.

Since 1994, Parliament was therefore obligated to use all South African official languages and to assist with the development of these languages. A structured plan was a necessity and was needed to help with the implementation and monitoring of the use of all these official languages for their growth, especially those that were previously diminished. According to the respondents, there is no such plan for development in place to assist with measuring or assessing if there is any development of languages in Parliament. Policies and Acts such as the 2012 Official Languages Act (outlined above) are there but there is no implementation. Language development is the sole responsibility of the LPs in the various language groups and they are doing this on a voluntary basis, on their own and without any supervision or guidance from management. The terminology development meetings are organised by SLPs and each language works on a different schedule, without managerial supervision. LPs collect terms, while interpreters do translation work, and some do the transcription of members' speeches. It is clear from this research that LPs are doing the best that they can, but with little official direction and support.

The group of LPs from each language group makes its own arrangement itself to discuss and find equivalent terms according to their collection. It is furthermore the responsibility, without supervision, of the Language Practitioners to ensure that they keep the lists of the terms that were developed. Corpus planning is therefore happening, but in limited pockets where individual initiative is shown.

In terms of the development done by language groups, it is the responsibility of the SLP for each language group to liaise with the language structures outside

parliament in order to facilitate the authentication of the terms and ensure that they are ready for public use and by other departments of government. There is no plan, control or link in facilitating the process by either the Unit Managers or the Section Manager. Each language group takes it upon its shoulders to ensure the growth and development of their languages in parliament. If LPs do not do their work, then the new terms will not reach the NLB, NLU or the Department of Arts and Culture, for inclusion in the database of terminology developed for each language.

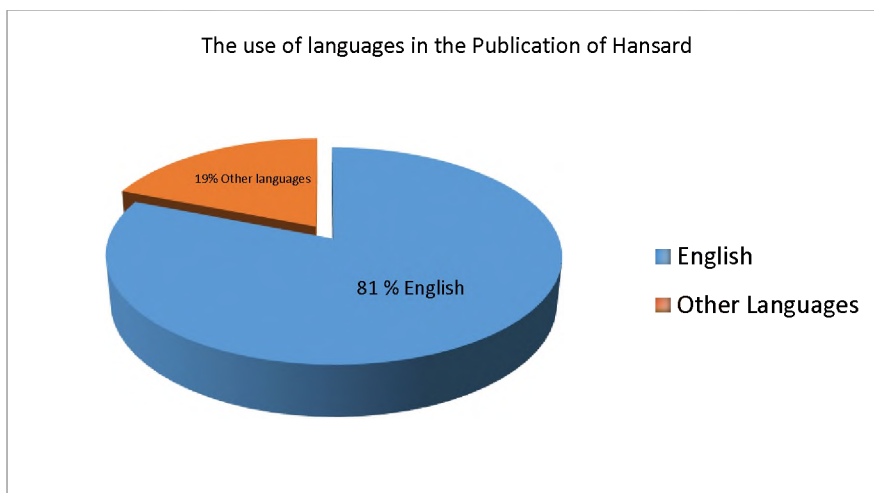
It is the work of the individual LP, and later the group LPs from the three language units to organise themselves as regards terminology development. There is good work produced by LPs, but the terms are only for their own institutional usage, as it relates to the work they do in Parliament since there is no compelling submission of the terms to the relevant structures for authentication. Due to the lack of financial support from management, LPs are unable to engage with the legalised language structures to collaborate and embark on thorough terminology development and authentication of the terms. The SLPs take the lead in organising meetings for terminology development. The response to this question by respondents therefore shows a lack of coordination both with parliamentary structures where languages are to be developed as well as with outside bodies such as PanSALB.

In all government sectors and departments, a programme of action that contains the actions to be taken in promoting policies or projects are essential documents, and are the guides that contain measurements of success. It is imperative to have a measure, yardstick, or benchmark for language use promotion and development. Part of the policy should indicate how Parliament would ensure the promotion of all official languages. As mentioned above, the policy does not indicate

procedures to be followed in promoting the languages. Most of the respondents were not sure whether the policy is helping with the development of the languages or not.

Managers of the different language function units in Parliament were asked as to whether there is any collaboration between Parliament and the following language structures: PanSALB, Department of Arts and Culture, National Lexicography Units, National Language Board, SANTED or the Commission for Religious and Linguistic Rights. It appeared that they were not able to understand the role played by any of these language structures in helping towards the development of the previously diminished indigenous languages. Further interviews and deliberation showed that there are efforts made for such engagements and partnership by management.

