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THE IMPLEMENTATION OF LANGUAGE MANAGEMENT PROJECT FOR PREVIOUSLY MARGINALISED SOUTH AFRICAN INDIGENOUS LANGUAGES IN THE OFFICE OF THE CHIEF STATE LAW ADVISER

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ABSTRACT

This thesis concerned itself with the implementation of Language Management Project in the Office of the Chief State Law Adviser (hereinafter OCSLA). The study was aimed at investigating the challenges that are associated with the practicality of multilingualism in South Africa with reference to the implementation of National Language Policy Framework: Implementation Plan 2003 (hereinafter NLPF: IP). Wherein the researcher dealt with the implementation of Language Management Project in the OCSLA in line with the requirements of the NLPF: IP 2003. The researcher examined the issue of language management, a model that was established and promulgated by sociolinguists Neustupny and Jernudd in 1987 and later by others. In 2011, Mwaniki introduced a new model to language management called the Language Management Approach (hereinafter LMA).

LMA constitutes of language management variables, language management strategies and methodologies. The aim of the study was to investigate the challenges that are associated with multilingual policies implementation and planning in the Department of Justice and Constitutional Development (hereinafter DOJ&CD) with special reference to the OCSLA.The implementation of Language Management Project in the OCSLA attempted to incorporate methodologies and strategies as recommended in the LMA to ascertain whether multilingualism policies implementation and planning could be a success if these strategies were considered to an applicable degree. The Implementation of Language Management Project in the OCSLA was an implementation (process) evaluation. An implementation (process) evaluation that aimed to answer the question of whether an intervention such as the NLPF: IP 2003 was properly implemented.

An implementation evaluation design was appropriate for this study because the researcher aimed to answer the question of whether the NLPF: IP 2003 was properly implemented in the OCSLA in line with the requirements of Section 6 of the Constitution of the Republic of South Africa, (Act No. 108 of 1996). The study also attempted to answer whether the target group who were citizens of South Africa who were not conversant with English and Afrikaans have access to legislation i.e. Draft Bills, Bills, Amendment Bills and Acts into indigenous languages.

The Language Unit in the OCSLA was the sample population for the study. The selection of the Language Unit in the OCSLA was based on the basis that the Language Unit in the OCSLA is the only entity in South Africa at national level that is assigned with executive task to provide second language Acts in all the official languages of South Africa. In the study qualitative method of data collection was used wherein all the available modes of observation i.e. structured and less structured mode of observation were adopted. The findings in this research demonstrated that the implementation of NLPF: IP 2003 in the OCSLA was the preservation, protection of cultural and linguistic legacy of all official languages. The recommendations applauded that language management variables, methodologies and strategies must be consolidated in any project for multilingual implementation to succeed.

Keywords: Variables, sociolinguists, language policy, language planning, parity of esteem and equal usage.

DECLARATION BY THE RESEARCHER

I Ziningi Isabel Cele, Student Number 1697969 hereby assert that this thesis was conducted by me for submission for Doctor of Philosophy in the Department of African Languages, School of Literature, Language and Media in the Faculty Humanities at the University of the Witwatersrand, Johannesburg. All the sources that are used and quoted have been indicated and acknowledged by means of complete list of references. Furthermore, the copyright to this thesis is ceded to the University of Witwatersrand, Johannesburg.

ZININGI ISABEL CELE 23 March 2021

Z.I. Cele zcele

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DEDICATIONS

To my Heroines and my Hero:

My beloved late Mom

NTOMBILEZI GETRUDE MKHIZE;

For putting your children first even when it seemed impossible to do so. Thank you for teaching me early in life that impossible is nothing and nothing is for free and it is my responsibility to fulfil all my dreams.

My Late Grandmother

NTOMBAZANE MKHZE;

You instilled in me the virtues of persistence, determination, grit and hard work, your virtues still carry me through life even today. Your pension money contributed immensely in my studies. Even when life pushes me to the crooked ways, I still hear your sharp voice propelling me to the right direction.

My Late Brother

SIPHO CYPRIAN CELE;

Thank you for your love, understanding and support. If it was not for your endless support, my visions and dream would remain worthless. You taught me discipline and you instilled in me that nothing is for free. Thank you for believing in the future with me even when my prospects seemed impossible.

With love…

This thesis is devoted to you.

ACKNOWLEDGEMENTS

"Trust in the Lord with all your heart and lean not on your own understanding, in all your ways acknowledge Him, and He shall direct your path" [Proverbs 3: 5-6]. In this project there are many people who contributed directly and those who contributed indirectly. Thank you so much for your magnitude contributions. Some of those people may not be mentioned here, however, their contribution is impeccable, and I will forever be indebted to them. I pray that Our Lord Almighty in His own mysterious ways fulfill all your desires of your hearts and bless you abundantly.

Firstly, my appreciation goes to my supervisor and academic mentor, Dr Evangeline Bonisiwe Zungu who gave generously her time assisting me in every way possible during my study. I will forever cherish Dr Zungu's relentless support, unbounded patience, constructive criticism, understanding and for standing by me through it all. Without your support, this study would never have reach this level. Thank you for your endless support, motivation, guidance and immense knowledge. Your academic comments inspired me to do better.

I greatly appreciate and acknowledge the support received from the Department of Justice and Constitutional Development (hereinafter DOJ&CD) for allowing this research to be conducted in the OCSLA. I greatly appreciate Mr. M. Mphidi the Office Manager in the OCSLA for assisting me in every way possible to ensure that the Department affords me the permission to conduct the research. Without your assistance, my dreams would have been invalid. *Ndo livhuwa nga maanda*. The personal and intellectual debts that I owe to the DOJ&CD cannot in anyway be paid in a lifetime. Without the OCSLA, the findings in this thesis would not have been possible.

During my academic journey (doctoral), there were remarkable people who stood beside me. Ms. Cecilia Mashibini, you taught me how to read extensively and encouraged me to

normalise the culture of engaging in academic debates. I thank you. To Ms. Thobile Mbatha for the thought-provoking debates in the past years. Thank you for standing by me through good and bad times. Some people supported me directly others supported me indirectly. To Mr. King Kunene and Ms. Zakahle Madlala for calling me a Doctor even before my proposal was approved, you made it impossible for me to give up. I owed you that much.

A PhD thesis like this might not make any impact to a rural girl child and might not even reach a rural girl child. However, the curved road I have taken to fulfil my dream is a living testimony that with dedication everything is possible. My desire is that one day when the untold story of a rural girl child Ziningi Cele is eventually told, in its own uniqueness serves as a motivation to every rural girl or boy child in the universe that dream big, marvel in your own lane, the fruits of your own toil shall be rewarded to you. Do not look back, the only time you can look back is when you need to check how far you have travelled in your own lane. I am hoping to empower any rural child in the world that through all the adversities, hardships, impossibilities, financial constraints, it is possible when one believes. A dream is a state of mind that is propelled by God to His righteous people in His righteous time.

My family, your prayers were what sustained me thus far. All this is dedicated to you. My wish is to make you proud and I pray that this become your pride. Thank you for standing by me through it all. To my partner Mr. A.J. Molefe, my son Letlotlo and my daughter Orearabile, thank you for understanding that I symbolise the sun that shines in every corner in our family. In my absence all night during my studies you are comforted by knowing that in the morning you will wake up next to me.

Thank you

ABBREVIATIONS

DAC	-	Department of Arts and Culture
DOJ&CD	-	Department of Justice and Constitutional Development
GAFs	-	Generic Assessment Factors
HRRR&SP	-	Human Resources Revised Recruitment and Selection Policy
KRAs	-	Key Result Areas
LANGTAG	-	Language Task Group
LiED	-	Language in-Education Policy
LMA	-	Language Management Approach
MTEF	-	Medium-Term Expenditure Framework
NLP	-	National Language Policy
NLPF: IP	-	National Language Policy Framework: Implementation Plan
OCSLA	-	Office of the Chief State Law Adviser
PanSALB	-	Pan South African Language Board

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CHAPTER ONE (1)

INTRODUCTION AND BACKGROUND TO THE STUDY

1.1 General Introduction

This study examines the challenges that are associated with the implementation of mother-tongue legislation for previously marginalised languages in the Department of Justice and Constitutional Development (hereinafter DOJ&CD) with special reference to the Office of the Chief State Law Advisor (hereinafter OCSLA).

The OCSLA is situated in the city of Cape Town, Western Cape. It is a vibrant, dynamic institution consisting of highly qualified lawyers who provide legal advice to state departments, provinces and municipalities that require assistance. The OCSLA also drafts, scrutinises and certifies all legislation that are tabled in Parliament. The OCSLA invited applications from suitably qualified Sepedi, Sesotho, Setswana, siSwati, Xitsonga, English, Afrikaans, isiZulu, isiXhosa, isiNdebele and Tshivenda Legislative Language Practitioners to join an envisioned Language Unit that was being established in its Office in Cape Town in 2008. The envisioned Language Unit in the OCSLA emanates from the requirements of the National Language Policy 2002 (hereinafter NLP 2002) and the National Language Policy Framework: Implementation Plan 2003 (hereinafter NLPF: IP 2003).

The NLPF: IP 2003 is a policy document that was formulated to fulfil the obligations of the Constitution 1996, (Act No. 108 of 1996). The policy document "is aimed at promoting the equitable use of eleven official languages with a view to facilitate equitable access to government services, knowledge, information, as well as respect for language rights and to create mechanisms to foster and promote the use of all official languages" (DAC, 2002: 1). The NLP 2002 and the NLPF: IP 2003 was promulgated as "a result of extensive consultations that began in 1995, with the appointment of the Language Task Group (hereinafter LANGTAG). The Implementation Plan outlines the strategies that ought to be used in the implementation of the Language Policy, proposes structures that ought to be key to the implementation and mechanisms that will be employed to accelerate the development and promotion of South African languages. The Government is conscious of the challenges that are involved in the

efficient management of linguistic diversity; therefore, the Implementation Plan 2003 proposes an approach that is flexible and progressive" (DAC, 2003: 1).

The DAC (2002: 1) further states that "the promotion and the development of previously marginalised languages is seen as central to the Language Policy provisions. The NLPF: IP 2003 calls for the establishment of a language infrastructure and appropriate mechanisms for the full implementation of multilingualism in the Public Service in South Africa. Therefore, the collaborative partners at national, provincial and local government level have to play a critical role in ensuring successful multilingual policies implementation and planning thereof." The South African Government is facing challenges to guarantee the provision of service delivery so that it meets the demands and the needs of the South African citizens. The government should note that in order for services to be delivered effectively to the public, language should be used as government instrument for communication; therefore, the implementation of the NLPF: IP 2003 is imperative in the OCSLA.

Section 1 (2) of the NLPF: IP 2003 empowers "all government structures i.e. national, provincial and local government as well as institutions that are exercising public power and performing any public function in terms of the legislation to establish language units." The OCSLA responded to the provisions of the NLPF: IP 2003 with the implementation of a Language Management Project wherein the Language Unit that facilitates the multilingual policies implementation and planning of legislative processes in indigenous languages was established.

1.2 1996 Constitutional Implications for Language Management Project in the OCSLA

Prior 1994, legislation was only available in English and Afrikaans, therefore; the Language Management Project in the OCSLA seeks to empower the implementation of mother-tongue legislation for previously marginalised languages. The implementation of Language Management Project attempts to incorporate the language management variables, strategies and methodologies that ought to be considered in multilingual policy implementation. The

Language Management Project in the OCSLA is a project that is premised on the legislative framework i.e. Constitution 1996, Joint Rules of Parliament 1999, NLP 2002, NLPF: IP 2003 and Use of Official Languages Act 12 of 2012.

Section 8 of the OCSLA Memorandum No. 462009 put emphases on the Constitution 1996 wherein Section 6 gives effect to the establishment of the Language Unit. Of particular importance is the language provision in Section 6 (1) – (5) that provides for the usage of South African official languages. Clause 9 (1) declares that:

> "everyone is equal before the law and has the right to equal protection and benefit of the law."

Therefore, this calls for translation of legislation in order for the legislation to be accessible to wide population. The Constitution 1996 in Section 9 (3) states that "protects against unfair discrimination on the ground of language."

Clause 29 (2) declares that "everyone has the right to receive education in the official language or languages of their choice in public educational institutions where that education is reasonably practicable." Bamgbose (1991: 69) argues that "Language in education provides the best illustration of what has come to be known as an inheritance situation: how the colonial experience continues to shape and define post-colonial problems and policies. While it would seem that African nations make policy in education, what they actually do is carry on the logic of the policies of the past."

According to Desai (1998: 175) "language policies in Africa are notorious for remaining mere statements of intent because policies are never implemented for the benefit and development of African languages. This means that only lip services are used, and the practicality is ignored especially when the nine South African languages were given the official status." Furthermore, "the problem of language policies in African countries is characterised by avoidance, vagueness, inconsistency, arbitrariness, fluctuation and declaration without implementation" (Bamgbose, 1991: 116). The problem of avoidance "free the government from unpleasant political consequences of any pronouncement which some sections of the community may find objectionable" (Desai, 1998: 175).

Section 30 declares that "everyone has the right to use the language and to participate in cultural life of their choice." Section 31 (1) [(a) – (b)] emphasises that "person belong to cultural, religious and linguistic communities may not be denied their rights to exercise such rights." Section 32 (1) [(a) – (b)] empowers "access of information held by the state." The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) also "gives effect to the constitutional right of access to any information held by the state, as well as information held by another person that is required for the exercise or protection of any right." Access to information promotes transparency and this culture is not promoted if documents are only available in English. Section 35 (3) [(k)] also "refers to the language rights of the arrested, detained and accused person." Section 35 (3) [(k)] states that "every accused person has the right to a fair trial, which include the right to be tried in a language that the accused person understands or interpreted into the language of the individual's choice."

1.3 Historical Background to Language Planning in a South African Context

Prior to the coming into effect of the Constitution of South Africa (1996), legislation would be published in English and Afrikaans only as these were the two official languages of South Africa. The inaccessibility of legislation to the citizens of South African particularly to the majority caused tension and unpalatable history as the legislation was enacted to further the ideology of white supremacy. The majority of people particularly Blacks, Indians and Coloureds were not part of the law and policy making processes. Apartheid legislation namely Black Land Act of 1913, Group Areas Act of 1950, Bantu Authorities Act of 1951, Bantu Education Act of 1953, Minimum Wage Act of 1925, Ordinance Act 1922 etc. were enacted without the considering public interest in the legislative processes thus affected many citizens of South Africa.

The notion of language inequality particularly in the legislative processes is traceable from the South African Act of 1909 which was subsequently repealed by the Constitution of the Republic of South Africa, 1961 (Act No. 32 of 1961). The 1961 Constitution of the Union of

South Africa recognise English and Dutch only as the official languages of the country. Section 137 of the Act states that "English and Dutch languages shall be the only official languages of the Union and shall be treated on a footing of equality. All Bills, Acts, and notices of general public importance or interest issued by the Government of the Union shall be in both English and Dutch languages." Many South Africans were subjected to the Acts that were only written in Dutch and English that the majority citizens certainly did not understand.

The 1961 Constitution was later repealed and superseded by the Republic of South Africa Constitution Act, 1983 wherein language inequality persisted. The 1983 Constitution promoted bilingualism state regardless of the indigenous languages that were used by the majority of the citizens. The Constitution 1983 in section 89 [(1) – (2)] declares that "English and Afrikaans shall be the only official languages of the Republic." Subsection (2) of the 1983 Constitution states that "All Bills, Acts, laws and notices of general public importance and interest issued by the Government shall be in English and Afrikaans." Eastman (1983: 4) states that it is of critical importance to recognise that language planning of only English and Afrikaans was conducted deliberately by authorities with an intention to control language usage.

The deliberate imposition of English and Afrikaans as dominant languages was done to perpetuate the ideology of inequality among South African citizens who were never recognised on footing of equality. This deliberate language planning perpetuated philosophies, beliefs and views that legitimise, effectuate and replicate unequal delivery of resources and power among South Africans who were defined based on their skin colour, language and race. In 1993 the Interim Constitution was born. The 1993 Interim Constitution marked a milestone history throughout the world. History was made. All languages were afforded the same status.

Basson (1995: x-xi) claims that "the dawn of democracy heralded by the interim Constitution became a joyous and liberating experience for all South Africans. The 1993 interim Constitution allowed the country to enter an era of unity and reconciliation. A ringing clause proclaiming just that is inserted in the Interim Constitution (1993) and (together with the other Schedules) is given the same status as the rest of the provisions contained in the text itself, making it part and parcel of the dynamically-evolving values underlying the new society in South Africa. It proclaims that the South African Interim Constitution 1993 forms a historic bridge between the past of a deeply divided society characterised by strife, conflict, untold

suffering and injustice, and a future founded upon the recognition of human rights, democracy and peaceful co-existence and development opportunities for all South Africans, irrespective of colour, race, belief or sex. It also declares that the adoption of the above-mentioned interim Constitution lays the secure foundation for the people of South Africa to transcend the divisions and strife of the past, which generated gross violations of human rights, transgressions of humanitarian principles in violent conflicts and a legacy of hatred, fear, guilt and revenge."

The 1993 Interim Constitution states that the conditions for the advancement of parity of esteem in all language of South Africa that were in existence prior the Interim Constitution 1993 must be created and promoted. Section 64 [(1) – (2)] of the Interim Constitution 1993 reads "a Bill duly passed by Parliament in accordance with the Constitution 1993 shall be assented to by the President and a copy, of which the President has signed, shall upon its promulgation be an Act of Parliament." The Interim Constitution was later superseded by the 1996 Constitution which gave the indigenous languages the same functions that existed in the Interim Constitution 1993, the official status. The Constitution 1996 proclaimed new norms for language planning practices and language management. The 1996 Constitution responded to the challenges that were set by the apartheid legacy. The Constitution 1996 formulated models, strategies and methodologies and constructs that can help to attain the goals of multilingualism. The official declaration meant that all the official languages were afforded an equal status in schools, government proceedings, media and the legal system.

Basson (1995: x-xi) states that "the commencement of democracy that was signalled by the Constitution 1996 was the most anticipated triumphant and emancipating experience for all South Africans. The Constitution 1996 afforded South Africans an opportunity to enter a period of harmony, unity and reconciliation. The 1996 Constitution became a remarkable history between the past of an intensely alienated society that was characterised by conflict, struggle, indescribable misery and prejudice. A new democracy was formed upon the recognition of human rights, democracy, non-violent co-existence and development opportunities for all South Africans regardless of colour, race, belief and sex. The approval of the Constitution 1996 positioned a safe base for the people of South Africa to transcend the division and conflict of the past, which created uncivilised abuses of human rights, transgressions of humanitarian principles in violent conflicts and a legacy of hatred, fear, guilt and revenge" (Bason, 1995: xxx-xxxi). This manifests that in South Africa, language planning played a potential and a critical part in transforming the well-being of South Africans.