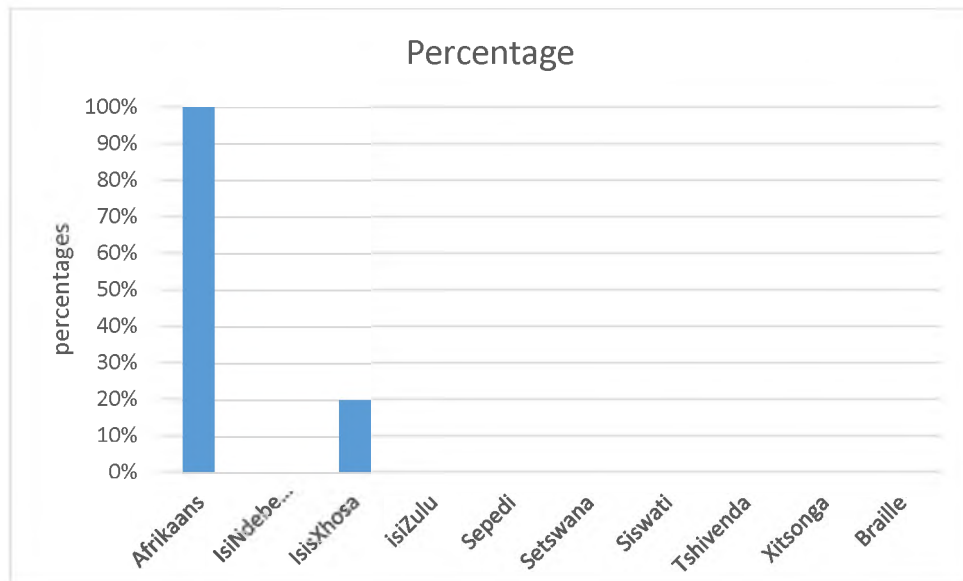
The following graph indicates the value and the use of English in the production of Hansard as opposed to the use of African languages. It shows the percentages of the use of other languages versus English when debates take place in the two houses and hence the recorded use of language in Hansard.



Clearly English is the main language used in the publication of Hansard, with translations of speeches made from all other official language translated into English. Translation for Hansard is then done from the indigenous languages into English only as Hansard is only in English. There is no African language that is used as a language of record.

Respondents were given percentages to score the estimated involvement of their languages in the publication of Hansard and they all indicated that their languages score only 0-19% representation in Hansard. The pie chart representation above shows the share of official languages versus English usage in the publication of Hansard as being 19% versus 81%. Limited use of indigenous languages contributes significantly to this. The part of the language policy that requires publication of Hansard in all eleven languages has not yet been considered for a variety of reasons, from monetary implications to capacity, etc. In my view, this requires serious attention on the part of parliament if it is really to be considered a parliament for all the people of South Africa.

The other activities of the house sittings are motions, notice and questions that are answered by the President, Deputy President or Ministers of various Departments. During the National Party Parliament, the questions formed part of the Hansard publication. Only the English utterances and translations into English from other languages are recorded. The percentages are indicated below:



This indicates the translation of questions from English to other languages. IsiXhosa is the only language into which questions were translated.

What is clear from the information gathered from the respondents above is that they are largely on their own as language practitioners. They are doing the best that they can but with little support from parliamentary powers and structures. There is also little collaboration with outside bodies such as the national Language Service and PanSALB. This is a situation that needs to be rectified.

Publishing Hansard

As stated earlier in this chapter, each language should have a Data Controller for the processes involving the publication of Hansard. The process below indicates how the publication of Hansard unfolds.

The recording begins in the Reporting Unit, when speeches are recorded during the sitting, as well as with the proceedings of parliament. This can be in any language. Immediately when the debate is ready in the Digital Recording and Transcription System, notification via e-mail is sent from the RU to the Data Controller in the Translation Unit. The Data Controller logs the date of the debate and this is received

in the H-drive and creates a data folder. The Data Controller will then extract the debate from the DRT system and save it on the network drive FS1. The retrieved debate will then be printed in hard copy format. The Data Control Assistant extracts the speeches that require translation and prepares a distribution sheet. It is e-mailed to the Data Controller. The Data Controller saves the distribution sheet in the H-Drive under the date and the House; each translation required reflecting the relevant member's name and language. The Distribution sheet goes to the Translation Controller, who will distribute the Hansard speeches for translation into English only.

Translation requests are received by the Translation Distribution Controller via e-mail (translations@parliament.gov.za). The Controller accesses the e-mail, assesses the request and allocates a deadline to the client. All the relevant details are entered in a log. The deadlines are shifted when priority work comes in. The Controller allocates the translations to the LPs with a deadline via e-mail. The LP will translate and proofread his/her own work. The LP e-mails the work to (translations@parliament.gov.za). The Controllers monitor the translations mailbox and receive the work completed by LPs. The Controller saves the completed work in the H-drive. An SLP edits the final work where required. If there is no SLP for a language, the LP will check him/herself and e-mail the work to translations@parliament.gov.za.