The Constitution 1996 became the only hope for the citizens of South Africa that ought to translate its aspirations pertaining to linguistic challenges into reality. Section 6 of the Constitution of South Africa, (Act No. 108 of 1996) is an important element of the founding provisions wherein Section 6 deals with language related matters. The 1996 Constitution in Section 6 [(1) – (5)] declares Sepedi, Sesotho, Setswana, siSwati, Tshivenda, Xitsonga, Afrikaans, English, isiNdebele, isiXhosa and isiZulu as the official languages of South Africa incongruence with UNESCO (1953: 689-690) classification of languages that documents official languages as languages that are used to do government businesses. Turi (1993: 7-18) states that the language provision of the 1996 Constitution regarding the position and usage of languages should relate to the official language domains. Turi (1993) distinguished official language domain into four domains namely legislation, judiciary, public administration and education.

The four domains by Turi (1993) are the most significant domains and if these domains are not well planned in the processes of language planning and implementation, linguistic turmoil may persist because these are the domains of the battlefield for linguistic unrest i.e. the Soweto uprising. Legislation forms part of the four critical domains that needs to be resolved when language is concern. Language clauses that came with the 1996 Constitutional brought change in language practices. The language clauses compel the state to respond to the challenges of language planning practice set by the Constitution in a fair and equitable manner. South African government was tasked with the responsibility to respond to the discrepancies of the apartheid legacies; therefore, a new plan ought to be adopted to put all languages on equal status in accordance with the basic human right. Therefore, the Constitution 1996 responds to the challenges that South Africans were faced with i.e. the challenges of inequality in language practices.

The 1996 Constitution in Section 6 (1) – (5) states that "the Constitution recognises the historically diminished use and status of the indigenous languages of the people, the state must take practical and positive measures to elevate the status and advance the use of indigenous languages. The national government and provincial governments may use any particular official languages for the purposes of government, taking into account usage, practicality,

expense, regional circumstances, balance of the needs and preferences of the population as a whole or in the province concerned."

Furthermore, Subsection (3) [(b)] states that "Municipalities must take into account the language usage and preferences of the residents. The national government and provincial government, by legislative and other measures, must regulate and monitor the usage of official languages without detracting from the provisions of Subsection (2) and all official languages must enjoy parity of esteem and must be treated equally." Subsection (5) further argues that "Pan South African Language Board (hereinafter PanSALB) must be established in order to promote and create conditions for the development and use of all official languages i.e. the Khoi, Nama, San and Sign languages and to promote and ensure respect for all languages that are commonly used by communities for religious purposes in South Africa."

Notwithstanding the recognition of eleven languages, the legislative processes remains the domain of colonial languages namely English and Afrikaans. Previously marginalised languages were afforded same status as English and Afrikaans. However, English did not lose its place as the medium of instruction in education, legislative processes and government businesses. The linguistic influence of the official indigenous languages is confined to the same regions to which the colonial governments had assigned them. South African government uses English extensively in crucial domains i.e. in all government spheres, media and as a language for technology. English is still viewed as the key to social-economic mobility and its prestige pose a threat to the use and maintenance of indigenous languages and the implementation of the policy of multilingualism in South Africa.

In the formulation and enactment of legislation in South Africa, English still holds prestigious status. As evidence to this, Section 220 [(1) – (2)] of the Joint Rules of Parliament of the Republic of South Africa (1999: 104) declares that "a Bill (proposed legislation under consideration) introduced in either the National Assembly (hereinafter NA) or National Council of Provinces (hereinafter NCOP) must be in one of the official languages. The Bill in the language in which it was introduced will be the official text for purposes of parliamentary proceedings." All the Bills that are in introduced in either the NA or NCOP are in English

meaning that the English version is the only official text that is used for parliamentary legislative proceedings. Section 220 of the Joint Rules of Parliament (1999: 104) further states that the official text "needs to be translated into other official languages." The official text refers to an English version. This proves that English is still considered important as compared to indigenous languages. Indigenous languages are not enjoying the same status that is enjoyed by colonial languages since there are no legal advisers who draft legislation using indigenous languages.

Clearly multilingual policies implementation and planning requires a better co-ordinated perceptive to support indigenous languages. For that reason, the implementation of Language Management Project in the OCSLA is required in order to foster access to legislation in all languages.

1.4 Statement of Research Problem

Section 6 (2) of the Constitution of South Africa, (Act No. 108 of 1996) states that:

> "All languages must enjoy parity of esteem and must be treated equitably."

Meaning that all languages must be afforded an equal status for government proceedings, media, legislative processes and for public interests. However, it can be argued that the legislative process promotes bilingual processes whereby English and Afrikaans are frequently used in legislation.

1.5 Hypothesis

This study seeks to prove that the implementation of legislation into all the indigenous languages in South Africa is a multifaceted task. It does not only involve the Constitutional stipulations, there are also complex variables to be considered for the successful formulation for multilingual policies implementation and planning.

It is over two decades into democracy however, the OCSLA is still experiencing the challenges of transforming the provisions of the Constitution 1996 into reality. Legislation is still dominated by English and Afrikaans whereas they are minority languages in South Africa. Hypothetically, if legislation appears in all the official languages, more citizens will participate in the law making processes.

1.6 Research Questions

The current study pursues the following research questions:

1.6.1 Main Research Question

What courses the ineffective multilingual policies implementation in South Africa?

1.6.2 Secondary Research Question

I. Why multilingual policies implementation and planning is not practical?
II. What causes the delay in the implementation of multilingual policies and planning?
III. How is the delay in the implementation of multilingual policies and planning affecting the citizens of South Africa?
IV. What methodologies and strategies can be adopted to fast-track the implementation of multilingual policies and planning?
V. To what extent can the theories adopted in this study provide models to support multilingual policies implementation and planning?

1.7 Aim and Objectives of the Study

The aim of the study is to investigate the challenges that are associated with multilingual policies implementation and planning in the DOJ&CD with special reference to the OCSLA.

The objectives of the study are to:

I. Access the practicality of multilingual policies implementation and planning.

II. Establish possible explanation and challenges associated with the delays of multilingual policies implementation and planning in the OCSLA.
III. Outline the elements of language planning and management of multilingual policy and plans in South Africa through language choice, policy formulation, policy codification, policy elaboration, policy implementation and policy evaluation.
IV. Evaluate critically the adequacy of language management variables in facilitating multilingual policies and planning in the OCSLA.
V. Critically evaluate whether the theories adopted in the study can harness the implementation of multilingual policies and planning.

1.8 Research Methodology

The research design for the study is implementation evaluative study that employed qualitative research techniques for data collection and analysis. The qualitative methodologies used are structured mode of observation, less structured mode of observation and the presentation of a case study. The selection of the Language Unit in the OCSLA as a case study and a unit of analysis is conducted using non-probability mode of sampling called purposive or judgmental sampling. Purposive sampling is a type of non-probability sample in which a researcher selects the units of analyses to be observed on the basis of a researcher's own judgement about which cases will be the most useful or representative of the population (Babbie, 2004: 183).

The OCSLA was selected based on its significant features making it the sole holder of the data desirable for the study. Wherein, the Language Unit in the OCSLA has defining characteristics that made the OCSLA the holder of the data needed for the study. The OCSLA was the prime participants of language management in the legislative domain because it is the only unit at national level that implemented multilingual policies and planning thereof at a national level in congruence with the requirements of the NLPF: IP 2003. The duties of the Language Unit in the OCSLA are in line with the duties of the Language Units as envisioned in the NLPF: IP 2003, with an additional responsibility to attend Parliamentary Committee meetings to assist with the simultaneous translation of amendments to legislation which is in line with the business process of the OCSLA. Furthermore, the OCSLA is the only entity in South Africa

that provides translation of legislation in all the official languages of the Republic of South Africa in accordance with the provisions of the Constitution 1996.

The multi-method approach of data collection is done to enhance reliability of the results and findings.

1.9 Rationale for the Study

When the former Minister of Art and Culture, Dr BS Ngubane presented the NLP 2002 and the NLPF: IP 2003, South Africa seemed to be at the threshold for unexpected linguistic change. However, the implementation of mother-tongue legislation in line with the requirements of the NLP 2002 and the NLPF: IP 2003 in South Africa has not been captured adequately in the academic dissertation; henceforth, the current study attempt to fill this gap. Scholars like Webb and Du Plessis (2006); Mwaniki (2011); Currie and De Waal (2002); Young (2003) etc. have focused on the issues of language problems in South Africa, but inadequate researches have been conducted to assess the implementation of the NLP 2002 and the NLPF: IP 2003 in South Africa particularly in the legislative processes.

Some of the research from prominent scholars emphases on language questions prior the 2002 policy development. Scholars like Du Plessis (1999) attempted to evaluate the "translation and interpreting scenario in the new South Africa." In (2000) Du Plessis further evaluate the issue of "from two to eleven official languages in South Africa." Other researchers examine the 2002 policy development, a little is done on the execution or implementation of multilingual policies and on the challenges associated with the implementation plan. Researchers like Webb *et al.* (2006: 15) who had predicted that after the implementation of the NLPF: IP 2003 "the laws will have to appear in more than two languages, government notices will have to reflect the multilingual nature of the society and language services will have to be representative and reflective of the linguistic diversity" are concluding that the NLPF: IP 2003 could not succeed due to the lack of political will.

Other scholars have contributed profoundly on language planning issues in education i.e. "the issue of mother-tongue education"; the implementation of language policy and the

implementation thereof at tertiary universities i.e. the University of KwaZulu Natal, the University of the Free State, the University of Stellenbosch. Mabule (2011) evaluated "the implementation of multilingual policy and planning where language attitudes and language choice within the correctional services with reference to Pretoria Central Prison" was examined. It is not much that has been done on the implementation of Language Management Project. Given that the NLP 2002 and the NLPF: IP 2003 initiated the implementation structures, mechanisms, measures and plans to deal with language problems, it becomes vital to inspect the implementation of Language Management Project in the OCSLA in line with the policy.

This study hopes to fill the gap on the implementation structures in the policy and to better the understanding of how to implement multilingual policies to organisational culture that had been primed for bilingual policies in the past in order to minimise vagueness and the danger of failure in the same initiatives in future.

1.10 Chapter Organization

The thesis is organised into six chapters.

Chapter 1 (one) provides the introduction to the study. The chapter elaborates on the implication of the Constitution of the Republic of South Africa, (Act No. 108 of 1996) with special reference to languages in South Africa. The chronological historical events that led to language planning in South Africa are presented. The chapter includes the statement of research problem, hypothesis, research questions, aims and objective of the study and it outlines the remainder of the study.

Chapter 2 (two) provides literature review on language planning and language management. The chapter elaborates on language planning activities and approaches to language planning and management. The chapter also provide theoretical perspective of language management in America, Europe, Africa and in South Africa.

Chapter 3 (three) presents the theoretical frameworks that serve as a source of reference to understand and evaluate the implementation of NLPF: IP 2003 and guide the data collection and data analysis process. This chapter provides a discussion on theoretical framework i.e. critical theory, research design and research methodology that were adopted.

Chapter 4 (four) presents data for multilingual policies implementation and planning where a LMA is tested on the implementation of Language Management Project in the OCSLA. This chapter further elaborates on critical legislative framework that serve as a guideline for multilingual policy implementation in South Africa i.e. the Constitution 1996, Joint Rules of Parliament 1999, National Language Policy Framework 2002, National Language Policy Framework: Implementation Plan 2003 and the Use of Official Languages Act 2012.

Chapter 5 (five) is the analysis of data presented in chapter four and discussion. In this chapter the researcher conducted Critical Discourse Analysis (hereinafter CDA) on the execution of Language Management Project in the OCSLA, wherein language management variables, language management strategies and methodologies that have impact on the execution of the Project are analysed. CDA is used to analyse and interpret the influence of these variables on the execution of the Project. Furthermore, CDA was used to analyse legislative framework that have a bearing on the execution of Language Management Project in the OCSLA i.e. Constitution 1996, Joint Rules of Parliament 1999, NLP 2002 and the NLPF: IP 2003 and the Use of Official Languages Act 2012.

Chapter 6 (six) presents the findings, conclusion and recommendations. It provides an interpretation, discussion and summary of the main conclusions of the study. It also provides recommendations that can be adopted to facilitate the implementation of the NLPF: IP 2003 and similar initiatives elsewhere.

CHAPTER TWO (2)

LITERATURE REVIEW

2.1 Introduction

This chapter seeks to provide insights on language management and how language planning and management thereof have been carried out. This will be conducted through literature review on the historical development of LMA.

2.2 Analysis of Secondary Data

According to Ndlovu (2013: 284) secondary sources are valuable in any research conducted because they clarify and supplement the primary data. Secondary sources seek to confirm, modify or contradict the findings of a research. It is advisable and proper to reflect on the findings that are already in existence in order to supplement on the process of adding innovative information. The research will then prepare the researcher with theoretical backing on the research that has been conducted in relation to the subject at hand. In the current study, secondary sources were used to obtain perceptions, views, observations and arguments and for assistance in determining the researcher's findings.

In the analysis of secondary or existing data that is used in the current study, work of prominent theorists in the field of sociolinguistics who contributed extensively on the issues of language planning and management will be analysed. This is done with an objective to advance academic understanding of languages in language planning and management, but also how people interact with language. The work of prominent theorists in the field of sociolinguistics as developed from the language management theory, which was developed by Neustupny (1978; 1974; 1968), Jernudd (1973; 1977; 1993), Jernudd and Neustupny (1987; 1991), Neustupny and Nekvapil (2003:184-5); Webb (2002), Mwaniki (2004; 2010; 2012), Spolsky (2004; 2009) and Shohamy (2006) is examined.

2.3 Language Planning and Management

Nekvapil and Sherman (2015: 4) argue that "there has been an observable shift from the use of the term language planning towards the use of the term language management." Critics have denounced using the concept of language management as merely a synonym for language planning. However, different philosophers have different views on the issue of language planning and management. A number of ideal models have been formulated that perceive language planning and management as an activity of identification of problems associated with language in distinct interactions, the implementation of processes by language planning agencies and the implementation of these measures in individual interaction.

According to Weinstein (1983: 55) "language planning may be defined as government authorised, long-term sustained and conscious effort to alter a language itself or to change a language's function in a society for the purpose of solving communication problems." According to Cooper (1989: 45) "language planning is a problem solving activity concerned with deliberate language change for specific aims, which may be social, political, educational or a mixture of all three and it refers to deliberate efforts to influence the behaviour of others with respect to the acquisition, structure and functional allocation of their language codes." Rubin (1971: vii) states that "language planning refers to the development, implementation, and evaluation of particular approaches to specific language problems."

Rubin (1971) further defines language planning as an approach to study change in language and language use in order to make predictions that can bring change. The well-known language scholar Haugen (1966: 52) defines language planning "as the evaluation of linguistic change and an activity of manipulating language as a social resource in order to reach objectives set out by language planning agencies which in general, are areas of governmental, educational, economical and linguistic authorities." Tauli (1974: 56) argues that language planning is "a methodical activity of regulating and improving existing languages or creating new common regional, national or international languages." Karam (1974: 105) concur and states that language planning term refers "to an activity which attempts to solve a language problem, usually on a national scale, and which focuses on either language form or language use or both." Whenever there are communication problems concerning language, language planning is possible.

Tellefson (1981: 175) argues that *"*the term language planning is most appropriately used to refer to coordinated measures taken to select, codify and in some cases to elaborate orthographic, grammatical, lexical and semantic features of a language and to disseminate the corpus agreed upon. This applies to a wide range of processes involving planned change in the structure and the status of language varieties." Moreover, Toffelson (1991: 16) argues that "language planning is conscious determinations to affect function and the construction of language varieties. These efforts comprise of the formulation of orthographies, standardisation, modern programmes and allocation of functions to particular languages within multilingual societies."

Eastman (2009: 33) defines language planning as "an effort to recognise not only our loyalty to our native language but also the need of the community to have a uniform and efficient means of communication." This manifests that language planning must be sensitive towards the complexity of diverse languages and multiculturalism in which the planning takes place. Regardless of the functions, all planning in language planning involves "language choice – selecting the language or languages to be planned; policy formulation – articulating the plan through a planning agency or authority; policy codification – technically preparing the formulation and determination of the policy; policy elaboration – spreading anything that was prepared technically; policy implementation – the implementation of changes by means of an organisation generally supported by the planning agency or authority and policy evaluation – assessing the whole plan to see whether changes might be needed to ensure that communication is enhanced and unity and solidarity achieved where language planning has worked" (Eastman, 2009: 297).

Bamgbose (1989: 24) argues that "Language planning has certainly made great strides in the past decades. Models have been established, refined and language planning activities in several countries have been analysed and described. However, from the application of the current models of language planning to a wide range of language planning situations, it is becoming obvious that some of the earlier assumptions about the nature and processes of language planning will need to be re-examined and if possible revised." Baldauf and Kaplan (2005: 962) distinguish language planning activities as initially recognised by Bamgbose (1989) and identified four language planning activities and their goals.

The elaborations on language planning by Baldauf and Kaplan (2005) and Bamgbose (1989) answer the question of what needs to be planned in language planning which bring about four concepts of language planning activities that need to be planned namely status planning which is a selection of a particular language for certain functions; corpus planning which is the development of a language; acquisition planning which deals with users of a language and status planning which deals with enhancing positive attitude towards a language.The four language planning activities seek to influence both linguistic behaviours and social behaviours. Language planning activities are very important in multilingual policies implementation and planning. The language planning activities are discussed exhaustively below.

2.3.1 Status Planning

According to Mwaniki (2011: 131) "status planning refers to the decision made by governments and other authorities at the supranational, national, regional or community level which decides the status of individual languages in relation to each other. Decisions may also be made in relation to the use of certain languages in various institutions; in various areas of public life; for specific functions and in various regions of the state. Such decisions may involve deciding the number of languages to be designated and used and which languages and form of language to be used." According to Donnacha (2000: 13) "language planning at this level may also include making decisions in relation to how to treat languages that relate to particular regions, ethnic groups and social classes, and the reinforcement of a national and official language outside the boundaries of the state or region."

This focus on the society is referred to as the status planning. The societal planning comprises of resolutions that are taken by the society when selecting a language as well as the enactment for the selection and to publicise the language or languages that were selected. Status planning, therefore, involves status planning model in the selection and the application of language planning (Kaplan and Baldauf, 1997: 29-30). "Status planning involves authoritative measures that are undertaken to elevate the status of a language or languages. These authoritative measures arise from statutory and government measures usually following an increase in the economic, educational, cultural and social value of a language" (Webb, 2002: 259-277).