English has been adopted as the language of communication and debate deliberation in the two houses. Public members visiting parliament to observe and listen to debates fail to follow because of the language used. When filling in their comments and recommendations to parliament, the process take a long time for their inputs and comments to be considered because their written documents which are not in English have to be translated into English before they are placed before the

committee or the house concerned. This is however necessary to ensure that democracy works on the ground.

Conclusion

In this chapter the process that is followed in parliament regarding translation of material is outlined. Although the thesis relies heavily on document analysis, the views of some of the thirty respondents who answered the questionnaire are brought to the fore. It is clear that many language practitioners are unaware of procedures to be followed and that they feel very much like they are working on their own. The sentiments contained in policy documents are therefore not translating into actual practice on the ground. This also becomes clear when one considers that the only language that is officially used for recording Hansard is English. African languages when used are then translated into English. The final chapter that follows provides some conclusions and specific recommendations that can be taken up in parliament.

Chapter 6

Conclusions and Recommendations

Introduction

This chapter deals with the analysis of the findings and the conclusions of this research. The aim of this study was to investigate the use of indigenous official languages that were previously marginalised. The aim was to see how these languages are used in parliament and in the publication of Hansard, the latter being the recording of the proceedings and activities of parliament. In this research the researcher relied largely on various forms of document analysis. There were also interviews conducted and discussions held with various language practitioners in parliament. The document analysis, discussion, interviews, historical documentation and so on form the basis of the thesis in an attempt to answer the research objectives as set out in chapter 1 of this thesis.

The thesis reverts back to the Constitution of South Africa as a point of departure regarding post-1994 languages rights. This Constitution is seen as the supreme law of the country. Among other prescripts, it provides for: The legal foundation for the existence of the Republic and it defines the structure of government. Furthermore, it sets out the rights and duties of its citizens – and one of these rights is getting or receiving information in one's language of birth or one's mother tongue or home language. Despite the above-mentioned prescripts provided by the Constitution, it is argued in this thesis that parliament has not yet fully complied in providing the majority of citizens their rights to use their languages that are also official languages.

Chapter 9 of the Constitution established a number of democratic institutions, and government structures in the form of commissions and offices to protect and support democracy and human rights. Among the rights set out by the Constitution, is the use of different languages of the different communities in the country, and the provision that these languages must be used in serving the citizens and in all spheres of government. More recently this is supported by the Official Languages Act of 2012 as outlined in this thesis. The Constitution also clearly states that by virtue of South Africa being a multicultural and multilingual country, the languages are to be used equitably and the state should take practical and positive measures to elevate and advance the use of all official languages, including minority languages, with the provision of ensuring the promotion and protection of the previously diminished indigenous languages. Parliament as the National legislative branch of the government should set the example in complying with the laws it passes. It is found in this thesis that languages prescribed by the Constitution are not used effectively by parliament, as was in fact prescribed. English is still the only dominating language that is used in all debates, proceedings, communications and documents of the Parliament of South Africa including the publication of Hansard.

In terms of compliance with the Constitution in an effort to use all the official languages, Parliament has a fully-fledged Language Services Section, a section that has Language Practitioners who are speakers and have studied all the official languages academically, including South African Sign Language. The main aim of the establishment of Language Service Section was to comply with the prescription of the Constitution by servicing all South African citizens. This is a good development and it should be commended. However, it relates mainly to interpreting within parliament as well as translation from African languages into English for Hansard. The final word

therefore remains that of an English-dominated parliamentary approach even though there are structures in place that facilitate the use of African languages, including minority languages. It is also clear that the majority African languages such as isiXhosa and isiZulu dominate over others such as isiNdebele, siSwati and Tshivenda. This creates “identity vulnerability” in parliament as outlined by Ting Toomey (1999) in chapter 3 of this thesis. The researcher argues that what is required is rather identity security through appropriate language usage.

Government is well aware of the need to intensify efforts to develop the previously marginalised indigenous languages in order to promote multilingualism, hence the promulgation of the Official Languages Act of 2012. Government is also aware of the fact that there is a need to manage the linguistic diversity that has been problematic due to the lack of a clearly defined language policy, leading to the use of English as a dominant colonial language. Government is also aware that English is still the dominating language in the socio-economic and political domains of our multilingual South Africa. The question that remains to be answered is that of whether there is sufficient political will to drive the implementation process of policy? The answer to that seems to be partly affirmative in terms of policy but on the ground one would have to answer in the negative, especially given top-down decisions for example in 2017 which recognise only English as a language of record in South African courts. This happened with hardly any challenges from the political arena or the populace. If such a decision holds then it is not only politicians to blame for lack of political will, but also citizens for not fighting for the use of African languages as a constitutionally enshrined right.

One of the main principles of the NLPF is to enhance a people-centeredness in addressing the needs and aspirations of the people through the use of a wide range

of languages. It is clear that those language communities do not have a good command of English and may be excluded from government programmes due to the use of English as the main language of Government. It is argued further in this thesis that it is also up to bodies such as PanSALB, the national Language Service and so on to make sure that the aspirations of the Official Languages Act of 2012 are adhered to. This Act stipulates that all government departments will need to service the citizenry in the languages that they understand best, their mother tongues. PanSALB is one of the Chapter 9 Institutions that were established by government in 1995. The mandate of PanSALB is to protect people's linguistic rights and promote the national development of all the official languages of South Africa. PanSALB should be monitoring more carefully what is happening on the ground in parliament regarding the use of African languages, including minority languages.

It is argued further in this thesis that selecting languages for the publication of government documents such as Hansard in the Nguni and the Sotho groups should be done through applying the principle of rotation. Even though parliament has a fully-fledged Language Services Section, with Language Practitioners representing all official languages, it is not yet in a position to provide services using these languages and following the above said principle of rotation as accepted by parliament itself. It is only compliant with the interpreting aspects, which is done in all official languages, including SASL.

Recommendations

Webb (1999:352) states the following:

One of the reasons for the failure of language planning in South Africa is the absence of meaningful community involvement, of "language planning from below". Language Management in Parliament have no language passion, will

and skills to deal with the demands of Language Policies. Hence it is a top down policy. Language Practitioners of Parliament are more skilled and have passion in working with their languages. If they are afforded opportunities to plan and come out with strategies on how to implement Multilingualism a better policy can be developed and implemented.

In the light of the above quotation the following recommendations are made regarding the use of multilingualism in parliament:

Parliament should establish and institute a Parliamentary Committee that will deal with language matters to ensure the use, protection and promotion of all languages, including minority languages.

- (i) Such a committee should be at operational level; in the Language Section Services.
- (ii) To have a structure in the form of a committee that will deal with languages issues in Parliament in totality to ensure language development, as well as management and to provide for annual reports on languages and to report to Parliament about progress, challenges and budget for development and training programmes for language practitioners.
- (iii) Like any Government or political programme parliament needs to have researchers in the Language Section of Parliament who are going to undertake research and help with the development of better and more meaningful systems that can help parliament improve its performance in delivering multilingualism. These researchers must serve as the advisers to language management and assist with policy

monitoring so as to review it as the need arises. From time to time, specific research on languages can be commissioned when necessary to inform policy and implementation decisions.

Furthermore, researchers should therefore provide more effective service delivery plans and programmes that will help in increasing the impact and effects of language in speeding up the publication of Hansard in all official languages as prescribed by the Constitution of the Country.

Language service management should ensure that all South Africans enjoy the freedom to exercise their language rights by using their languages. They should also be enabled to comprehend parliamentary processes for effective engagement purposes. The Hansard Publication in all languages will ensure that all South African will have future reference to parliamentary debates and proceeding in all languages. It should not be the case as it is happening now that only English and to some extent Afrikaans are prioritised.

It is envisaged that if such recommendations are carried out then it would serve to:

- (a) deepen community participation and empowerment in the programmes of parliament through the promotion of the use of local languages in official functions of parliament and domains such as the day to day programmes through the mainstreaming of multilingualism.
- (b) establish collaborative partnerships for a stronger emphasis on descriptive linguistics and fieldwork, and stresses the need to build a rounded revitalization team, involving a broad range of community leaders, teachers, and other specialists as well as linguists to ensure the successful implementation of the policy, especially publication of Hansard and terminology development within parliament.

Conclusion

The management of languages has to ensure the functional use of all the official languages and to promote the public image of the Parliament by making Government to encourage language learning, specifically tailored to the needs of the Public Service, to improve public servants' efficiency and productivity in the workplace and make the benefits of multilingualism visible in institutions such as parliament. This will encourage the continuous and vibrant discourse on multilingualism with language role players and stakeholders, thereby benefitting parliament in a holistic view to the implementation of policy. Finally, language practitioners in parliament need to be empowered through appropriate courses in order to hone their skills and to remain relevant to the work of parliament and to the aspirations of implementing a truly multilingual policy that informs the work of parliament.