Nevertheless, status planning does not only take the direction of government to grassroots level particularly micro planning of language is also becoming a norm. Status planning is very important in the programmes of language promotion. Status planning is an obligatory strategy that should be inseparable with the determination to implement linguistic ideologies. Status planning is a vital strategy and a methodology for language management and planning. In language management, status planning improves language value of the speakers concern. It regulates the upward level of societal mobility and the inclusion of the speech community that uses that language or languages. It is essential that the activities of language planning be reinforced and simplified by constitutional processes since on their own are inadequate tactics to promote a language or languages. Status planning emphasises on language usage and put emphasis on the public and governmental procedures in selecting a language.

If the society is excluded in status planning through the process of language planning, this reduces people's choices for language selection and it might contradict the principles to enhance human freedom. In South Africa, since all languages are afforded an equal official status, there is a desirable need to advance them in order to be part of legislative domain.

2.3.2 Corpus Planning

Kaplan and Baldauf (1997: 38) state that "Corpus planning can be defined as those aspects of language planning which are primarily linguistic and hence internal to language. Some of these aspects that are related to language are orthographic innovation; including design; harmonisation; change of script and spelling reform; pronunciation; changes in language structure; vocabulary expansion; simplifications of registers; style and the preparation of language material." According to Cooper (1989: 31) corpus planning involves "coining new words, making spelling changes and adopting new script." Terminology development and technological related devices to be implemented in a multilingual setting also form part of the corpus. This activity is a continuous process since all languages are dynamic. Corpus planning is an activity that language planners are putting more emphasis on particularly in South Africa since the nine indigenous languages are underdeveloped. With reference to the current study it

is very important for the OCSLA to engage itself to such language planning activities in order to develop legal terminology for use in the implementation of mother-tongue legislation.

Eastman (2009: 71) states that a vernacular language can be advanced into a standardised language by applying the components of graphisation; a system for developing writing system for a language by providing a basis for literacy and formal education. Another component that can be deployed is modernisation, whereby a language can be developed by expanding vocabulary and ways to communicate so that language can be used in necessary situations. Therefore, legal terminology is very crucial in all the indigenous languages in order to be compatible with English that is used in the legislative domain.

Fisher (1987: 409-410) states that the processes of language planning is the commanding and the authoritative distribution of government assets and resources for the realisation of the status of a language or languages. Language planning processes also awakens the need for corpus goals in relation to the language's new functions envisioned and in relation to the existence function of a language that needs to be adequately discharged. Eastman (2009: 70) states that the other component of corpus planning is standardisation which basically consists of creating a common model that speakers of varying dialects learn to read and write formally and informally.

Mwaniki (2011: 131) states that "Corpus planning is an aspect of language development that is related to the development of the lexical base of a language so that it can be able to meet the demands of a dynamic and changing society. From a language management perspective, corpus planning is an important methodology/strategy for multilingual policy and planning implementation because it would be pointless to support multilingual policy and implementation if the majority of languages that are intended to be use when a multilingual policy and plan are implemented are not fully developed in terms of lexical corpuses." According to Ndlovu (2013: 250) "corpus planning activities capacitate local languages to serve as media of instruction in legal processes. They increase their prestige and visibility as well as their institutional and functional status. These corpus activities also create prospective language-related career opportunities for speakers of these languages. The opportunities serve

as incentives to teach these languages and major in them." Corpus planning is a major planning that needs to be developed to enhance productivity in schools.

Corpus planning allows the "expansion of a language to enable it to perform functions that are assigned to it" (Webb, 2009: 109). According to Canagarajah (2006: 157-159) in corpus planning, ethnography can help a community to understand its valuation of competing dialects and choose the variety that is most effective for schooling and other institutional purposes.

2.3.3 Acquisition Planning

Cooper (1989: 45) came up with a "term acquisition planning as the third basic area of language planning activity in addition to corpus planning, status planning and prestige planning." Cooper (1989) made language planning explicitly relevant with the teaching of languages and refers to "language planning refers to deliberate efforts to influence the behaviour of others with respect to acquisition, structure and functional allocation of language codes" (Cooper, 1989: 45). Acquisition planning is concerned with the language that is used for education. In acquisition planning, planned activities seek to empower language or languages as a medium of instruction in schools. If a language is taught in school that alone increases the number of users in that language, the speakers of that language, language literate, writers, listeners and readers.

Acquisition planning is seen as one of the planning activities that is concerned with transferring of a language from one generation to another through language teaching. Teaching language in schools contributes vitally in transferring the knowledge of a language from one generation to another. The South African Language in Education Policy 1997 (hereinafter LiEP 1997) provides a scope for the imposition of language policy by the authorities to operationalise the Constitutional 1996 ideology. The LiED Policy 1997 fosters all schools to make use of official languages for formal education.

"Language-in-education planning mainly affects the education sector and it substantially involves formal education structures. Language-in-education planning is also about developing

both policies and specific methods and materials to support individual and community language development for different uses to which the language is to be put. These goals may meet societal, institutional and individual needs" (Kaplan and Baldauf, 2003: 217). To further the ideology of language-in-education in South Africa, efforts are made to provide mother-tongue education at tertiary institutions i.e. at the University of KwaZulu Natal. The effort is done to bring students to competence in isiZulu.

Language-in-education planning is another form of promoting language acquisition. Acquisition planning supports the capability for the users of that language in question possessing the knowledge or without the knowledge of other languages. Language acquisition is a two-way fold, i.e. acquisition planning and skills development. Skills development denotes the development in the dissemination of competence levels. "Acquisition planning refers to the surge in the numbers of people who use a particular language or languages at a certain level of proficiency. The number of individuals who are equipped with language skills can be increased by the teaching of that language in schools. Therefore, language acquisition is concerned with language in education" (Grin and Vaillancourt, 1999: 57)

2.3.4 Prestige Planning

The problems of multilingual society are complex matters in any state particularly in a country like South Africa that declared multilingual policy implementation. The presence of English as a lingua franca does not solve the problems because the official status of other languages also needs to be recognised. A country like South Africa with a vision to practice multilingualism and multiculturalism, the society hope to experience linguistic identities and their interests in languages being maintained without subjecting other peoples' language to be violated. The government has a mandate to respond to these altercations legitimately. The government need to create an environment that encourages the usage of any other languages other than English. Government needs to attempt to solve language problems by participating in mindful and ethical language planning, by formulating language policies through language management and perpetuate the prestige of all languages.

Prestige in language planning is concerned with what Haarmann (1990: 86) recognise as promoting the status of a language in order to advance optimistic approach to a language and its speech community. Grin *et al.* (1994: 7-133) propose "three intertwined courses of action

to develop positive values for African languages namely creating the demand for the languages in Africa's multilingual marketplace; using the created demand as incentive for adopting African languages as medium of instruction in schools; and requiring school-acquired knowledge of African languages for access to resources and employment." This would enable institutions to hire competent language practitioners who have acquired training at tertiary institutions in indigenous languages to aid legal processes in indigenous languages.

The four language planning activities as discussed above seeks to clarify the notion on what to be planned in language planning whether to plan its function or its structure and this does not answer the question of how these plans are implemented. The query of how the language activities are implemented can be answered by examining the approaches to language planning. The approaches to be used in language planning also depends on the political will for those who are in control of the government. The language planning can take the shape of normative language planning or ideological planning. The two types of language planning approaches are discussed below.

2.4 Approaches to Language Planning

2.4.1 Ideological Language Planning

Kellner (1995: 140) define ideological language planning "as a set of views, beliefs and ideas subscribed to in a specific dominant social group, class, language, gender, race or ethnic group to maintain the existing social order, that is to maintain the position of dominance, control and used to reproduce relations of inequality. In a related sense, it is described as the practice of reproducing social relations of inequality." While in Neo-Marxism view Swann, Deumert, Lillies and Mesthrie (2004: 141) argue that ideology operates as predetermined notions, concepts, philosophies and practices ought to camouflage, distort and manipulate the societal, financial and governmental relations amongst overriding and subjugated classes, preserving uneven supremacy relations amongst clusters in the community.

According to Kellner (1995: 89-142) the main features of ideology, therefore, includes the following:

- An ideological approach that serves the interests of groups who are in a position of social supremacy, ruling powers and elites.
- The views, beliefs, ideas of the dominant groups are produced, deployed, regulated, generalised and institutionalised in such a way that they are perceived to be natural and; therefore, legitimate and binding.
- Ideological practices are an attempt at mystification, that is an attempt to disguise the fact that it is an instrument of inequality, injustice and oppression.
- Ideological practices are directly linked to power and hegemony, are regulatory, coercive, directed at control and domination, subordination and the perpetuation of oppression.
- Ideology is directed at representing the other as secondary, derivative, inferior, and subservient.
- Ideologisation is facilitated through the construction of discourses, texts, symbols, myths and particular representations of ideas, beliefs and views, as well as groups of people.

The ideological language planning in South Africa can be associated with overt use of state policies that promote only English and Afrikaans. This was done covertly by what (Webb *et al.,* 2006: 149) perceive as the language usage with a motive to dominate and control the subjugated. Meaning that language planning was used to legitimise languages by the formation of organisations amongst linguistic, authority, capital, the possession of information, expertise, education, societal status and merging a language or languages by authorities politically and economically using forcible governmental control, controlling natural resources, consumer patterns and needs for recreation. The covert use of only English and Afrikaans did not take place overtly, by the rule of law, government enactments and declaration, however, it was perpetuated indirectly with symbolic domination.

Hasnian (1995: 7) describes symbolic domination as the power possessed by certain societal groups to control others by creating interpretations of reality, standards, cultural practices and norms. Typically, in such circumstances in South Africa, language was used as a tool to implement and perpetuate symbolic violence, the hegemony practiced by the other group. The ultimate aim of this symbolic domination was that a subordinated group come to a state

whereby it accepts the hegemony exercised by another group as normal. The ultimate aim of the ideological language planning was to influence the users of indigenous languages to believe that the indigenous languages and cultural values attached to their languages were inferior and putting them at economic disadvantages.

Factors that influence ideological language planning are identified by Toffelson (1991: 49) as key ideas in critical theory. Those factors include power, struggle, colonisation and hegemony. The first factor is power. Power is the ability to regulate societal proceedings to accomplish one's goals. Power is implicit in all social relationships. In investigating power, the researcher focuses on the "dynamic relationship between social structure and individual agency" (Tollefson, 1991: 46). Particularly in institutions which constrain and provide meaning to individual actions. Power is characteristic of policy-making processes wherein, language policies become a vessel in which the government and policy-making agents and institutions have impact on the behaviour of language.

The second factor is struggle. The world consists of dominant groups which usually control the state and the oppressed groups. Language policies that are implemented by institutions and government are manipulated by the dominant groups and serve dictators only. For example, dominant groups may use education to sustain their system of privilege. The third factor is colonisation whereby English "is not viewed as a process in which individuals learn a new language for their own well-being but as a mechanism for the destruction of cultural identity and the imposition of an economic order that demands workers and consumers without ties to traditional institutions that might serve as a counter-balance to the state and the capitalist economy" (Phillipson, 1992: 47).

The last factor is hegemony. Gramsci (1988: 33) defines hegemonic practices as "institutional practices to guarantee that supremacy and power stays in the minority or elite groups. Whereas ideology denotes insensible principles and norms that are adopted and therefore contributes to domination. Hegemonic practices are formed into the organisations of society and reinforce rights and grant it rightfully as a natural condition" (Fairclough, 1983: 47). The cultural

practices of unequal hegemony is perpetuated by linguistic patterns of dominant groups and is supported by uneven structures of societal institutions (Bourdieu, 1991: 11).

2.4.2 Normative Language Planning

In contrast to the ideological language planning exists normative language planning. Normative language planning "is not directed at establishing a specific set of views, beliefs, patterns of behaviour with the aim of serving the interests of the dominant ruling class, maintaining a particular social order, control and domination, or reproducing relations of inequality and keeping the others subordinated, or representing the other as secondary, inferior and subservient, it is essentially directed at serving the interests of the polity as a whole" (Kellner, 1995: 94)

Furthermore, Kellner (1995: 95-97) argues that "normative language planning is the discussion of critical social theory, the construction of a programme of actions based on a set of values and norms which have the consent and support of the population to which they apply. These values and norms refer to the principle of freedom, equality, democracy and empowerment and serve as a frame of reference for language policy development, the construction of plans of implementation and for the evaluation of implementation process. They also serve as framework within which ideological programmes can be criticised, enabling one to unmask hegemony, domination, oppression, negative discrimination as well as ideological structures and practices. It supports the struggles of oppressed groups against domination and subordination, siding with those in struggle against inequality, injustice, oppression and it is associated with the struggles for liberation, the creation of a free, fair, unbiased and democratic values. At the very least, normative language planning must be consciously anti-hegemonic, directed at unmasking ideological policies and practices and at developing counter-hegemonic strategies." It can thus be interpreted that during language deliberations pertaining to the Constitution 1996, South Africa adopted a normative language planning approach although theorist like Du Plessis (2003: 307) urges that normative language planning may be a negative exercise.

According to Prah (2007: 13) the provision of equal eleven official languages in the Constitution 1996 is an effort of the government to please the competing interests, and to potentially avoid linguistic uprising in future that might cause negative effect. Therefore, the Constitution 1996 made precautionary condition that "the national government and provincial governments may use any particular official languages for the purposes of government, taking into account usage, practicality, expense, regional circumstances and the balance of the needs and preferences of the population as a whole or in the province concerned; but the national government and each provincial government must use at least two official languages. Municipalities must take into account the language usage and preferences of their residents."

A decision on the status of languages was made. The decision was that all languages will be afforded an official status. In order to persuade this objective, mitigating, unrestricted and extenuating conditions were clearly indicated. It may be contended that in an attempt to please all the citizens, the government did not succeed on a progressive plan, which primarily meet the "needs of the African language speaking majorities" (Prah, 2007: 14). On the contrary, (UNDP, 2004: 60) states that "by choosing one or a few languages over others, often signals the dominance of those for whom the official language is their mother-tongue. This choice can limit the freedom of many non-dominant groups, feeding intergroup tensions; therefore, become a way of excluding people from politics, education, access to justice and many other aspects of civic life. It can entrench socio-economic inequalities between groups and can become a divisive political issue. Hence normative language planning was adopted in South Africa."

2.5 European Perspective on Language Planning and Management

The European perspective in language planning and language management is traceable to the work of renowned Prague Linguistic Circle of Nekvapil (2003), Nekvapil (2009), Jernudd and Neustupny (1987), Chaudenson (1989, 2003), Jernudd and Neustupnys (1987), Osborn (2010), (Kaplan and Baldauf (1997) and others.

Language planning and management is a planned regulation of linguistic behaviour and languages that was developed as an adjustment for language planning theory. In the early

modern period, language planning and management focuses on language problems and the ways of resolving language problems. Neustupny and Nekvapil (2003: 184) state that "language management developed as an extension and change of language planning theory and further argues that the bulk of what constitutes the language management theory and practice has been around. He notes that language management represents the logical development of language planning, policy and practice, and is not a replacement of the latter." However, language planning ascended in relation to the weakening of the colonial era and the process of modernisation in the developing countries, then language planning focuses on the decision making that ought to resolve language related problems.

Jernudd (1993: 133) argues that "language management model differs from language practice of language planning. The former seeks to explain how language problems arise in the discourse of peoples' use of language; whereas the latter takes decision-makers' specification of language problems as the axiomatic point of departure. Language management theory seeks to explain how language problems arise from discourse, in whose discourse and how they project into discourse if they arise from non-linguistic interests or from systematic linguistic principles. Language planning is an aspect of language management. It is a process by which particular people are given the authority to find and suggest systematic and rigorous solutions to language problems."

Rubin and Jurnadd (1971: xiv) state that language planning and management involve the collection of data to make decisions on which language or languages best suit certain conditions, situations and speech community. It also involves the development of technology and technical tools to choose amongst other decisions and it is future oriented. Jernudd (1991: 132) submits that "the study of language management relies on an overt consideration of some discourse events. An interest in discourse is very much a matter of the climate of the times. The discursive interest in anthropology, practical philosophy, literary criticism, political science and history, now percolating in all the human and social sciences, and interest in discourse branches of language study, are not accidental and not accidentally related. One shared factor for the shared foregrounding of the discursive in the human and social sciences

are an interest in the individual, and the interest in the ordinary, us-all-encompassing in the contemporary endeavours of any kind."

Nekvapil (2006: 12) define language management as "the production and reception of the discourse, the activities that are aimed at the production and the reception of the discourse i.e. metalinguistic activities then the latter process is called language management." Furthermore, Nekvapil and Jernudd (1991: 130-131) outlined the model for language management in discourse as first outlined in Jernudd and Neustupny (1987: 75-76), which holds that "a person produces messages; monitors the language that constitutes these messages; and notes or not a difference from the norm by monitoring language production; thus identifying a product item; evaluates or not the kind and degree of inadequacy of the product item; selects or not an adjustment strategy or at least *ad hoc* means of adjustment for the inadequacy and acts or not to pre-, in-, or post-correct self or to react to the other's speech, to implement adjustment."

Neustupny and Nekvapil (2003: 185) concur and also recognise five stages of language management theory and state that, when a speaker "notes" the discourse at the moment it "deviates" from the norm, the speaker may "evaluate" the deviation either positively or negatively. The speaker may further "plan an adjustment". The speaker may "implement an adjustment plan" and either "evaluate" or choose not to evaluate the implementation." The five stages of language management noting, deviation, evaluation, planning an adjustment, implementation of an adjustment plan are the core founding principles of language management that is the basis of this study.

For language management to be implemented effectively, the five aforecited stages of language management must be carried out efficiently, although that does not guarantee the efficient multilingual policies implementation since there are external factors that also need to be considered for multilingual policy to succeed. The first stage of language management is noting. Clearly language management cannot be implemented if noting the deviations is not done; therefore, an in-depth scrutiny of noting is very crucial on language management processes. If a particular situation is noted, the subsequent enquiry that a researcher should be concern about is the interconnection between noting and other phases of language management. What is the interconnection between noting the everyday interactions and organised management?

Baldauf (2005: 962) make a distinction of four language planning activities and goals for noting the deviation namely status planning, corpus planning, language-in-education (acquisition) and prestige planning. The next stage is the evaluation of several facets of planning, preparation of linguistics, political adjustments and their implementation. The third process is the evaluation of the noted phenomenon. If the evaluation of the noted phenomenon is evaluated negatively, the evaluation is labelled as language problems. The manifestation of language problems contributes to the fourth stage of language planning and management that is creating an adjustment plan or planning an adjustment strategy for the management of assessed situation.