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http://www.infoplease.com/ipa/A0775272.html#ixzz1uph1HNjc](http://www.infoplease.com/ipa/A0775272.html#ixzz1uph1HNjc)

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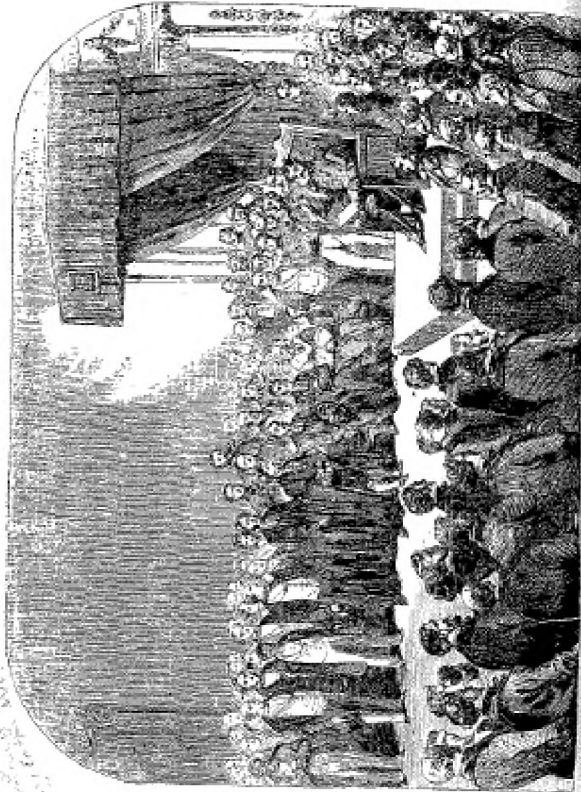
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OPENING OF PARLIAMENT, 84

The first opening ceremony of the Cape Parliament, 1854. The illustration is from the Cape Times, 1854.

For the first time the Cape Parliament met in the Council Chamber on the 1st of August 1854. The first opening ceremony of the Cape Parliament, 1854. The illustration is from the Cape Times, 1854.

Illustrated Land Magazine 26 Oct 1857

PART FOUR
 THE CAPE PARLIAMENT
 (1854-1910)

Le roi est mort, vive le roi. As it is with kings, so it is with constitutions. The old Council was dead, long live the Cape Parliament.

The old Council had consisted of not more than twelve nominated members and officials presided over by the Governor. The new constitution provided for a Parliament consisting of the Governor, an elective Legislative Council of fifteen² members presided over by the Chief Justice, and an elective House of Assembly of forty-six¹ members, the four principal Government officials having the right to sit and speak (but not to vote) in both Houses.

Of the nominated members who had fought toe to toe in the Council Chamber over the provisions of the new constitution, Stockenström, Reitz, Goddleston, and Eldon decided to throw in their lot with the new Legislative Council, while Fairbairn, Brand, and Cock stood for the House of Assembly, and all of them were elected. Of the officials who had engaged in the conflict, Montagu (the Secretary to the Government) had broken down and died whilst on sick leave in London, but as Porter, Rivers, and Hope exercised their right to sit in the new Parliament the old stalwarts were fairly evenly distributed in the two Houses.

¹ The number of members of the Legislative Council was ultimately raised to twenty-six, and the House of Assembly to 127. See Annexures D and E.

1913.

(Derde Sessie.—Eerste Parlement.)

SESSIE EN GEKOZEN KOMITEES.

VAN

RAPPORTEN

DE SENAAT.

HET PARLEMENT VAN DE ENDE VAN ZUID AFRIKA.

ANNEXUKE B. 1. (DUTCH PARLIAM. 1913/14)

INHOUD.

3	GEZAMENLĪKE KOMITEE (Uitgees)
4	GEKOZEN KOMITEES (Uitgees)
7	Rapport van het Gekozen Komitee op 't Wetontwerp ter be-
11	scherming van Kinderen ...
21	Rapport van het Sessie Komitee over 't Parlement's Bijdrabaek ...
25	Tweede Rapport van het Sessie Komitee op Historische Regelingen
31	Rechts Rapport van het Sessie Komitee op Historische Regelingen ...
33	Rechts Rapport van het Sessie Komitee op Historische Regelingen ...
35	G.R. 4-18. Rapport van het Gekozen Komitee aangesield om de doezaken van
39	de Vriksmaat te doezaken ...
43	G.R. 5-18. Rapport van het Gekozen Komitee op het optieken van een
45	Plan van Stijging Induatrie in zand Afrika ...
53	G.R. 6-18. Rapport van het Gekozen Komitee op Katoenle Geweue en
57	Handwerken ...
63	G.R. 7-18. Rapport van het Gekozen Komitee op Rogete met betrekking tot
67	de Aansieding, het Anbui en de Pluiter van de Gekozenle
71	Parlementaire Wetsopstoffer en Ueemendele Bijdrabaek
75	leste Rapport van het Sessie Komitee op het Reglement van
77	Oude ...
81	G.R. 8-18. Tweede Rapport van het Sessie Komitee op het Reglement van
85	Oude ...
89	G.R. 9-18. Beste Rapport van het Sessie Komitee op Land Toekenningen,
93	Tenemmen en Grunthaken ...
97	G.R. 10-18. Speelde Rapport van het Sessie Komitee op Land Toekenningen,
101	Tenemmen en Grunthaken ...
105	G.R. 11-18. Tweede Rapport van het Sessie Komitee op Land Toekenningen,
109	Tenemmen en Grunthaken ...