For the implementation of multilingual policy to be successful in the implementation stage, attempt to adopt the systems approach, different methodologies and strategies must be encouraged although this will not guarantee the successful implementation of multilingual policy. However, efforts should be made to reinforce these methodologies, although there are further external factors that interrelate a language policy that is anticipated to decide its successful implementation. Lastly, after an implementation stage, the implementation can be either evaluated or not. Pertaining to the current study of the implementation of Language Management Project in the OCSLA, the implementation of the NLPF: IP 2003 is evaluated to ascertain whether the policy document was effectively implemented.

Spolsky (2009: 3) submits that there is a gradual advancement pertaining to the progress in language management theory. The development of language management theory can elucidate on the challenges from social sciences perspectives to endeavour the production of an adequate framework that can account for social behaviour. “Language management theory represents a shift of focus from the concerns of language planning of finding optimal strategies for government, towards an interest to explain how individuals manage language communication and uses this as the basis for community-wide language management. Language management theory also seeks to describe bottom-up and discourse-based planning, which was the missing link in the work of language planning” (Jernudd, 1993: 234). “With its grassroots or bottom-up orientation, language management employs data from the way individuals cope or fail in communication challenges. This forms the basis for community-wide actions” (Antia, 2000: 8).

2.5.1 Simple Language Management

Neustupny and Nekvapil (2003: 185) recognise that "the basic feature of the language management theory is a distinction between simple and organised management of language. Simple and organised management are distinguished in terms of the number of participants and the features of discourse that is involved." Neustupny and Nekvapil (2003: 185) define simple management as the "management of problems as they appear in individual communication acts. In simple management, the orator manages certain features or facets of his/her interlocutor discourse. Examples of simple language management are problems of spelling of a particular word or how to redress the use of an expression that a speaker uttered that is not considered as sufficiently polite. Simple management focuses on language use, such as grammaticality and politeness at an individual level."

Simple management can be identified i.e. when an individual speaks and uses a colloquial phrase and after its pronunciation, immediately "enhances the equivalent standard expression in conversational analysis terminology, this is called self-initiated self-repair" (Neustupny and Nekvapil, 2003: 185). The instances when the speaker manages the individual features the minutes its deviates from the norm in a specific contact is called discourse based or simple management. It is not all the deviations that can be managed by simple language management other situations require a more variety of complex institutions.

In addition to simple management, there is macro level of management called organised management that takes place in institutions of varying complexity ranging from different ministry. An explicit example of organised management is the implementation of NLPF: IP 2003. This form of language management transpires at a state level or is performed by state institution. Simple and organised management are two conventional areas of social phenomena; however, there is no fundamental difference between the two concepts. Language management theory strives for the clarification of the connection between simple and organised management in order to investigate these two major types of management themselves.

2.5.2 Organised Language Management

Beyond simple management there is a multifaceted management, meaning that it involves layers of stakeholders and it is directed. In language management theory this multifaceted process is called organised management. Cooper (1989: 31) asserts that this model of "language planning also refers to systematic, theory based, rational and organised societal attention to language problems." Language planning prior 1996 in South Africa dealt precisely with organised management because the language management at that stage was not an *ad hoc* process; however, it was methodological and directed.

This form of language management is referred to as an organised management because it involved "more than one person in the management process. The discourse about management occurs, while thought and ideology intervene. Since these features are present in varying degree, there is a gradual transition between the two extremes simple and organised management. Language management theory maintains that language problems originate in simple management and from there they are transferred to the organised management domain.

This does not mean that organised management is merely a summary of simple management acts. The results of organised management are transferred back to discourse and without the correction of individual discourse; the management process becomes meaningless" (Ndlovu, 2013: 125-126). "Organised management is not restricted to one particular interaction; it is directed and more or less systematic. The organisation of language management involves several levels. The growing complexity of social networks is accompanied by the increasing degree of organisation of language management. In every complex networks, organised management often become the subject of public or semi-public discussion among a large number of participants including specialists and institutions" (Neustupny and Nekvapil, 2003: 174).

Individuals are not the only people who pays attention to daily interaction of language use. Institutions and organisations i.e. ministries of varying degrees of complexity focuses attention

on language related matters. Organised management shares structural features with simple management; however, the core features of organised management are not premised on single interaction, rather they relate to a long string of interactions. According to Nekvapil (2012: 167) organised language management is characterised by the following features:

- Management acts are trans-interactional.
- A social network or an institution (organisation) holding the corresponding power is involved.
- Communication about management takes place.
- Theorising and ideologies are at play to a greater degree and more explicitly.
- In addition to language as a discourse, the object of management is language as system.

The DOJ&CD with special reference to the OCSLA on the implementation of the mother-tongue legislation for previously marginalised languages was embarking on an organised language management since this process evolves on a number of stakeholders and different ministries at national level.

Jernudd (1993: 134) states that simple and organised management are "closely linked to the factor of power i.e. with the capability to push certain interest through. Language management is based on the assumption that, as a rule, the interest of different participants and social groups in language planning situations are not identical and the distribution of power among them is uneven. Language management takes place within social networks of various scopes, it does not only occur in various state organisations with a scope of activities comprising the whole society; however, it also occurs in individual companies, schools, media, associations, families and individual speakers in particular interaction." Meaning that language management deals with both micro and macro-social aspect.

The relationship between simple management (micro) and organised management (macro) is dialectical, meaning that simple management and organised management elaborates one another. Nekvapil and Nekula (2006: 12) argue that "the two types of language management may be intertwined with another dialectically: organised management influences simple management and yet organised management results from simple management. Particularly when language problems occur in particular interactions reflected by local institution or institutions, this act triggers regulation at the level of the ministry or even the establishment of a ministry language planning organisation or institution." However, it should be noted that

there are circumstances where simple and organised management has no impact on one another.

Within language management theory, language management is not simple an institution and organised "management of language use and its influence on individual discursive practices; however, it also focuses on ways in which individuals manage ongoing discourse and language choice. In the course of language management process non-institutionalised social networks can be activated and deactivated so that the discourse micro-management may melt into organised macro management and back again, therefore a language management cycle develops" (Nekvapil 2012: 317). However, not all language management takes the form of a language management cycle.

2.5.3 Management Process of Simple and Organised Language Management

Neustupny and Nekvapil (2003: 185) argues that "language management theory constitutes of the management process. Processuality is a very prominent aspect of language management theory. Processuality aspect was considered after it was realised that both simple and organised management are viewed as developing according to a sequence of stages. The development process begins with deviation from the norm, with different participant processing different norms and expectations. With time this deviation may be noted, and a noted deviation may be evaluated and subsequently an adjustment plan may be selected" (Ndlovu, 2013: 126). The last stage is the implementation of the plan. The implementation of an adjustment plan could be instigated by different stakeholders such as politicians, government executives and specialists that are appointed to take decisions to address language problems. Even ordinary speakers of a language contribute towards "these changes in language and their use" (Nekvapil and Sherman, 2015: 1).

Nekvapil (2012: 871) states that "people produce utterances, while not devoting any attention to the language or the utterances, and on the other hand, people may orient their attention toward the language or the utterances, evaluate them, think about altering them and occasionally take action on those thoughts." Nekvapil (2012: 6) posits that "language

management may end after any stages i.e. the speaker may merely note a certain phenomenon but refrain from evaluating it, or may evaluate it without planning an adjustment, or plan the adjustment but withdraw from its implementation."

Kaplan and Baldauf (1997: 196) came up with a further all-encompassing usage of figurative duos "top-down" as well as "bottom-up" process. The metaphors "top-down" as well as "bottom-up" process denote mainly the direction of the deliberate adjustment commencing to its initial points and ending points. The metaphors denote to the originators of adjustment and stakeholders in the implementation of an adjustment plan. The "top-down" direction relates to the stakeholders who have major authority, however, the "bottom-up" direction relates to the stakeholders lacking such amount of authority. Stakeholders who are working "top-down" process habitually impose their envisioned changes effortlessly contrary to those who are working "bottom-up". These metaphoric phrase in language management are connected to macro and micro language planning. The "top-down" process is more complex, and it is influenced by institutions that is why it is referred to as macro or organised language management. The "bottom-up" is simple and influenced by individuals; therefore, it is understood as micro or simple language management.

2.6 African Perspective on Language Planning and Management

In Africa, language management can be observable from notable contributions by Webb (2002) and Mwaniki (2011). Because of the nature of the political-ideological debate surrounding the end of apartheid, the issues of national and sub-national identity, culture and language that featured prominently in almost any debate on the future of South Africa in 1990s; the eleven official languages to be used instead of usually one, two, of most other African countries. South Africa is used as a precedent and an example in the African perspective of language management.

In defining language planning, Webb (2002: 281) initially define management under using general term and states that "management can be described as the set of activities undertaken to ensure that the goals of an organisation are achieved in an effective and efficient way. In language planning terms language management refers to the actions and strategies devised to achieve language policy objectives. In a settled situation, where a comprehensive language policy and language plan is in place, language planning and language management obviously

differ, with the latter referring only to the management of the implementation plan. However, in South Africa, where language policy and language planning development is still in progress, language management has to refer to the entire process involved, that is, from the strategic analysis stage, through the strategic planning stage, that is the description of the specific plan of implementation, to the actual management of the implementation of the language policy and plan." This plan is the public policy.

According to Webb (2002: 44) "the implications at the level of language planning practice should not be overestimated. Given the acceptance of an extended role of language planning in public life, it is also important to realise that its power should not be overestimated. Language planning cannot in and of itself, change anything. It is necessary but not a sufficient condition for transformation. Referring to the process as language planning can be misleading and may contribute to creating unfounded expectations. Language planning should rather be seen as people or community planning, with the emphasis on the educational, economic, political and social development of people. Secondly, if language planning is not congruent with the will of the leaders of a society and the will of the society itself, nothing will change. Language planning can though, perform a facilitating role, of creating a framework within which language can perform its fundamental developmental role."

Therefore, Webb (2002) developed a classical framework of language management that "details how the classical management functions of planning, organising, leading, and controlling can be applied to the achievement of language policy objectives." The concept of language management defined and developed by Webb (2002) elucidate a valuable understanding of African standpoint in language management. The classical framework of language management as proposed by Webb (2002) pursues a language management toolkit that ought to be used to resolve language problems in Africa. The classical framework of language management presents numerous dilemmas. Among the dilemmas is the oversimplification of the very complex problems that exist in language management. However, language problems can neither be resolved with the classical framework of language management as developed by Webb (2002).

In an attempt to elucidate the issues of language management using South Africa as an example Webb (2002: 311) ask set of questions i.e. "Can the current management of the language issues in South Africa contribute towards solving the language-related and language problems of the

country? Can the management of the language issues in South Africa contribute towards the necessary linguistic reconstruction and transformation of the country? Can the management of the language issues in South Africa contribute towards the educational, economic, political, and social reconstruction and transformation of the country. Despite the notable progress which has been made in the area of language management in the country, the answer to these questions, given the then state of language politics, was no. What is necessary for the resolution of these problems from a language planning perspective is strategic planning, language policy development and pro-active, vigorous plans of implementation."

The political will and determination of those in power, those elected to serve the interests of the citizens of the country, those elected to change, reconstruct and transform society – the government, form the central cog of the machine. They are at the heart of the matter. But neither strategic language planning nor the required political will really seems to be present.

2.7 American Perspective on Language Planning and Management

The American perspective on the issues of language management is founded on the innovative toil of prominent American linguists Joshua Aaron Fishman and explicated by the renowned Israeli linguist, Bernard Spolsky. Fishman's works brings to the fore a deep ideological basis and justification for language policy and language planning activities, i.e. the corresponding relationship between language and state. Fishman (1974: 79) define language planning "as an organised pursuit of solutions to language problems." This necessarily dependent not only on linguistic concerns but also on the concerns of social science in order to move from theory to informed practices.

Spolsky (2009: 3) submits that "there is a slow progress in the development of a theory of language management that can bring to light the difficulties faced by social sciences in the endeavours to produce a satisfactory framework accounting for social behaviour." Spolsky (2004: 10) also define language planning by observing that, "in studying language policy, we are trying to understand how non-language variables co-vary with language variables and also indicated that there are instances of direct attempt to influence language situation and indicated that: When a person or group directs such intervention, I call this language management. Language management may apply to an individual linguistic micro-unit (a sound, a spelling or

the form of a letter) or to a collection of units (pronunciation or a lexicon or a script) or to a specified, named macro-variety (a language or a dialect)."

Spolsky (2004: 11-14) further states that "language management can also refer to the formulation and proclamation of an explicit plan or policy, usually but not necessarily written in a formal document about language use. However, the existence of such an explicit policy does not guarantee that the plan will be implemented, nor does the implementation of the policy guarantee success. Language management efforts may go beyond or contradict the set of beliefs and values that underlie a community's use of language, and the actual practice of language use. A host of non-linguistic factor i.e. political, demographic, social, religious, cultural, psychological and bureaucratic regularly account for any attempt by persons or groups and for the subsequent changes that do or do not occur in language management."

Spolsky (2004: 5-6) submits that "a useful step in language management is to distinguish between the three components of the language policy of a speech community. Its language practices that is the habitual pattern of selecting among the varieties that make up its linguistic repertoire; its linguistic beliefs or ideology which are the beliefs about language and language use; and any specific efforts to modify or influence that practice by any kind of language intervention, planning or management. Language and language policy both exist in highly complex, interacting, and dynamic contexts, the modification of any part of which may have correlated effects and causes on any other part and language management must also be content with the policy."

Spolsky (2004) put emphasis on the issues of a policy when defining language planning and management thereof. It is true, language planning does not occur in vacuity. For language planning to be conducted, a language policy must be in place which will provide guidelines on how the plan will be executed. Dunn (1981: 46) delineate policy and stated that "a long series of more or less related choices, including decisions not to act, made by government bodies and officials." Van der Waldt (2002: 87-88) argues that "a policy is larger than a decision. A policy usually involves a series of more specific decisions, sometimes in a rational sequence. Even when the sequence is more erratic, a policy is typically generated by interactions among many, more or less consciously related, decisions. The study of a policy usually involves tracing multiple interactions among many individuals, many groups and many institutions. Policy also involves action as well as inaction. In other words, policy makers may fail to act and/or take

deliberate decisions not to act. Policy as inaction is, however, more difficult to pin down and analyse than policy as action since it involves perceived behaviour and intent. Policy can be seen as the overarching concept, whilst legislation or acts, regulations and instructions can be seen as purpose and process-specific derivatives of public policy."

However, Spolsky (2004; 2009) presents language management as a synonym for language planning. The latter replaces the former. The justification for "management" instead of "planning" gives impression that language management and language planning are synonyms whereas management replaces planning. The usage of language management rather than planning according to Spolsky (2002) is suitable because language management is more precisely to capture the nature and phenomenon. However, Mwaniki (2011: 132) argues and states that "as a proponents of language management; language management must be conceptualised as a logical development, extension and adjustment of language planning. It is not a replacement of language planning, and the two must not be used interchangeable because they refer to different, but related acts of addressing language problems."

Unlike in the work of renowned theorists Neustupny and Nekvapil (2003) who recognise the basic feature of the language management theory as simple and organised management. Spolsky (2009: 5) recognises and expounds the domains of language management as follows: "the family; religious space; the workplace; public linguistic space; schools; legal and health institutions; the military; local, regional, and national governments; language activist groups; supranational organisations; language agencies and academies." Spolsky (2009: 5) argues that "language management starts with the individual language management i.e. family language management. The family domain has a stake together with other domains like government, the church and supranational organisations."

Spolsky (2004: 9) delineates that "family language practices are pattern of language choice and preference within a family and in different contexts. Whereas family language management refers to the formulation and proclamation of an explicit plan or policy usually but not necessarily written in a formal document. This begins with the family's decision about which language to be used with the children, which is considered to be the key to heritage language retention." The role of parental input is emphasised as a key element in family language maintenance whereby the family uses the language in practicing heritage practices.

Curdt-Christiansen (2009: 352) concurs and define family language policy as follows: “Family language policy is a deliberate attempt at practicing a particular language use pattern and particular literacy practices within home domains and among family members. It should be noted that family language policy does not happen in vacuum. Family language practices and children’s language acquisition are influenced by larger societal ideology and discourse. For this reason, family language planning involves the investigation not only of the family’s actual linguistic pattern, rather the exploration of the role played by external forces such as socio-political, cultural context and the parents’ own background and beliefs which ultimately shape language management within the family and the transmission of specific language ideologies to the younger generations of speakers.”

According to Caldas (2012: 41) “family language policies are not consciously planned and articulated, but they establish themselves as default options having essentially been pre-determined by historical and cultural circumstances that is beyond the family’s control. The choices relating to the use of language in the home are bound to be influenced by parental beliefs about language and by elements of the specific linguistic ecology in which the home is part.” In order to maintain family language, parents use different techniques of teaching and learning the language i.e. modelling, rehearsing, elicitation and games. It is very significant to recognise the power and the influence a family language management can play to curb linguistic extinction. Family language management can contribute extensively to other complex mode of language management i.e. simple language management and organised language management.

The American perspective as alluded by Spolsky characterised language policy as an important proponent of language management. Spolsky (2004) observation is that “language management has to contend with the issue of non-language variables co-varying with language variables.” Spolsky opens a possibility that language management accompany realm of extra-linguistic discourses, however, did not engage on these non-linguistic variables. In 2011 Mwaniki pursue the possibilities of these non-linguistic variables with the scholarly rigour that is essential for language management and developed LMA.

2.8 Current Perspective on Language Planning and Management

2.8.1 Language Management Approach

Mwaniki in 2011 presents a resolute and broad approach referred to as LMA to facilitate the implementation of multilingual policies to resolve the inherent weakness of language problems. Mwaniki (2011: 175) states that "LMA offers a coherent framework for understanding and analysing problems that underpin multilingual language policy implementation. LMA also offers language management variables i.e. linguistic variables, political variables, legal variables, economic variables, socio-cultural variables, management variables, educational variables and technological variables. The language management variables as proposed by Mwaniki (2011) emanates from the work of Cluver (1991) and Osborn (2010).

Cluver (1961: 56) categorises five levels that need to be considered when implementing multilingual policies and planning in any given context for the multilingual policies to succeed. These levels include the following: "socio-political level – to what degree will the plan help to promote national unity; administrative level – to what extent will the plan enable the central government to communicate with the more isolated citizens; educational level – to what extent will it actually be used as a medium of instruction and how will it affect the scholastic performance of the school children; economic level – to what extent will the plan create equal work opportunities and equal access to the higher-paid jobs and how will the plan enable the country to link up with the international community and legal level – to what extent will the minority language rights be protected" (Cluver, 1961: 56)

Clearly, for multilingual policies implementation and planning in language management, language planners need not to focus on individual facet. According to Osborn (2010: 21) "the principles of analysis by Chaudenson's (2003) Model also illustrates the interrelationship of various factors in decision making that are related to language management. Chaudenson's Model constitutes five elements, namely, the linguistic, technical, psycholinguistic, i.e. individual reactions, language beliefs and attitudes, economy, i.e. in the sense of economy of usage and sociolinguistic." Osborn (2010: 22-23) concurs and also proposed PLETES Model as an acronym of the six categories of factors that can be considered as key for multilingual policies implementation in language management. Language management can be understood from the six categories and the influences they have on language planning.

"PLETES Model consist of external factors namely political – policies, decision-making processes, the interplay of interests leading to those policies, the legal and licensing environment; linguistic – the linguistic situation in the country or region and aspects of each language, the number of languages spoken, their distribution and body of speakers, whether there is a standardised orthography for each language and whether the language is characterised by diverse dialects; economic – standards of living, resources available for various kinds of business, public, social, philanthropic investment, individual and family income levels; technological – electricity and communication infrastructures, the availability of computers (types and kinds of operating systems), internet connectivity and the ways in which these factors differ across the territory of a country; educational – systems of education whether formal or informal and school infrastructure and sociocultural – demographics, social structure, ethnic groups, culture(s), popular and individual attitudes" (Osborn, 2010: 22).

In this study, it becomes easy to analyse language management based on the six categories as identified in Osborn's PLETES Model (2010) in multilingual policies implementation and planning. Osborn (2010) and Cluver (1991) identify factors that are very important in any stage of language management. These stages need to be considered as equally important in multilingual policies implementation and planning. The Language Management Variables emanates from Cluver and Osborn's model.

2.8.2 Language Management Variables

In his Model referred to as the LMA, Mwaniki (2011: 162)) formulates eight language management variables namely "linguistic variables, political variables, legal variables, economic variables, socio-cultural variables, management variables, educational variables and technological variables." Mwaniki (2011: 242) asserts that "these are the variables that need to be secured to a certain appreciable degree if multilingual policy implementation were to succeed. The idea is that for multilingual policy implementation to succeed, actors involved in the implementation process must strive to ensure that they secure the greatest possible mix of the above listed variables. Attention should be brought to bear on the notion that these are variables, i.e., they are not guarantees. Conscious efforts must be deployed to secure and sustain them and where they do exist in varying degrees; they should be reinforced."

2.8.2.1 Linguistic Variables

If indigenous languages cannot function in various diverse domains i.e. legislation, they will not develop adequately in terms of terminology, vocabulary and expressions. Therefore, multilingual policies implementation and planning become a problem because of the low level of development and the perception that these languages are unsuitable for specialised domains i.e. legal proceedings. Because indigenous languages were not given opportunities during colonial era, that does not mean that the indigenous languages cannot function; however, measures need to be implemented to allow these languages to change in order to fully develop like English and Afrikaans. The passiveness of these languages create low development of these languages and a vicious circle is maintained. There is a persistent argument on the usage of African languages in domains like legislation wherein, previously they were not used in those domains. Justification for such omission was perpetuated by the lack of terminology to keep up with specialised concepts in those areas. In language management processes, linguistic variables put emphasis on language development so that the underdeveloped languages can meet the demands of the ever-changing technical concepts.

Hockett (1967) developed a checklist to be used in any language. Hockett (1967: 74-80) define language as "a set of design features that all human languages possess" namely:

- Duality of pattern – a combination of phonological system and a grammatical system.
- Productivity – the ability to create and understand new utterances.
- Arbitrariness – whereby signs and words do not resemble the things they represent.

In order for the language to perform such functions; language development appeals for considerable endeavours to make ensure "the chosen languages are standardised, modernised, cultivated and accorded high status roles in society. A serious investment in time and resources by the government, with a commitment for collaboration between linguists, educators and community members is required to develop languages. The implementation of language policies is often derailed by decision-makers' failure to collaborate with language experts and

to allocate resources to language development efforts. It also fails if linguists impose decisions on the linguistic community without involving it in the process" (Benson, 2005: 9).

Linguistic variables are concerned with the development of all languages to be used by a speech community so that they can be at an equivalent level to serve at all domains. When a language has developed to perform a function or functions that it has never performed before, the users of that language develop pride in it and consciousness that language is a commodity that belongs to them. Fishman (1965: 181-182) states that once a language has developed to its applicable degree it become a pride and a commodity that its users develop to love it, to contest for, to live for, to die for; something to safeguard, to develop, to enrich, to bring to others who are less fortunate.

Although language development is important in multilingual policies implementation and planning. There is an impression that a language must be fully developed before it is used. Language development is a continuous process, therefore even if a language has not developed to its full capacity, it must be still used.

2.8.2.2 Political Variables

Political variables are concerned with political challenges that confront multilingual policy and planning implementation. Jernudd and Das Gupta (1971: 211) argue that "We do not define planning as an idealistic and exclusive linguistic activity, but we define language planning as a political and administrative activity for solving language problems in society." Nekvapil (2012: 871) states that "language planning and management extends beyond the margin of linguistics even in a very broadly conceived sense. It is an interdisciplinary matter, and, in its implementation, it is a political matter." Therefore, political variables are an important feature in language management. The lack of political will from the government may result in the failure of the effective implementation of any policy. The language planners need to get genuine approval from the government that manifest honest, sustainable, justifiable and just political will.

Government is the only structure that can provide motivation for multilingualism policy implementation. This is necessary because the government is the only entity that can oversee the implementation structures. In the South African scenario, the government coordinate the implementation of multilingual policy through the DAC. The DAC ensures uniformity in all the processes of language developments and coordinates such processes. Because the implementation of multilingual policies is an intricate exercise, a compelling and an explicit, unambiguous directive is required to drive the implementation process. In South Africa the NLPF: IP 2003 is a policy document that the government uses to further the ideology and political will in the multilingual policy implementation. The will from the government is the cornerstone that also inspire authorities to enact legislation that seeks to empower the usage of all languages in multilingual settings like South Africa.

Schmidt (2000: 97) argues that "the discipline of political theory contains a treasure-trove of materials that can be usefully excavated by scholars that are interested in questions of meaning and significance regarding language policy. Political variables are helpful in enabling multilingual policy implementers to better understand what is at stake when political conflicts erupt over issues of language policy. Language policy involves the development of public policies that aim to use the authority of the state to effect various aspects of the status and use of language by people under the state's jurisdiction. Language policy gets into political agenda when political actors believe that something important is at stake regarding the status and the use of languages in the society, and these stakes call for intervention by the state. At the core of politics of language lies a form of identity politics, in which language policy partisans compete to shape public perceptions about the way that constitutes the relevant political community and to embody their aims in the language policy of the state."

Eastman (2009: 42) states that language policies are firmly rooted in history and are instruments of political forces that result from language planning based knowledge of language situation in a state. Language policies can be manipulated and only serve government. In South Africa, linguistic diversity affected the processes of political representation and played a major role on linguistic diversity. History has taught South Africans that language is an important political variable in addition to an instrument of communication and a symbolic marker of

group identity. In the past linguistic diversity afforded elite groups access to economic opportunities and to political power while denying it to the majority of South Africans. It became a margin separating out-groups' from in-groups and underclass from.

These are the political challenges that confront multilingual policy implementation, they ought to be resolved so that multilingual policy dispensation is not compromised.

2.8.2.3 Legal Variables

Legal variables relate to the recognition that multilingual policy implementation needs to be premised on legality. Meaning that in order to pursue the ideology of multilingual policy implementation, pieces of regulations need to be formulated and legislation enacted. Legislation is already in place to safeguard usage of official languages namely the Constitution 1996; PanSALB Act 1995; The Commission for the Promotion and Protection of the Right of Cultural, Religious and Linguistic Communities 1996; LiED 1997; NLP 2002; NLPF: IP 2003; Use of Official Languages Act 2012 (Act No. 12 of 2012) and South African Language Practitioner's Council 2014 (Act No. 8 of 2014). These are the pieces of legislation that support multilingual policy dispensation that need to be considered for the effective implementation of multilingualism.

Legislation form part of important variables that should be considered for multilingual policy to succeed. According to Ndlovu (2013: 149) "legislation is a form of language empowerment which is not meaningful unless it is accompanied by a detailed plan for implementation. This plan for implementation has to spell out time frames for the achievement of certain objectives, domains of policy application, incentives and indicate bodies set up to facilitate compliance and sanctions to discourage non-compliance. If non-observance does not attract any sanctions, the policy is as good as dead. Such legislation ought to be visible, enforceable and accessible to all language speakers, especially in their languages. Such a legal framework will work if it is systematic, unambiguous, rational and written down."

"The damaging consequences of various pieces of legislation in South Africa have become evident in different schooling system where it is not surprisingly to see disputes arising from

different interpretation of the provisions made in the policies tending to resolve themselves or in a court of law" (Webb *et al*., 2006: 6). For example, the Constitution 1996 "promotes the use of all eleven official languages." Subsection (2) [(b)] of the Use of Official Languages Act 2012 states that every "national department, national public entity and national public enterprise must identify at least three official languages that the national department, national public entity or national public enterprise will use for government purposes." This is opposed to the "obligation to take practical and positive measures to elevate the status and advance the use of all official languages of historically diminished use and status" in accordance with Section 6 (2) of the Constitution 1996.

2.8.2.4 Economic Variables

Economic variables are an important approach to language policy, however, in spite of its significance in language management, economic variables do not dictate policy decisions nor displaces other important variables to language management. Different variables provide complementary perspectives particularly in a multilingual situation. Grin (1996: 89) define language policy as "an expression of a set of choices that society makes. As such, it remains an inherently political matter. The main role of economic consideration in language policy research, is to help social actors to assess the pros and cons of different avenues that are open for them, and to make principles and transparent choices."

Therefore, the economic variables need not to be considered as an essential variable above other variables. It should be considered as an interplay aspect that ought to be considered in multilingual policies implementation. Different theorists have diverse views on economic variables. Grin (1996: 6) states that the economics of language means the model of speculative economic variables. It uses the notions and views of monetary values in connection with linguistic variables. The economics of language put emphasis on the relationships wherein the economic variables play a role. This description conjures three inquiries in economic variables. The first inquiry that rises is the question of implications of language variables to economic variables. If incumbents possess language skills, does this influence their earnings? Secondly, the notion of connectedness of linguistic variables to economic variables i.e. do the comparative prices of other goods have an impact on language usage? Thirdly, the notion of essential economic practices as compared to language processes such as language dynamics.

Some research has shown what needs to be done for a "vernacular language to be used as a language of instruction" (Armstrong, 1963: 68). It is pointed out that language planners do not pay much attention to language problems as they should when they are developing what they hope will be economically effective plans (Spencer, 1963: 26). Language management needs to be considered as a resource at national level along with other resources i.e. money, power, natural resources etc. Economic variables are important factors in language planning because they show how to delineate and assess viable alternative decisions.

When planning a policy, economic variables provide guidelines for predicting the likelihood of language maintenance and language development, given the economic conditions of the society or nation and its existing language situation (Eastman, 2009: 62). However, when one looks at a language from an economic perspective, we are confronted with difficulties and possibilities of using economic methods to understand less obviously pecuniary and non-quantifiable variables (Rubin and Jernudd, 1971: 263). "Once the language problem has been identified and alternative solutions have been proposed, cost-benefit analysis will then allow the language planner to compare consequences of proposed language use alternatives" (Thornburn, 1971: 255).

"Cost-benefit analysis takes place by means of calculation that is made within a frame. The adoption of a language in a country can be conducted in such a manner that the alternative approach is subject to cost-benefit analysis. This calculation aims to identify, quantify and evaluate the differences in consequences that may be expected if one decides to choose the main alternative instead of a zero alternative. Cost-benefit analyses in language planning demonstrates the language that will cost less when implemented and it also provides indications of which language is the best given the goals of the authority requiring a choice" (Thornburn, 1971: 258). In this study, cost-benefit analysis can be interpreted in the scenario of using English in legislative processes to see if it functions better compared to indigenous languages within the frame at hand.

2.8.2.5 Socio-Cultural Variables

According to Prah (2007: 3) in "scientific and anthropological usage, the notion of culture encompasses all that is the result of human fabrication. It includes both tangible objects such as all material products of humanity and intangible creations of the human genius like religion,

language, customary usages and everyday practices, especially those that enjoy institutional representation. It is the sum total of these time-tested habits, attitudes, tastes, manners, shared values, traditions, norms, customs, arts, history, institutions and beliefs of a group of people that define for them their general behaviour and way of life. The total set of these learned activities of people defines culture. Human make culture on a continuous basis by adapting it, shedding parts, adopting others, acculturating and passing on these features generationally. This is done both consciously and unconsciously. But, if human make culture, dialectically, culture also makes human. We are educated and socialised in cultures in as much as we slowly, steadily and increasingly make culture. We are creatures of culture's and to some extent we are delimited in our behaviour by the cultures in which we are formed.

Furthermore, Prah (2007: 4) posits that "If culture is the main determinant of our attitudes, tastes and mores; therefore, language is the central feature of culture. It is in language that culture is transmitted, interpreted and configured. Language is also a register of culture. Historically, the trajectory of a culture can be read in the language and the evolution of its lexical and morphology. Language is one of the distinctive features, which distinguishes us from the animal world. We are, in effect talkative animals. In this respect we can also extend the logic of the argument to say that culture is the key distinguishing feature between us and the rest of the animal world. Our ability to create culture marks us off from other animals. Culture raises us above the rest of nature, beyond instinct, and relies on nurture for our enlightenment.

The UNESCO Universal Declaration on Cultural Diversity affirms that, "culture should be regarded as the set of distinctive spiritual, material, intellectual and emotional features of society or a social group, and that it encompasses, in addition to art and literature, lifestyles, ways of living together, values systems, traditions and beliefs." Furthermore, Prah (2007: 4) suggests that "culture is at the heart of contemporary debates about identity, social cohesion, and the development of acknowledge-based economy. The above understandings also affirm respect for the diversity of cultures, tolerance, dialogue and cooperation in a climate of mutual trust and understanding. These are among the best guarantees of international peace and security. They indicate that we should aspire towards greater solidarity on the basis of recognition of cultural diversity, awareness of the unity of humankind and of the development of intercultural exchanges."

If a multilingual policy undermines the socio-cultural influences of the speech community at hand, the policy is doomed for failure. Socio-cultural variables in language management put emphases on the need to recognise socio-cultural influences in the society i.e. the Constitution 1996 in Section 30 states that "Everyone has the right to us the language and to participate in the cultural life of their choice, but no one exercising these rights may do so in a manner that is inconsistent with the provision of the Bill of Rights." Furthermore, in Section 31 it states that "persons belonging to a cultural, religious and linguistic communities may not be denied their right, with other members of that community to enjoy their culture, practice their religion and use their language and to perform, join and maintain cultural, religious and linguistic associations and other organs of civil society." These sections recognise the importance of cultural influences in the society. In this manner it is very important to integrate multilingual policy with the multi-cultural practices of the society.

A language management model that is premised on socio-cultural variables depict language as a symbol of identity which allows people to see themselves as different from others, because people use language not only to separate themselves ethnically from others, but also to keep themselves distinct in terms of their identity.

2.8.2.6 Management Variables

Multilingual policies implementation and planning requires well-coordinated structures to manage language planning. Language planners and participants in the whole process of multilingual policies and planning need to possess expertise in language matters and they need to realise that multilingual policy implementation endevours to accomplish harmony within a speech community. To oversee management variables is not solely restricted to management functions; however, management variables also encompass management principles. Therefore, there is a need to think of a strategy that put emphasis that multilingual policies and implementation seeks to empower the welfare of the society.

Management variables in LMA is also formulated based on the hypothesis that "the current language planning theory and practice have failed to provide solutions to the problems and dilemmas of multilingual policy and planning. Consequently, any attempt to address the problems and dilemmas of multilingual policy and planning has to embrace theoretical and

pragmatic domains beyond policy and planning, which in this case, entails the incorporation of the management aspect" (Mwaniki, 2011: 159). The commitment for the implementation of multilingual policy and planning requires well-coordinated efforts from all stakeholders.

2.8.2.7 Educational Variables

Education is very essential for multilingual policies implementation to succeed. Studies are conducted several times to encourage the use of mother-tongue education in schools. Other studies suggested that it become very easy to teach a child in his/her mother-tongue from grade R and be introduced to English at a later stage. Cluver (1991: 56) also put emphasis on the ideology that "multilingual policy implementation should remain conscious of the educational needs of the society in which the language policy is being implemented." In South Africa there is a desirable need to put the content of LiEP 1997 into practicality for multilingual policy to succeed. Educational variables should extend beyond the concept of educational needs, educational variables must also resolve language development challenges, highly trained language developers in all spheres so that all languages can be able to function in all the technical domains.

UNESCO has an important role to play to provide global contexts for educational policy, complex issues and practices. UNESCO (2003: 7) posits that "Language and, in particular, the choice of language of instruction in education is one such concern and often invokes contrasting and deeply felt positions. Questions of identity, nationhood and power are closely linked to the use of specific languages in the classroom. Language itself, moreover, possesses its own dynamics and is constantly undergoing processes of both continuity and change, impacting upon the communication modes of different societies as it evolves. Educational policy makers have difficult decisions to make with regard to languages, schooling and the curriculum in which the technical and the political often overlap. While there are strong educational arguments in favour of mother-tongue (or first language) instruction, a careful balance also needs to be made between enabling people to use local languages in learning and providing access to global languages of communication through education."

Multilingual countries are facing the similar problem of determining languages for use in schools. In 1951 the UNESCO Meeting of Specialists conducted a worldwide survey of language-in-education and recommended that all necessary measures should be put in place to

for mother-tongue education. There are cases wherein a first language and mother-tongue are not the official languages or national languages of the society, however, efforts must be made to put that into practicality. According to Fishman (1968: 690), the UNESCO's rationale is based on the assumption that individuals who always express their thoughts in any language other than their mother-tongue, find it very difficult to express what is in their hearts and cannot attain adequate self-expression.

Although the principle of first language education is used in schools, at home it also plays an important role. Duminy and Sohnge (1982: 57) perceives that "When language formation is not up to standard, one cannot expect much from the teaching-learning setting. Firstly, the necessary foundation of language formation must be present, and this foundation can never be better laid than within the sphere of the mother-tongue education. Training in the mother-tongue enables the socio-emotional life of the child to unfold smoothly and at the same time helps the child towards independent and logical thinking."

Foster (1980: 201) states that "education is the most important contemporary mechanism of stratification and redistribution and does not just simply reflect extant patterns of social and economic differentiation, but rather a powerful independent force in the creation of new and emergent groupings based on the variable possession of power, wealth and prestige. The educational policies are also accompanied by controversies." Bunyi (2005: 131) argues that "in almost all African countries, the domination of foreign language English in education is a lasting legacy of colonisation." Foster (1980: 206-207) cautions that "research indicates that inequalities in the spatial distribution of education which are, in large measure, a function of variable levels of local demand, do not occur in a random or unpredictable fashion; however, they are systematically linked to other aspects of change. They are extremely long-lasting and not easily susceptible to major transformation; and in practice, disparities tend to widen rather than diminish at intermediate levels of development."