Bladz.

[AANMANNINGEN]

Bijlage van voorgeselde wijzigingen van het
Wetsontwerp ter bescherming van kin-
deren. (S.B.I.-12)

Algemene Toez.

Omschrijving van maatregel. Scherp de omschrijving en
het het volgende in de plaats: —

Algemene Toez.

„Mingetwate” sijn in een loofst magistraat, een magis-
traat of wettelijk magistraat.

Algemene Toez.

Subklauwe (f), regel 24 om na 1 woord „wegen,” 1
woord „magistraat,” in te voegen.

Algemene Toez.

Regel 25, om na het woord „jarte,” de woorden „of na-
magistraat,” te voegen.

Algemene Toez.

Regel 26, om na het woord „jarte,” de woorden „of na-
magistraat,” te voegen.

Algemene Toez.

Regel 27, om na het woord „jarte,” de woorden „of na-
magistraat,” te voegen.

Algemene Toez.

Regel 28, om na het woord „jarte,” de woorden „of na-
magistraat,” te voegen.

Algemene Toez.

Regel 29, om na het woord „jarte,” de woorden „of na-
magistraat,” te voegen.

Algemene Toez.

Regel 30, om na het woord „jarte,” de woorden „of na-
magistraat,” te voegen.

Algemene Toez.

Regel 31, om na het woord „jarte,” de woorden „of na-
magistraat,” te voegen.

Algemene Toez.

Regel 32, om na het woord „jarte,” de woorden „of na-
magistraat,” te voegen.

Algemene Toez.

Regel 33, om na het woord „jarte,” de woorden „of na-
magistraat,” te voegen.

Algemene Toez.

Regel 34, om na het woord „jarte,” de woorden „of na-
magistraat,” te voegen.

Algemene Toez.

Regel 35, om na het woord „jarte,” de woorden „of na-
magistraat,” te voegen.

Algemene Toez.

Regel 36, om na het woord „jarte,” de woorden „of na-
magistraat,” te voegen.

Algemene Toez.

Regel 37, om na het woord „jarte,” de woorden „of na-
magistraat,” te voegen.

Algemene Toez.

Regel 38, om na het woord „jarte,” de woorden „of na-
magistraat,” te voegen.

Algemene Toez.

Regel 39, om na het woord „jarte,” de woorden „of na-
magistraat,” te voegen.

Algemene Toez.

Regel 40, om na het woord „jarte,” de woorden „of na-
magistraat,” te voegen.

THE CAPE PARLIAMENT

THE CAPE PARLIAMENT

with the smartening up of the old debating chamber and its attendants it ended with the modernising of procedure. Private bill practice was systematised and parliamentary agents appointed for the first time. A permanent Chairman of Committees was elected by the House. An Act was passed to interpret and shorten the language of statutes and the draftsman was made a parliamentary officer instead of a Government official. Under another Act both Houses of Parliament handed over to the Supreme Court their exclusive right of determining the validity of elections. The powers and privileges of Parliament were clearly defined and provision was made for summoning witnesses and punishing for contempt. Debates were allowed in Dutch as well as in English and the Standing Rules and Orders were thoroughly revised.

All these changes were effected during the short space of some ten years, so that when Parliament was opened in the new buildings in 1885 the stage was set for the last scene.

The chamber in which the House of Assembly then met is now used as a dining room by the Union Parliament. But its oak-panelled walls are hung with the portraits of the men who paced its floor, and standing in that room to-day it requires little imagination to see them at work once more. Before us is the table of the House with its glittering mace. There is the Speaker's

ANNEXURE C



UNION OF SOUTH AFRICA

DEBATES

OF THE

HOUSE OF ASSEMBLY

(HANSARD)

SECOND SESSION — TENTH PARLIAMENT

21st January to 30th June, 1949

Vols. 66, 67, 68 and 69

Capetown: UNIV-VOLEKSPERS BPK, PARLIAMENTARY PRINTERS.

ACTS OF THE SESSION

1.—IN ALPHABETICAL ORDER.

- 10—49—* Advocate—Administration of (Amendment).
- 51—45—* Air Services (S.C. 11—40).
- 28—45—* Aliens Affairs Amendment.
- 1—49—* Aliens Registration Amendment.
- 48—48—* Appropriation.
- 5—49—* Appropriation (Additional)
- 18—49—* Appropriation (Part).
- 10—49—* Appropriation (Second Additional).
- 33—48—* Arctic Land Tenure Amendment.
- 22—48—* Attorney, Notaries and Conveyancers Administration Amendment.
- 24—48—* Passport Irrigation Scheme (S.O. 7—40).
- 14—48—* Broadcasting Amendment.
- 4—40—* Cape of Good Hope Savings Bank Society.
- 12—49—* Chartered Mission Stations and Reserves.
- 30—48—* Customs Amendment.
- 43—48—* Defence Amendment.
- 2—49—* Deputy Administrators.
- 20—48—* Donsola Wild Life Sanctuary Repeal.
- 27—40—* Electricity Amendment.
- 47—43—* Finance.
- 8—48—* Financial Relations Amendment.
- 32—48—* Fuel Research Institute and Coal Amendment.
- 54—48—* General Law Amendment.
- 57—43—* Housing Amendment.
- 45—43—* Income Tax.
- 9—48—* Incorporated Law Society of the Orange Free State Further Amendment (Private) (S.C. 5—49).
- 21—49—* Indian Immigration Bureau Transfer.
- 34—49—* Irrigation Amendment.
- 7—49—* Irrigation Commission Repeal.
- 42—48—* Land Settlement Amendment.
- 50—49—* Motor Carrier Transportation Amendment.
- 28—48—* National Finance Corporation.
- 55—48—* Native Laws Amendment.
- 48—48—* Pensions (Supplementary).
- 35—48—* Pension Laws Amendment.
- 28—49—* Prevention of Cruelty to Animals Amendment.
- 55—49—* Prohibition of Mixed Marriages.
- 52—40—* Public Servants (Temporary Employees).
- 49—40—* Railways and Harbours Acts Amendment.
- 20—49—* Railways and Harbours Appropriation.
- 12—49—* Railways and Harbours Additional Appropriation.
- 20—49—* Railways and Harbours Part Appropriation.
- 16—40—* Railways and Harbours Unauthorised Expenditure.
- 11—49—* Rand Water Board Statutes 1909-1945 Amendment (Private) (S.C. 3—40).

- 15—49—* Rhodes University (Private) (S.O. 4—49).
- 37—49—* Scientific Research Council Amendment.
- 50—49—* Sea Fisheries Amendment.
- 6—49—* Soil Conservation Amendment.
- 44—48—* South African Citizenship.
- 23—48—* South-West Africa Affairs Amendment.
- 32—49—* Sports Pools—Prohibition of.
- 40—40—* Transfer Duty.
- 17—40—* Unauthorised Expenditure (1947-49).
- 59—49—* Union Restrict of Trade.
- 41—40—* Unemployment Insurance Amendment.
- 21—49—* University of the Orange Free State (Private).
- 3—40—* Welfare Organizations Amendment.
- 25—40—* Work Colonies.
- 26—49—* Workmen's Compensation Amendment.

* English version signed by His Excellency the Governor-General, under section sixty-seven of the South Africa Act, 1909.

† Afrikaans version signed by His Excellency the Governor-General, under section sixty-seven of the South Africa Act, 1909.

ANNEXURE

UNION OF SOUTH AFRICA.

DEBATES

OF THE

FIRST SESSION

OF THE

FIRST PARLIAMENT

OF THE

HOUSE OF ASSEMBLY.

1910-1911.

Comprising the period 31st October, 1910, to 25th April, 1911.

[FOR INDEX, SEE END OF VOLUME.]

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Annexure D
Language Policy for Parliament

Edited: October 2003

Objective

This policy sets out the policy with regard to the use of the official languages in Parliament for:

1. House debates and Committee proceedings.
2. Official record of parliamentary proceedings (Hansard) and Committee reports.
3. Daily Papers such as Order Papers, Announcements, Tablings and Committee Reports, Minutes of proceedings of the House debates etc.
4. External communication.

1. House Debates and Committee Proceedings

1.1 Members of Parliament have the right to use any of the 11 Official languages, as well as South African Sign Language, in the National Assembly, the National Council of Provinces and in Committee meetings. The speeches will be simultaneously interpreted into all 11 official languages.

1.2 Interpreting services will be made available in the galleries for visitors, Members of other Houses visiting and the media.

2. Publication of the Official Record of Parliamentary Proceedings (Hansard, Committee Reports, Questions and Replies, Motions and Statements)

These records will be published in the original language in which they were presented or submitted. They will be translated and made available electronically in all other official languages.

3. Daily Papers

Each Member will exercise his/her preference for the official language of his/her Daily Papers. He/she will receive these Papers in the language registered as the language of his/her choice.

Provided that:

- a) Copies of papers will only be available to Members electronically.
- b) Each Member will register one language of preference at the beginning of his/her term of office in which Daily papers will be made available.
- c) Each Member will register the electronic mailing address to which all his/her Papers will be sent.

4. External Communication

4.1 Public oral address and written submissions to Parliament

Any member of the public or any institution or body will address Parliament in the official language of their choice.