If multilingual policies implementation and planning wish to succeed, there is a desirable need to interpret the social aspects of linguistic intricacy to decide the valuable contribution of all languages in the educational system.

2.8.2.8 Technological Variables

Section 3.4 of the NPLF: IP 2003 states that "technology should be used to facilitate collaboration between language stakeholders as well as to develop the indigenous languages. Computer software such as word processing programmes, terminology management systems and translation software should be compatible to encourage the exchange of terminology and other information between all language units and collaborators, such as the Hansard and the national lexicography units." This is an indication that technology also need to be acknowledged as an important aspect for multilingual policy implementation.

It is undisputed fact that in the modern society, people are living in the era where technological advances play an integral role be in the economic sphere, political sphere and social sphere. Therefore, technological variables for multilingual policy implementation must be recognised because opportunities that are presented by technology are immeasurable. E-government is the manifestation of such claims where government documents are available in all languages online and electronically.

According to Ndlovu (2013: 161) "e-learning and e-books means less cost to publishing hard copies. However, this works very well in well-resourced societies where most people live in areas with electricity and have access to computers, smart phones and internet. Most nations that are bedeviled by problems of ineffective multilingual policies implementation are those with a shortage, and limited access to electricity. They have minimum access to computers, internet and other information technology resources, which make the use of technology to facilitate multilingual policy implementation a challenge in Africa. For such an endeavour in Africa, a lot needs to be done with regards to rural electrification, to secure computers, provide internet network coverage. A massive impartation of computer literacy skills is also necessary."

Within South African context Section 3.4 of the NLPF: IP 2003, put emphases on the use of technology between language stakeholders in order to "cultivate the development of all indigenous languages." Section 3.4 of the NLPF: IP 2003 states that "Computer software, such as word processing programmes, terminology management systems and translation software ought to be encouraged in order to exchange information and terminology." The

implementation of multilingual policy and planning programme need to be supported by the development and utilisation of the new technology interfaces and applications.

After securing language management variables, Mwaniki (2011: 247) formulates that "the next challenge in the development of the LMA is to specify the set of methodologies and strategies that need to be developed and deployed to facilitate multilingual policy implementation. The methodologies and strategies are categorised into three categories, namely management-oriented methodologies and strategies; sociolinguistic oriented methodologies and strategies and development-oriented methodologies and strategies. These methodologies and strategies are constructed from the author's engagement with the literature on language planning." These methodologies and strategies and briefly discussed below.

In addition to the Language Management Variables, the LMA also offers Language Management Methodologies and Strategies. According to Mwaniki (2011: 34) "language planning theory should attempt to define the methodologies and strategies that can be deployed to secure the support of political functionaries in multilingual policy and planning implementation. Language Management Methodologies and Strategies are categorised into management-oriented methodologies and strategies; sociolinguistic oriented methodologies and strategies and development-oriented methodologies and strategies."

2.8.3 Management Oriented Methodologies and Strategies

Mwaniki (2011: 251) categorised "management-oriented methodologies and strategies in terms of planning, organising, leading, controlling, staffing, conceptual skills development, technical skills development and human skills development." The Language Management Methodologies and Strategies as proposed in the LMA emanates from the Classical Framework of Language Management as developed by Webb (2002) that details "how the classical management functions of planning, organising, leading and controlling can be applied to the achievement of language policy objectives." Webb (2002) developed a framework for language management. Essentially, this framework details how the classical management functions of

planning, organising, leading, and controlling can be applied to the achievement of language policy objectives, with language standardisation as an example. The Language Management Methodologies and Strategies as proposed in the LMA are debated in the succeeding subsections.

2.8.3.1 Planning

The planning process entails assessing the goals and creating a realistic detailed strategy of execution to meet the set goals for short and long term. There are six major components of language planning i.e. language choice, policy formulation, policy codification, policy elaboration, policy implementation and policy evaluation. Eastman (2009: 7) identifies the three major components of language planning. The first component is the language policy. The second component is the language or languages' choice. Language choice refers to the languages that the policy seeks to protect or enforce. Planning also encompasses monitoring and evaluation wherein the language choice and policy are examined. Planning for multilingual policy dispensation needs to be accommodated in all sectors amongst others that include government, parastatal and private entities.

According to Eastman (2009: 1) "language planning focuses on the decision making that goes onto determining what language use is appropriate in particular speech communities. Language planning is concerned with how language can be conducted and interpreted successfully in a speech community." Eastman (2009: 5) further states that "if the speech community in question does not accept the purpose, goals and recommendations of language use established by politicians and educators on the advice of sociolinguistics, no matter how sensible the plan seems, it cannot succeed." Therefore, planning is the fundamental steps in multilingual policy dispensation in order to create a road map that outlines each activity that must be undertaken in order to meet the set objectives.

"Planning provides a clear framework to make non-*ad hoc* and non-arbitrary decisions. It motivates these decisions and forces the planner to include control and evaluation measures,

such as performance indicators. It enables the timeous identification of deviations and obstacles. Planning also enables policy makers to determine their priorities and gather relevant information needed to ensure the successful implementation of the policy" (Webb, 2002: 301). Webb (2002: 282) states that "there are three types of planning namely, strategic planning where objectives that are needed to achieve the mission are specified; functional planning which indicates marketing and resource strategies for achieving objectives and tactical planning which focus on short term programmes needed to implement the policy."

2.8.3.2 Organising

Organising process involves the establishment of work ethics, the execution of work, dissemination of information, alignment of activities, identification of authority and accountability of stakeholders that are involved in a project. Since the stakeholders involved in the multilingual dispensation cannot operate in vacuum, there is a need to establish relationships among different individuals and departments to enable people to work together effectively to accomplish the objectives of multilingual policy. Section 2 of the NLPF: IP 2003 identifies the DAC as the National Department that facilitates the formation of Language Units, organises and accounts with regards to the establishment of language units. The identification of the DAC as a structure that oversees the coordination of language related matters and this serves as an evident that establishing relationships between stakeholders is very crucial to ensure that activities are conducted in a systematic manner and none is duplicated.

"With organising, strategy formulators clearly describe who does what, where, how and with what resources. They specify the necessary management mechanisms and implementation strategies, required resources, time schedules, support services, performance indicators, control and evaluation measures and how complaints are mediated. It outlines responsibility and authority. Organising indicates who the responsible bodies are and what their authority is. Organising is to assign and delegate tasks, for example what is to be done and how tasks are distributed and coordinated, how the activities of collaborating units are synchronised and how resources are going to be allocated by whom and when" (Webb, 2002: 40).

2.8.3.3 Leading

When leading, supervisors and managers must strive to become an inspiration and set examples to others. Finding ways to inspire individuals that are involved in multilingualism projects means coaching those individuals and motivating them to succeed as integral parts of the whole process of multilingual policy dispensation. The officials that are in the management positions should possess credentials, knowledge, skills and experience with regards to the multilingual policy dispensation. The managers that are involved in multilingualism projects are not working in vacuum; they need to collaborate with others. The leading stakeholders, actors and managers that form part of the implementation of multilingual policy are anticipated to give strategic instructions on the implementation development.

2.8.3.4 Controlling and Evaluation

In language management, controlling should refer to the process of regulations and restrictions that are imposed for proper application of language policy. Laws that govern the use of languages play a crucial controlling mechanism to language because they can impose sanctions when a particular criterion was not properly adhered to. The Use of Official Languages Act 2012 is an example of such criteria and seeks to gives guidelines and timeframe on how languages should be treated in South Africa. Controlling serves a very crucial role as it provides guidelines for setting the standards, the targets, performance, timeframe and sanctions to government departments, parastatal and private entities when there is no adherence to the provisions of multilingual policy.

According to Webb (2010: 40) “controlling and evaluation measures are aim at determining the degree to which the set objectives have been realised.” According to Mwaniki (2011: 252) in multilingual policy implementation “controlling seeks to establish the language service standards that need to be met so that an organisation can be regarded as being multilingual and rendering services in a multilingual way. Controlling involves measuring performance

standards against the standards that were previously set and taking corrective measures where there are deviations from the plan." Evaluation in language planning is divided into four categories. Firstly, there is context evaluation, which determines aims. Context evaluation constitutes the foundation of language planning and it involves careful definition of the relevant language community, description of the desired and actual conditions pertaining to the language environment, identification of implementation modalities for different linguistic contexts, identification of unmet needs and unused opportunities and diagnosis of the problems that prevent and interfere with the fulfilment of needs and restrict the full use of existing opportunities. The diagnosis of problems constitutes an essential basis for developing objectives whose attainment will lead to improved language policies.

2.8.3.5 Staffing

Staffing encompasses the employment and choosing the most eligible candidates who possess the required expertise, qualifications and experience required to promote the competence and efficiency of the policy. The mandate of the South African Language Practitioners Council Act 2012, amongst others includes "to regulate the training of language practitioners i.e. translators, interpreters, terminologists, lexicographers, language editors and any other person conducting language related work to registered as such under the Act" as provided for in Section 1 of the South African Language Practitioners Council Act 2014. The registration and accreditation of language practitioners enhances the credibility to recruit eligible language professionals in the language industry.

2.8.3.6 Conceptual Skills Development

According to Mwaniki (2011: 176) "Conceptual skills development is key to successful policy implementation. It ensures that the human resource base involved in policy implementation is able to conceptualise the entire policy and how it supports the entire human resource development plan and other related policies. Successful implementation of policies largely

depends on the conceptual skills development of the human resource base involved in policy implementation. There is a need to ensure that the ways of developing these conceptual skills are put in place to ensure that the whole human resource base involved in the implementation process conceptualise the entire project and understands how it buttresses into the entire human resource development plan."

Conceptual skills development, "in language-in-education policy implementation would means training editors, writers, language experts such as lexicographers, terminologists, curriculum experts, language teachers, linguists, translators among many others. In language-in-education policy implementation, technical skills development ensures that the necessary human resource base and materials and methods needed in the implementation of the policy are in place" (Ndlovu, 2013: 177). In the implementation of mother-tongue legislation, technical skills development ensures that legislative language practitioners, legal editors, legal proof-readers and quality checkers of legislation are equipped with necessary skills.

2.8.4 Sociolinguistic Oriented Methodology and Strategies

Sociolinguistic oriented methodologies and strategies offer decision-makers with information, data and justification for multilingualism policy planning and implementation. Sociolinguistic oriented methodologies and strategies also disclose the essence language planning that is based on fact and informed decisions. The methodologies and strategies "equip planners with the relevant facts such as the precise sociolinguistic realities of the situation which needs to be transformed, the exact goals they are expected to achieve and the resources available to them. They also provide information that helps to determine what development-oriented methodologies and strategies need to be deployed to address negative language attitudes and to support positive language in the process of multilingual policy, planning and management" (Webb, 2002: 41).

According to Mwaniki (2011: 255) "ssociolinguistic oriented methodologies and strategies for multilingual policy and planning implementation concern themselves with the language end of multilingual policy and planning implementation mix. These methodologies and strategies

serve two purposes: to prepare the languages involved in multilingual policy implementation scenarios for optimal use and value, i.e. the languages should be able to function in a multiplicity of domains without the restrictions of corpus inadequacy. Secondly, to provide decision-makers with the knowledge, and thus the tools, to justify why they engage in multilingual policy and planning implementation."

Language surveys, linguistic auditing, technological customisation and multilingual service provision are sociolinguistic oriented methodologies and strategies and are deliberated concisely below.

2.8.4.1 Language Surveys

Language surveys comprise of demographics data that is collected on languages to determine the dominance of a language or languages in society. Linguistic surveys give information that shows a certain percentage of a society that uses a particular language. These demographics of data collected could be useful when conducting surveys on language attitudes. Such language surveys that attempt to determine language attitudes are very vital to policy makers because they provide implementation intervention. In 2000, PanSALB conducted a crucial study that concluded that, English holds a superior position although it is a minority language. The survey established that 61% of the population in South Africa have no proper grasp of English and 40% do not understand it. Such surveys are essential to provide for proper language planning.

The NLPF: IP 2003 recognises language surveys as consciousness campaigns on the use of language. Wherein Section 3.8 of the NLPF: IP 2003 states that "the language awareness campaigns are necessary in order to raise public interest in language matters. The DAC in collaboration with PanSALB run an ongoing language awareness campaign in South Africa to align language policies and practices in various spheres of government; to popularise the NLPF: IP 2003; to make people aware of the constitutional provisions in multilingual setting; to encourage public servants to provide services to clients in their languages; to encourage people to use their own languages and learn other languages; to inform businesses and private

sectors of bottom-line benefits that can be derived from implementing multilingual policies; to create an awareness of values of South African linguistic diversity as part of the countries' heritage; to promote greater language tolerance in South Africa; to create an awareness of the benefits of living in a multilingual society and to ensure correct understanding and interpretation of policy at all levels. Specific language awareness campaigns are also executed by the LUs, the DAC and PanSALB in the view of their critical role in language policy implementation."

2.8.4.2 Linguistic Auditing

Furthermore, the NLPF: IP 2003 recognises monitoring and evaluation of linguistic auditing. Section 3.7 states that "ongoing and effective policy implementation and reviews for accurate data on patterns of language use and current practices in order to identify the strengths and the weakness of the language policy and to monitor the progress thereof. Language surveys and audits need to be conducted in close collaborations with relevant language bodies such as PanSALB and development institutions." The findings gathered in linguistic auditing can assist the government in making profound and sound decisions on multilingual policy implementation.

"The primary objective of linguistic auditing is to help the management of a corporation to identify the strengths and weaknesses of the organisation in terms of communication in foreign languages. Through linguistic auditing, the corporation maps out the current capability of departments, functions and people against the identified need. This need will be established at the strategic level, at the process level and at that of the individual post holders. Linguistic auditing must also indicate how much in terms of time, human resources, training and finances is needed to improve the system so that the resource implications can be fed back into strategic and financial planning" (Reeves and Wright, 1996: 5).

Linguistic auditing is essential for multilingual policies implementation and planning because it helps to establish the strengths and weaknesses of several constituencies and agencies in the

“implementation process in communication in the adopted official languages. Linguistic auditing also helps in the identifying the current capabilities, departments and agencies, their functions and the people in these departments and agencies against the identified need of rendering services in a multilingual way. Linguistic auditing therefore facilitates a clear identification of the cost in terms of time, human resources, training and finances that will be required to make the system under review capable of rendering multilingual services. Therefore, linguistic audits serve to minimise error in the decisions and activities that constitute language policy implementation” (Mwaniki, 2011: 258).

In the legislative sector, linguistic auditing includes legislative language practitioners to implement mother-tongue legislation in all previously marginalised indigenous languages.

2.8.4.3 Technological Customisation

It come as no surprise that technology is one of the fastest and the leading sector globally. Today's viable market where technology plays an important role, technologists want to remain on top of everything. Technology has become a solution for everything. Technology system is a solution to a number of problems. Modern systems are essential in enhancing rapid and understanding of the latest applications. Effective management of technology is necessary with regards to language development and to increase the demand for language services. Multilingualism must also address the pressures of the revolution of technology through technological customisation of languages.

Due to globalisation, “the world is witnessing an era of unprecedented technological innovation. These technological developments and innovations have come with the promise of better lives, greater social freedom, increased knowledge and more productive livelihood. In view of these technological innovations, there is a need to implement policies that encourage innovation, access and development of advanced skills. In the network era, countries need to understand and adapt global technologies for local needs” (UNDP, 2001: 1-4). This includes

translation tools that can generate terminology, stored it, and be readily available for future use in order to maintain consistency in indigenous languages.

2.8.4.4 Multilingual Service Provision

Multilingual service provision in a multilingual setting like South Africa needs to be recognised as part of government service delivery campaign. Citizens who use multilingual services must be provided with such service in an efficient and effective manner. This will also contribute in enabling job creation environment for language practitioners in South Africa. Successful provision of multilingual services will also promote cultural change. If languages are given priorities in all government spheres and bodies, parastatal and private entities, the stigma that these languages have can diminish.

According to Webb (2002: 243) "multilingual service provision entails giving voice, a situation whereby citizens are enabled to participate effectively in the public affairs of their country through their mother-tongue. Multilingual services provision entail enabling different speakers of different languages to develop educationally to their maximal potential, to obtain meaningful access to the economic life of the country, to participate meaningfully in political processes, to raise the quality of their lives and enjoy their linguistic, civil, religious and cultural rights to the full." UNDP (2004: 68) states that "if the state openly acknowledges that facilities in all languages are required to access to public services, it has a duty to assist and monitor the acquisition of that language otherwise conflicts are inevitable between deprived and the dominant groups."

2.8.5 Development Oriented Methodologies and Strategies

Lastly, LMA comprises of development-oriented methodologies and strategies. According to Mwaniki (2011: 255) "in accord with LMA development oriented methodologies and strategies

these are the methodologies and strategies that need to be deployed in a multilingual policy implementation scenario to ensure that multilingual policy implementation is conducted in a manner that allows for the monitoring of the extent of achievement of stated objectives, timeframes and available and allocated resources. Development-oriented methodologies and strategies comprise of legislation, advocacy, litigation, development communication and project management. These components are discussed below.

2.8.5.1 Legislation

For the proper implementation of multilingual policy and planning, legislation is prerequisite in order to regulate language practices. Legislation plays a vital role in promoting the proper implementation of the language policy. Legislation helps in the regulation and in the monitoring of the implementation of multilingual policy and planning in order to promote good language management. Legislation compels government to implement language related policies in relation to the usage of languages and failure to act in accordance with legislation may lead to penalties and sanctions. The Use of Official Languages Act in Section 9 (5) states that "the Minister may instruct a national department, national public entity or national public enterprise that has failed to comply with any provision of this Act to comply with the Act within a time period determined by the Minister." This is an indication that legislation is an important mechanism that can be utilised to regulate and to monitor multilingual policy implementation.

In a constitutional democracy all government action must be premised on the constitution and other subordinate legislation and policies that support the provisions of the Constitution. In the spirit of disseminating information to the public, it is very important to communicate such information in a language that is understood not only by the minority, but by the South Africans as a whole. Bamgbose (2007: 8) notes that "language legislation as a way of regulating language policy and practice, serves as a point of reference for what is expected. Anyone not complying with the legislation will be aware that he/she is involved in an infringement." Legislation governing languages is essential because it serves as a control mechanism that compels the government to act lawful and in a socially responsible manner on linguistic challenges. Bailey (1998: 217) states that "language legislation also sets norms that can be used

to challenge laws, policies, beliefs and practices that tend to violate linguistic human rights of whatever form. Language legislation also insures the survival of the language and of its people."