Provided that:

- a) The Parliamentary Service will make available to Members translated versions of the written submissions in the registered language of preference in terms of clause 3(b) and such copies to be available to Members dealing with matters relevant to such submission.

b) The written submission by the public instances will be received by Parliament 21 days in advance of presentation to enable translations and formatting for electronic distribution.

c) Any person submitting oral evidence will indicate language of use within 48 hours to enable efficient interpretation service.

4.2 Written Communication by Parliament to the Public

Parliament will respond to the public in any official language.

Provided that:

Efforts will be made to address it in the language used.

4.3 Media Communication by Parliament

Parliament will address the media in any language.

Provided that:

Notice of at least 48 hours will be given, clearly indicating the languages that will be used for any press briefing to facilitate interpreting.

4.4 Information to the public (notices, advertisements, information packs, etc.)

Announcements, invitations to the public and advertisements about Parliamentary activities such as hearings, nominations to vacancies, etc will be made in all official languages, according to the predominant language/s of the targeted groups.

Implementation Strategy

Phased-In Application

The policy will be applicable on adoption. In three to five years, the capacity to implement the policy in full should be completely developed. Therefore, the policy will be implemented in two phases:

PHASE 1

1. Interpreting

1.1 During Debates in the Houses

Members' speeches delivered in any of the 11 official languages (including SASL) will be interpreted simultaneously and translated into six (6) languages as follows:

- a) One language at a time, on a rotational basis, from the Nguni Group, viz. IsiNdebele, siSwati, isiZulu and isiXhosa;
- b) One language at a time, on a rotational basis, from the Sotho Group, viz. Sepedi (Sesotho sa Leboa), Sesotho and Setswana;
- c) Afrikaans;
- d) English;
- e) Xitsonga; and
- f) TshiVenda.

1.2 During Committee Proceedings

The proceedings will be interpreted according to the Members' and other participants' declared language preferences.

2. Publication of Hansard

- 2.1 Members' speeches will be published on the parliamentary website in the languages in which they were delivered.
- 2.2 Members' speeches will be sent to them electronically.
- 2.3 Hansard bound volumes will be published annually.

3. Publication and distribution of Daily Papers

Daily Papers will be sent electronically to the Members in their registered language of preference. They will also be published on the parliamentary website.

PHASE 2

In three to five years, the capacity to implement the policy in full should be completely developed, therefore:

1. Debates in the Houses

Members' speeches, delivered in any of the 11 official languages (including SASL), will be interpreted simultaneously and translated into all 11 official languages, viz.:

- 1.1 Afrikaans
- 1.2 English
- 1.3 IsiNdebele
- 1.4 Sepedi (Sesotho sa Leboa)
- 1.5 Sesotho
- 1.6 Setswana
- 1.7 SiSwati
- 1.8 XiTsonga
- 1.9 TshiVenda

- 1.10 IsiXhosa; and
- 1.11 IsiZulu

2. Committee proceedings

The proceedings will be interpreted according to the Members' and other participants' registered and/or declared language preferences.

3. Publication of Hansard

Members' speeches will be published on the parliamentary website in the languages in which they were delivered.

- 3.1 Members' speeches will be sent to them electronically.
- 3.2 Hansard bound volumes will be published annually.

4. Publication and distribution of Daily Papers

Daily Papers will be sent electronically to the Members in their registered language of preference. They will also be published on the parliamentary website in all official languages.

Annexure 3

Language Policy for Parliament

Edited: October 2003

Objective

This policy sets out the policy with regard to the use of the official languages in Parliament for:

1. House debates and Committee proceedings.
2. Official record of parliamentary proceedings (Hansard) and Committee reports.
3. Daily Papers such as Order Papers, Announcements, Tablings and Committee Reports, Minutes of proceedings of the House debates etc.
4. External communication.

1. House Debates and Committee Proceedings

1.1 Members of Parliament have the right to use any of the 11 Official languages, as well as South African Sign Language, in the National Assembly, the National Council of Provinces and in Committee meetings. The speeches will be simultaneously interpreted into all 11 official languages.

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2. Publication of the Official Record of Parliamentary Proceedings (Hansard, Committee Reports, Questions and Replies, Motions and Statements)

These records will be published in the original language in which they were presented or submitted. They will be translated and made available electronically in all other official languages.

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Provided that:

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4. External Communication:

4.1 Public oral address and written submissions to Parliament

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Provided that:

- a) The Parliamentary Service will make available to Members translated versions of the written submissions in the registered language of preference in terms of clause 3(b) and such copies to be available to Members dealing with matters relevant to such submission.

Implementation Strategy

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3. Publication and distribution of Daily Papers

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PHASE 2

In three to five years, the capacity to implement the policy in full should be completely developed, therefore:

1. Debates in the Houses

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- 1.4 Sepedi (Sesotho sa Leboa)
- 1.5 Sesotho
- 1.6 Setswana
- 1.7 SiSwati
- 1.8 Xitsonga
- 1.9 TshiVenda

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