For effective multilingual policies implementation and planning, it is essential that the entire process is premised on a legal foundation to ensure that "before the actual implementation can proceed at all the three spheres of government, legislative instruments in the form of language acts (at the national and provincial spheres) and language by-laws (at the local government sphere) have been enacted, as well as the development and implementation of language policies emanating from the legislative instruments. Legislation provides a legal basis for the commitment of the diverse resources that are required for multilingual policies implementation and planning. To the citizens, language legislation provides a means through which language-related rights violations can be redressed in a legal way. Therefore, it can be posited that language legislation provides the macro-framework that binds all stakeholders to act in judicial and socially responsible ways when responding to language-related challenges in society, and also when committing public resources for the harnessing of language resources in society" (Mwaniki, 2011: 243).

Language legislation need to support and acknowledge respect for human rights linguistically, predominantly linguistic right to mother-tongue education and the freedom to use any language of choice as a medium of communication. Language legislation ought to eliminate discrimination that emanates from language use and empower the speakers of languages to maintain, encourage and nurture their languages. The UNDP (2009: 62) states clearly that "moderate politicians, government authorities and Non-Government Organisations all have a critical part to play in designing and delivering policies and services that facilitate integration and avert escalated tensions."

Legislation that is written down only is not enough. Legislation must be supported by accountability, strong leadership and conversant open discussion. It is very important to acknowledge that multilingual policies implementation and planning are premised on the pieces of legislation.

2.8.5.2 Advocacy

In the practises of the multilingual policies and planning, advocacy relates to the process of awareness that comprises of marketing the implementation of multilingual policy. The stakeholders that are involved in the language policy implementation process make awareness campaigns that is deliberately aimed at ensuring that the prominent message of multilingual policy implementation thrives, especially in the public consciousness. Advocacy can also be identified as a means to make popular the idea of multilingual policies so that it can be supported by masses of people. Therefore, advocacy seeks to ensure that many people support the idea and the strategy of multilingual policy and planning.

Ndlovu (2013: 206-207) further states that "public awareness campaigns seek to establish a consciousness amongst local communities with regard to the fundamental importance of their languages in personal, local and national development. Advocacy seeks to raise the speakers' ethnolinguistic awareness and entrenches a positive cultural and social character of the community. Advocacy seeks to heighten the concerned language speakers' sensitivity and extreme involvement which is a prerequisite for the success of language acquisition planning efforts. It seeks to establish local ownership of language related programs where the community fully understands the need to invest in the initiative."

Crystal (2000: 98) argues that "there is an urgent need for memorable ways of talking, to capture what is involved and to develop ear-catching metaphors that will elicit local, national and international support for policy implementation. People do not change their minds or develop positive attitudes about language revitalisation initiatives just by being given information; instead the arguments need to capture their emotions and have a lasting impression that calls for plan of action." When South Africa held its first election in 1994, it was the long-lasting impression of multilingual nature of election campaigns that captured the majority of South Africans and the world. For the very first time the election manifestos were available in all the official languages. The multilingual implementation needs to conjure up such impressions on the use of languages.

2.8.5.3 Litigation

LMA proposed that litigation measures must be in place. Litigation entails the process of contesting language related matters through court and through any other dispute resolution mechanisms. Within the South African scenario, PanSALB in accord with the law investigates grievances on language rights and the contravention of those rights. The PanSALB conducts hearings at which complainants and respondents are present and depending on its findings the PanSALB may recommend steps to be taken by the department or institution concerned.

Webb (2002: 157) delineates that "litigation guarantees the respect of language-related rights, because it provides a legal avenue to enforce language-related rights. Litigation involves knowing how complaints should be mediated. The acceptance of language rights is relatively meaningless. It is necessary to indicate as precisely as possible what language rights entail and to provide practical instruments to enable citizens to make these rights meaningful realities in their lives. It is important that legal provisions specify exactly who the holders of the rights are and what legal sanctions can be imposed for their denial and that funds be provided for acceptable court cases. Listing language rights is a relatively easy task but making them everyday realities is much more difficult. A right is only of value if there are accessible legal avenues to enforce it; hence, litigation involves being sufficiently clear about the bases upon which language related rights violations can be handled. Citizens need to be clear about the meaningful basis for the promotion and protection of language rights."

Furthermore, "the citizens also need to know the different structures available to redress language-related rights violations. These structures need to be dedicated, independent, impartial, highly visible, accessible and affordable for the ordinary citizens. This entails that there is need for the establishment of dedicated independent institutions that will mediate language-related rights violations such as the Constitutional Court and independent institutions that will educate citizens about their language rights, give content to the principles in the light of language related rights violations, help them protect their rights and monitor government to make sure that the government it respects the citizens' language rights. There is a need to develop instruments, systems and processes with which ordinary citizens can enter into

disputes with government as well as each other being in possession of the necessary knowledge, skills and resources" (Ndlovu, 2013: 223).

2.8.5.4 Development Communication

Development communication entails the practices of information sharing, dialogue, agreement, understanding and taking action collectively. Development communications does not comprise of written information only; however, oral information also need be communicated through the languages that the citizens understand the most i.e. Section 1.2.5 of the NLPF: IP 2003 states that "when communicating with the public, languages of the citizens' choice must be used. All oral communication must take place in the preferred official language of the target audience, if necessary, every effort must be made to utilise language facilities such as interpreting." In order to address challenges of multilingual policy implementation, there is a crucial need to deploy development communication. Government authorities must be pushed in order to understand the significance of multilingualism particularly in legislation.

Government authorities must be persuaded of the benefits nationwide to be achieved with the multilingual policy implementation and planning. The benefits comprise of worldwide access to information, access to lawmaking processes and contribution in the law making processes of the country. In the implementation of Language Management Project in the OCSLA, development communication would involve deploying methodologies and strategies that are designed specifically for the dissemination of information i.e. legislation into all languages. The availability of indigenous translations during public hearings throughout the process until a Bill is assented to by the President. These strategies and methodologies can change people's perception about mother-tongue legislation.

Ndlovu (2013: 212-213) states that "with many years of colonial indoctrination, many people have come to accept that real information can only be obtained in ex-colonial languages and this is even compounded in cases involving minority languages where nationalism presents another form of linguistic imperialism. Despite the plethora of research that has demonstrated

that people immensely benefit if information is offered in the mother-tongue; however, there is still an overwhelming majority that thinks otherwise. Given this misconception and prejudice there is a need for enlightenment and awareness campaigns that are designed to facilitate massive decolonisation and debunking of these misconceptions because it is these misconceptions and unfounded myths that derail the successful implementation of multilingual policy and planning. There is a need to effectively deploy measures aimed at communication for social change, information, education, communication, behaviour change communication, social mobilisation, strategic communication, participatory communication and strategic participatory communication."

In the formulation and enactment of legislation, English still holds prestigious status. As evidence to this, the Joint Rules in Section 220 [(1) – (2)] declares that "a Bill introduced in either the National Assembly or National Council of Provinces must be in one of the official languages." An official text refers to the English version. This proves that English is still considered important as compared to indigenous languages in South Africa. Indigenous languages never enjoy the same status that is enjoyed by colonial languages since there are no legal advisers who draft legislation using indigenous languages.

This unsurprisingly act is perhaps motivated by the fact that "indigenous languages are not considered as viable careers for students and are also not considered to any high-status professional career track. Clearly the development of multilingualism in the language policies requires a better coordinated and more perceptive vision for supporting language learning whether in the interests of securing a competitive edge globally or fostering regional access to indigenous languages" (Webb *et al.,* 2006: 9). For that reason, translation of legislation into all official languages in required in order to foster legislation to be accessible in all languages. The 1996 Constitution in Section 82 declares that "the signed copy of an Act of Parliament is conclusive evidence of the provisions of that Act." The copy of an Act that is always signed by the President is always in English.

In order to bridge the gap, it is very crucial to develop indigenous languages so that they can also be valued like English and Afrikaans and also be considered as languages for learning in

South Africa. That can also create an awareness that indigenous languages can also be of high status professional career in South Africa.

2.8.5.5 Indigenisation

Indigenisation in multilingual policies implementation and planning refers to the initiatives by government entities, government bodies, parastatals and private entities to own the processes of multilingualism. The stakeholders involved need to view the processes of multilingual policies as a means to develop and unite the nation unlike the colonial imposition of English and Afrikaans. Where people were excluded in all forms of communication and participation on the basis of language. In multilingual policy implementation and planning scenarios, stakeholders can take ownership of the language policies. This will ease the tension of imposing language policies to societies.

2.8.5.6 Project Management

Project management involves using expertise, knowledge, experience technique and methodologies in order to execute tasks in an effective and efficient manner. Projects management is very crucial for the purpose of multilingual policy implementation. Project managers identify a challenge for the implementation of multilingualism and respond to those needs by designing special projects that are aligned to the main objectives of the organisations that will also contribute to the process of multilingualism. In multilingual setting, projects like terminology development, terminology management systems, translation software, word processing programmes and spell checkers are the unique projects that can be added to a routine operation of an institution with an intention to accomplish a singular goal of an institution. For the proper implementation of the multilingual implementation these projects must be expertly managed to realise the goal of multilingualism and such projects also contribute towards the same goal of revitalisation of languages.

Williams (2002: 13) notes that "a project is a unique venture with a beginning and an end. It is conducted by people to meet established goals with parameters of cost, schedule and quality. Project management as management of the scope, cost, people and time. Project management approach works where there is a clear statement of the objectives, resources, time frames for particular actions or interventions and a clear statement of the expected results and mechanisms for redress if the project results are not achieved. Project management needs to be seen as a strategy for the pragmatics of the implementation of the language policies. In language management, project management allows a clear identification of the scope of multilingual policy implementation initiatives."

Project management also allows a clear determination of the cost that will be incurred in the implementation processes, mechanisms to be deployed in managing the people who will be drivers of the implementation process and the management of time frames within which various objectives will be achieved. In multilingual policy implementation, project management provides a framework within which multilingual policies can be implemented using available resources while remaining conscious of the overall objectives of multilingual policy implementation and the time frames within which support structures for multilingual services provision have to be realised.

2.8.5.7 Dialogical Intervention Strategies

Romm (2011: 511-515) observes that "dialogical intervention strategies seek to mediate between different people's perceptions of the situation and options for appropriate conduct. The aim of dialogical intervention strategies is to establish possibilities for participation as well as to allow for negotiations between competing views of the situation under consideration so as to extend considerations of options for action. Dialogical intervention approach does not expect that all people will come into consensus rather it sees negotiations as hypothesis for continued action on the part of the various participants. This means that the goal of human development takes priority over the particular situations. The process of addressing issues dialogically is more important than the content of the solution. Only a solution that bears the mark of dialogical encounter in its formulation and implementation can be seen as standing the test of development in human terms."

Dialogical intervention is a strategic planning whereby all stakeholders that are involved in language planning come together to share ideas.

2.9 Conclusion

In order to examine Language Management Project in the OCSLA, LMA was adopted in this research for literature review. LMA is adopted in this study because of its multifaceted nature as a discipline, practice, theory and method of doing sociolinguistic science. LMA as proposed by Mwaniki (2011) modified the five levels that were initially developed by Cluver (1991) and six that were later proposed by Osborn (2010).

The new model as proposed by Mwaniki (2011: 242) constitute of "eight language management variables namely, linguistic, political, legal, economic, socio-cultural, management, educational and technological variables." For multilingual policy implementation and planning to be effectively implemented, these variables must be available and considered. However, these variables do not guarantee successful multilingual policy implementation, but mindful efforts must be deployed to safeguard and incorporate in scenarios where they present themselves and they should be strengthened.

From the aforecited analogy of language management, it is observable that this analogy explicitly indicates that an explicit policy does not guarantee the effective multilingual policies implementation and planning. Meaning that there are pragmatics greater than the policy that ought to be considered in multilingual policies implementation and planning. Therefore, the LMA encompasses those pragmatics that are greater than the policy as illustrated above. LMA encompasses language management variables, methodologies and strategies. The present study holds hypothesis that multilingual policies implementation and planning can only succeed when these pragmatics are secured.

Hence, an expansion on language management may not ascribe to the processes and role of language management but, to multifaceted issues of a pragmatic nature. Therefore, the LMA is adopted in the study for the implementation of Language Management Project in the OCSLA although it does not guarantee the effective implementation of the NLPF: IP 2003 however,

the variables, methodologies and strategies proposed by this Model were secured to an applicable degree.

CHAPTER THREE (3)

THEORETICAL FRAMEWORK, RESEARCH DESIGN AND METHODOLOGY

3.1 Introduction

Chapter one of the study provided a synopsis of research design and methodology that ought to be used in this study. The current chapter provides a comprehensive discussion on research design and research methodology and the nature of sampling procedures that are used in the study. Babbie and Mouton (2001: 149) distinguish three kinds of evaluation research namely "implementation (process) evaluation, experimental and quasi-experimental outcome studies and qualitative (naturalistic) empowerment evaluation." According to the categories distinguished above, the Language Management Project in the OCSLA is an implementation (process) evaluation. According to Mouton (2001: 58) "an implementation (process) evaluation aims to answer the question of whether an intervention such as programme, therapy, policy or strategy has been properly implemented."

An implementation evaluation design suits this study because the researcher aims to answer the question of whether the NLPF: IP 2003 was properly implemented in the OCSLA.

3.2 Theoretical Framework: Critical Theory

There are three main research approaches to research i.e. positivism, interpretivism and critical theory. The research on language planning and management are based on critical thinking and focuses on how language issues generate disparities amongst the people. This requires critical thinking of critical scholars. Therefore, this study is founded on the basis of critical theory. Critical approaches to language planning acknowledge the notion that often, policies generate and sustain numerous forms of social disparity and typically, policy makers endorse the welfares of dominant social groups. Whereas traditional research "is characterised by the assumption that language policies are usually adopted to solve problems of communication in multilingual settings and to increase social and economic opportunities for linguistic minorities" (Ricento, 2006: 42).

Tollefson in Ricento (2006: 41) states that critical theory "has three interrelated meanings. Firstly, it refers to work that is critical of tradition, mainstream approaches to language policy research. Meaning that it entails an implicit critique of traditional, mainstream approaches to language policy research." However, there are criticism surrounding traditional research because it put emphasis in the analysis of "technical issues such as terminology development rather than analysing the underlying social and political forces affecting language policy" (Ricento, 2006: 43).

Secondly, critical theory refers to "research that is aimed at social change" (Ricento, 2006: 41). Whereas positivists and interpretive advances to research are viewed as enmeshed in dominant ideology. This means that neither of them "has an interest in changing the world and neither has emancipatory goal" (Scott and Usher, 2000: 35). In critical theory the researcher studies the impact of language policies socially, politically and economically in terms of disparities. The aim is to advance a policy that can lessen several forms of inequality. Lastly, critical theory refers to work that is influenced by critical theory.

The work that is influenced by critical theory refers to the work that examines the process of social inequalities that are created and sustained and the struggle to reduce inequality to bring about greater forms of social justice. Meaning that critical theory has a practical intention to expose structures of exploitation, mainly those that are covered by ideology and finding ways to overcome manipulation (Holt and Margonis, 1992: 5). "Of particular interest is the inequality that is invisible, due to ideological processes that make inequality seem to be the natural condition of human social systems" (Tollefson, 2006: 43).

"Critical theory is also concerned precisely with the historical and social genesis of the facts it examines and with the social contexts in which its results will have their effects" (Hoy and McCarthy, 1994: 16). History plays a very important role in language planning at the micro level of interpersonal communication and at macro level of state information. Wiley (2003: 136) states that "in popular and scholarly discourse about language politics and policy, specialists occasionally appeal to the authority of history to reinforce their claims about how the past informs us about contemporary issues." Therefore, critical theory allows the researcher to examine historical developments of language planning and management thereof in South Africa. Wherein the chronological order of historical events is observed i.e. the Constitution of

the RSA 1961; the Constitution of the RSA 1983; the interim Constitution of the RSA 1983 and the Constitution of the RSA 1996.

The previously mentioned Acts are examined predominantly on the clauses pertaining to the use of languages in legislation. The historical events in the study are based on Ricento's view that there is a correct, empirically based true story on what happened in the past (Ricento, 2006: 130). Critical theory in language planning also refers to "research that is aimed at social change" (Pennycoock, 2001: 14). The implementation of NLPF: IP 2003 manifests the committed for policies to promote, maintain and revitalise the indigenous languages and heritage languages to achieve social justice.

Mwaniki (2011: 169) emphases that "a language planning enterprise that is premised on critical theory would advocate the implementation of multilingual policies and plans as a means towards ensuring communicative rationality and human emancipation because nobody is left out of the public communicative processes on the basis of language and re-defining the modernisation project so that it does not only serve the ends of economic and administrative rationality, but also a modernisation project that serves the ends of social justice." Furthermore, critical theory influences language policy and planning because it examines structural categories i.e. class, race, gender and culture as the social factors that discriminate people wherein language policy and planning should be viewed as one stream in which different structural categories should merge.

Critical research is considered a good research if political, cultural, ethnic and gender antecedents of the situation are taken into account. Toffelson (1991: 49) identified the key ideas of critical theory as "power, struggle, colonisation, hegemony and ideology and resistance." Bianco (2009: 113) concurs and observes that in language policies, power, politics, ideologies and status differentials are played out in texts. This led to the rise of critical scholars who are concerned with how language inequality determines social, linguistic, economic and political inequalities. The transformation and social systems that are built on injustice and discrimination could be achieved by the methodologies that are adopted by critical researcher. i.e. critical ethnography, critical discourse analysis, action research and ideology critique.

This then explains the use of Critical Discourse Analysis (hereinafter CDA) in the analysis of the data presented in this chapter whereby the language provisions of the legislative framework

that support multilingualism in South Africa is examined to ascertain its contributions and challenges of the implementation of multilingual policies and planning in the legislative processes. CDA ties and relates well with critical theory, one of the constituent theories of the LMA. It is an essential method of the LMA (Mwaniki, 2011: 27-29).

Mwaniki (2011: 28) notes that discourse analysis and CDA are essential methods in language management, because they are useful tools to examine and point out how texts, discursive and socio-cultural practices integral, to multilingual language policy, planning and implementation, predict different kinds of actions and identities. Documentary analysis in this study is a very valuable source of information because other stakeholders in the ministries concerned are no longer in the ministries because of the termination of their term of office.

Critical theoretical approach is adopted in this study as a suitable paradigm compared to positivism and interpretivism because critical approach relies on dialogic methods which are the methods that combine observation and interviewing. Observation and interviewing participants foster conversation and reflection with the subjects. The reflective dialogue allows the researcher and the participants to query the natural state and to challenge the mechanisms for maintaining order. The researcher tries to challenge the *status qou*. The researcher who adopts critical theory are not describing a situation from particular point but are trying to change the situation.

3.3 Research Design

Babbie and Mouton (2001: 479) define research design as "a plan or structured framework of how a researcher intends to conduct the research process in order to solve the research problem. Research designs can be classified according to whether they are empirical or non-empirical designs. Empirical studies or designs can be further distinguished into primary and secondary data analysis studies. Research designs that involve empirical data can also be further classified according to the type of data i.e. numeric or textual data. The research design needs to address aspects concerning the unit of analyses; participants; the aspects that the researcher intends to draw conclusion from; information required about the unit of analyses; the type of study that will suit the research question; the goals of the research whether they are explanatory, descriptive or explanatory; the findings to be used for applied purposes; the kind of information

that is required and analytical strategy to be followed whether they are quantitative or qualitative."

Terre Blanche and Durrheim (1999: 483) state that "research design is a strategic framework or plan that guides research activity to ensure that sound conclusion is reached." Research design is the term that is predominantly used in social sciences. Research design is "frequently taken to mean a fixed set of procedures and methods that constitutes a sort of periodic table" (Terre Blanche and Durrheim, (2004: 34). The plan outlines the features i.e. participants and variables; methods and the interrelationship i.e. measurements and sampling that form a portion of research.

Terre Blanche *et al.* (1999: 33-52) argue that research design is "a plan of action that is developed by making decisions about four aspects of research." The four aspect as categorised by Terre Blanche *el al*. (1999) are listed below as:

- The purpose of the research.
- Theoretical paradigm informing the research.
- The context or situation with in which the research is carried out.
- The research techniques employed to collect and analyses of data.

A research design must indicate a clear plan of execution that specify techniques that will be employed in the implementation of the research: sampling, data collection and data analysis.

Sellitz, Johoda, Deutsch and Cook (1965: 50) delineate research design as "a strategic framework for action that serves as a bridge between research questions, execution and implementation of the conditions for the collection and analyses of data in a manner that aims to combine relevance to the research purpose." It is the planned nature and the design on an observation that differentiates a study from other forms of observations. Terre Blanche *et al*. (1999: 29) argue that "research differs from everyday observation because in research, observation is planned; therefore, turns out to be systematic observation. The research design is applied so that suitable research methodologies are used to ensure the fulfilment of the goals and objectives that are set out in the study."

Research design is used to provide the plan or blueprint for the research that will safeguard the validity of the findings of the study. However, it is a common act to contradict research design and research methodology. Babbie *et al*. (2001: 75) differentiate between research design and research methodology and state that "research design focuses on the end-product; the kind of study being planned; the kind of results being aimed at; the type of research problem or research question; the logic of research i.e. the kind of evidence that is required to address the research question adequately." Mouton (2001: 143) differentiates between empirical research design and non-imperial research design.

An implementation evaluation study seeks to answer whether the target group has been effectively covered in a manner that deals the problems of the projected recipients. The target group for the study is the citizens of South Africa who were previously marginalised due to languages and who could not have access to legislation in their own languages. Section 32 (1) [(a) – (b)] of the Constitution 1996 states that "everyone has the right to access any information held by the State and that is held by another person that is required for the exercise and protection of any rights." Therefore, the study addresses the problem of the citizens of South Africa who are not conversant with English and Afrikaans. Therefore, the provision of Draft Bills, Bills, Amendment Bills and Acts into indigenous languages will mean that South Africans are included in the law-making processes.

Therefore, the implementation of mother-tongue legislation gives effect to Section 9 (2) of the Constitution of the Republic of South Africa, 1996 that states that "equality includes the full and equal enjoyment of all rights and freedom. In order to promote the achievement of equality, legislative and other measures that are designed to protect and advance persons" i.e. legislation at national level must be passed to fight against language discrimination. An implementation evaluation study also seeks to answer the question of whether the Policy was implemented as designed. Documenting the implementation of mother-tongue legislation in the OCSLA will help to examine whether the intervention of the NLPF: IP 2003 was implemented as envisioned in the Policy.

On the contrary research methodology emphases on the research procedure; tools and processes to be used; explicit tasks i.e. collection of data and sampling; emphases on the specific stages, processes and impartial objectives and procedure to be used.

3.4 Research Methodology

Research methodology is "the study of procedures and methods that are used in research to create new knowledge" (Terre Blanche *et al*., 1999: 29). Babbie (2004: 6) argues that "methodology might be called the science of finding out." Payne and Payne (2004: 150) state that "methodology deals with the characteristics of methods, the principles on which the methods operate and the standards governing their selection and application." Strauss and Corbin (1998: 3) argue that "research methodology is a way of thinking and studying social reality and a critical component of any study." The term methodology "also refers to the way in which one approaches problems and seeks answers. In social sciences, the term applies on how one conducts research. There are assumptions that studying many phenomena that are internal to people such as attitudes, values, beliefs, lived experience, interests and purposes shape the kind of methodology one chooses" (Johnson and Christensen, 2004: 15).

Methodology also refers to the mechanisms of data collection. The context and the purpose for data collection in any study need to be clearly defined. Descriptions of participants, the research design, the sampling plan, data collection procedures as well as the apparatus and measuring instruments must be included. The researcher must employ proper objectives and systematic methods and procedures for programme evaluation to be scientifically accepted and that should include:

- Emphases on study process.
- Measures to be undertaken.
- Data collection.
- Sampling.
- Separate processes and impartial techniques to be employed.

3.5 Qualitative and Quantitative Methods of Analysis

There are six different methods of analysis to distinguish the type of research:

- Exploratory;
- Descriptive and explanatory;
- Explanatory research;
- Applied and basic research; and
- Qualitative;
- Quantitative research.

The current study falls within qualitative research paradigm in accord with (Terre Blanche *et al*. (1999: 39) classification. The findings for quantitative and qualitative research emanate from different information and use different techniques for data analyses. The research type that is adopted for the study is qualitative research type although there are debates around the nature of research procedures and the style of research design prior to presentation of the research problem.

Quantitative theorists argue that flexible and pragmatic designs are non-scientific, and bias may be introduced when designs are modified during execution stage of a research. On the contrary qualitative theorists argue that fixed technical designs or blueprints are restrictive and unsuited to explanatory and inductive research which does not begin with general theories to be tested. Gergen (1985) states that one of the important strengths of qualitative research is that it is generative i.e. it constructs new ways of understanding and new intelligibilities. Lincon and Guba (1985: 225) argue that qualitative designs "cannot be given in advance, it must emerge, develop and unfold."

Qualitative and quantitative researches differ, not only in the nature of the data and the subsequent methods to gather and analyse data, but also in their philosophical rationale. Quantitative research is usually avoided in human sciences, because subjective human feelings and emotions are difficult and impossible to quantify. Qualitative research takes more account of the 'soft' personal data. It is useful to construct the attitudes, beliefs and motivations within a subject. A researcher that does qualitative research will attempt to obtain an inside view of

the phenomenon and get as close as possible to the participants of the research to collect resonant and fertile data. This enables the development of a social construct through the dynamic process of research (Ndlovu, 2013: 243).

Terre Blanche *et al*. (1999: 42) concur and state that "there is a distinctive difference between qualitative and quantitative research and these distinctions mark a series of difference approaches. Qualitative and quantitative research base their conclusions on different kind of information and employ different techniques in data analysis. Quantitative researchers collect data in the form of numbers and use statistical types of data analyses. Whereas qualitative researchers collect data in the form of written, spoken language." The observation that is recorded through language and the data is analysed through categorising themes. Qualitative methods allow the researcher to study selected issues in depth, openness, detail and to understand the categories of information that emerge from the data on the contrary. Quantitative researchers start with a series of predetermined categories, usually embodied in standardised quantitative measures and use such data to make a broad and generalisable comparison.

In this study qualitative methodology is applied based on the observation by Terre Blanche *et al.* (1999: 42) that in qualitative research, data analysis is conducted by identifying and categorising themes namely naturalistic, holistic and inductive. Patton (1990: 40) concurs and states that "after considering both the object of the study and the type of the study that is implicit in a research question, the researcher begins to make explicit decisions about how the research will be implemented; therefore, identifies themes of qualitative inquiry. Qualitative researchers prefer naturalistic forms of enquiry even though data in naturalistic setting is collected in a controlled manner where a researcher investigates an enquiry as it unfolds naturally. The adoption of naturalistic orientation is based on the premise that variables in naturalistic orientation are integral part of real-world settings, instead of eliminating them, researchers strive to find the impact they might have on the outcomes of the study. Therefore, naturalistic enquiry is non-manipulative, obtrusive, non-controlling, open to any circumstances that emerges, and the study avoids predetermined constraints on outcomes."

The aim of qualitative research is to investigate the complex system of interrelationships that develop in a situation. Lastly, qualitative research is inductive, meaning that it genuinely explores open questions rather than testing theoretical hypothesis (Terre Blanche *et al*., 1999:

43-49). Qualitative research paradigm means a generic research method in social research wherein the research takes its departure point as the insider perspective on social action. Babbie *et al*. (2001: 270) state that qualitative researchers attempt to study human action from the insiders' perspectives also referred to as the emic perspective. The goal of research is defined as describing and understanding rather than the explanation and prediction of human behaviour. The emphasis is on methods of observation and analysis that stay close to the research object.

Qualitative studies use qualitative methods of gaining access to research subjects i.e. theoretical selection of cases, snowball sampling; qualitative methods of data collection i.e. participation observation, semi-structured interviewing, the use of personal documents to construct life stories; and qualitative methods of analyses i.e. grounded theory approach, analytical induction, narrative analyses and discourse analysis (Babbie *et al*., 2001: 270). It is common in qualitative studies like implementation evaluation studies to utilise all the available modes of observation both structured i.e. questionnaires, tests, scales and less structured i.e. focus group interviews, individual interviews, participation observation as well as analysing existing documentary sources i.e. annual reports, field records and participation records (Mouton, (2001: 159).

Before elaborating on methods that were used for data collection in this study, it is essential to distinguish between empirical and non-empirical research and to differentiate primary data and secondary data. Primary data in the study means data that the researcher collected and secondary data means information and data that was already available prior the initiation of the investigation. The advantage in using primary data in this study is that the researcher is in control of the primary data; however, has no control over secondary data that was already produced before the commencement of the study. Mouton (2001: 158-159) argues that "in evaluation implementation research and studies, it is common to utilise all available modes of observation both structured i.e. (questionnaires, tests and scales) and less structured i.e. (focus group interview, individual interviews and participation observation) as well as analysing existing documentary sources i.e. (annual reports, field records and participation records." In this study multiple modes of data collection were used i.e. observations; structured mode of observation; less structured mode of observation; analyses of the existing data and the presentation of a case study. According to Flick (2014) the use of multiple data collection techniques and sources strengthens the credibility of outcomes and enables different interpretations and meaning to be included in data analysis.

3.6 Sample Population of the Study

The Language Unit in the OCSLA is the sample population for the study in which the NLPF: IP 2003 applies. The rationale for the selection of Language Unit in the OCSLA is based on premise that the Language Unit is the major contributor of language management in the legislative field since the Language Unit in the OCSLA is the only unit at national level that is mandated with executive task of providing second language Acts in all official languages.

The number of participants that were interviewed in the study is fifteen (15). The participants were selected randomly from the Legislative Language Unit in the Language Unit and the executives in the OSCLA. The executives in the OCSLA are the implementers of the NLPF: IP 2003 and are charged with the provisions of the policy to establish and manage the implementation of mother-tongue legislation in all official languages.

3.7 Observation in Qualitative Research

Observation is one of the data collection methods that was be used in this study. The researcher observes actions as they unfold in observation. In this study observation is very important because it allows the researcher to understand the naturalistic setting of the OCSLA. According to Terre Blanche *et al*. (1999: 134-139) in qualitative research, observation can be more structured or less structured; however, the kind of observational studies conducted by interpretive researchers tend to be naturalistic and less structured contrary to observational studies of positivists' researchers that is more structured. Observational studies vary in terms of how structured the observation is, whether deception is used or not, the degree of participation involved and whether the study relies only on observation or supplemented with other sources such as formal interviews and documentary material.

In this study observation was supplemented with interviews. According to Bless and Higson-Smith (2000: 17) "based on the research problem and the type of research that is conducted,

researchers may wish to observe different types of observable data." Although this process of data collection is called observation, the researcher is more than being a passive spectator and an observer. The researcher is actively seeking out answers to the research question. The advantage of observation is that a researcher can do observation anywhere. Qualitative methods provide answer to social science representing both the researcher and the subjects (Kelleher, 1993: 126).

According to Kelleher (1993: 126) the advantages of observation in qualitative research is that, observations:

- Compel the researcher to be familiar with the object being investigated.
- Allows previously unnoticed and ignored aspects to be seen.
- People's actions are more telling than their verbal accounts.
- It is unobtrusive and when obtrusive, the effects wear off in reasonable time.

3.7.1 Less Structured Mode of Observation

Less structured mode of observation occurs when the observer observes and gather data without manipulating the environment. The subjects are not aware that they are being observed in their natural environment. Terre Blanche *et al*. (1999: 394) state that less structured mode of observation refers to the impressionistic in the sense of noting down what one sees as one sees it. This type of observation uses continuous time sampling i.e. the entire sequence of events and it is naturalistic, meaning that one interacts and then afterwards notes down what one has observed. Often a pilot observation study will use unstructured method to prepare for a structured approach to be used in the main study. There are two types of less structured mode of observation that were undertaken in the current study i.e. participant observation and simple observation.

3.7.1.1 Simple Observation

In the study the researcher observed in situ conversation. Meaning that the researcher observed the conversations as they naturally occur in the public spaces and in the OCSLA in relation to the second language translation of legislation. Webb, Eugene, Campbell, Donald and Schwartz (1981: 197) define simple observation "as an observation that occurs when the observer has no control over the behaviour and sign in question. The researcher plays an observed, passive and non-intrusive role in the research situation."

The researcher also observed the implementation of the NLPF: IP 2003 in the OCSLA and the language situation in the law-making processes. In the implementation of mother-tongue legislation for previously marginalised languages of South Africa, simple observation is essential to establish contemporary explanations that caused multilingual policies implementation and planning ineffective in South Africa. Simple observation is also essential in assessing the implementation of the NLPF: IP 2003 in the OCSLA and whether the equitable use of all official languages has improved since the inception of the NLPF: IP 2003; whether the citizens of South Africa who had no access to legislation have access to legislation in their languages subsequent the establishment of the Language Unit in the OCSLA.

Furthermore, simple observation supported the researcher to determine whether the National Language Unit in the Department of Arts and Culture (hereinafter DAC) fulfils its obligations "to regulate and monitor the use of official languages in all departments with special reference to the operation of the Language Unit in the OCSLA; monitors and enforces the implementation of the NLPF: IP 2003; advises the Minister on policy and strategy; regulates and monitors the use of official languages by national government for government purposes; promotes parity of esteem and equitable treatment of the official languages of the Republic and facilitate equitable access to the services and information of national departments, national public entities and national public enterprises; promotes good language management within national departments, national public entities and national public enterprises; liaises with and promotes the general coordination of language units and perform any other function that the Minister may prescribe" in congruence with Section 6 of the Use of Official Languages Act 2012.

Simple observation also includes observing the stipulations on the pieces of legislations that foster the usage of South African official languages. Whether these pieces of legislation are implemented as envisioned in the Constitution 1996. In simple observation the researcher observes from outside (Babbie *et al*., 2001: 293). Both simple and participant observation were used in the study.

3.7.1.2 Participant Observation

Participant observation is mostly associated with ethnographic work in anthropology; however, ethnography entails the study of culture. Ethnography means a particular way of living together with the group cultures and it entails the study of cultures and it entails a way of living in that group, rather than the kind of culture that is associated with ethnic differences among people (Terre Blanche *et al*., (1999: 134). Because the interpretive approach emphasis study phenomena in a naturalistic way, observation often takes a form of participant observation where the researcher become fully involved in the setting being studied.

The advantage of participant observation is that "interaction with people in a naturalistic way makes it possible to understand their world from inside out" and the disadvantage of participant observation is "time consuming" (Terre Blanche *et al*., 1999: 134). Furthermore, Terre Blanche *et al*. (1999) identifies two disadvantages that the observers of participants must avoid in research namely having a very close relationship with the study participants resulting the researcher to lose perspective whereas if a researcher is too detached from the study participants, the researcher loses compassion. Babbie *et al*. (2001: 293-310) concur and state that the disadvantage of participant observation is that the researcher "is faced with the challenge of simultaneously being the member of the group and observing everyone else from a researcher's perspective". Since participant observation at times involves covert research, this raise numerous ethical concerns including whether the use of deception in social research is morally justifiable.

3.7.2 Structured Mode of Observation

Structured mode of observation may include the use of time sample, checklist for particular kinds of behaviour, independent observers who observe different facets of what is going on or independent observers noting the same thing as a reliability check (Terre Blanche *et al*., 1999: 394). Structured observations require an observer to assign observed events into previously defined categories. These events are recorded and coded simultaneously. According to Ndlovu (2013: 268) structured observations involve three stages namely the recording of the events in a systematic manner as they happen; the coding of these events into pre-specified categories and finally subsequent analysis of the events to give descriptions of the observed events and activities.

Pre-categorising and structuring one's observations can reduce the time commitment and help the researcher focus on the issues that he/she wants to observe. However, structured observations have been criticised for the risk of losing both detail and flexibility and as such conclusions drawn are tentative and at best can be indicative rather than conclusive (Harbon and Shen, 2010: 280). The common practice of structured mode of observation in qualitative and quantitative research is questionnaires and interviews, which were both used in the study.

3.7.2.1 Interviews

The number of informants that were interviewed during data collection process was fifteen (15). Interviews offer opportunities for follow-ups on ideas, probe of responses and investigation of motives and feelings which the questionnaire can never do. The way in which a response is given, for example the tone of voice, facial expression, hesitation can provide information that a written response would conceal (Bell, 2009: 157). Interviews allow the researcher to reassure and encourage the respondent to be full in his/her answers. Visual signs such as nods and smiles are valuable tools for promoting complete responses. However, the personality of the interviewer can have some effects on the results (Walliman, 2001: 239).

While interviewing is suitable for quantitative data collection, it is particularly useful when qualitative data is required, hence their use in this study. For this study the researcher conducted face-face interviews because of their advantages over telephone and on-line interviews. In face-face interviews the researcher was in a good position to judge the quality of the responses of the participants, since the researcher was in a position to study the non-verbal forms of communication that also help to ascertain the participant's inner feelings about the subject. During interviews the researcher can be able to notice if a question is properly understood and to reassure and encourage the participant through his/her body language and appreciation of the responses which are all valuable tools in promoting complete responses (Walliman, 2001: 238).

Face-face interviews are also relatively cheaper compared to telephone and on-line interviews and are the only option available in areas with no telephone, cellphone network coverage and internet connections. According to Babbie and Mouton (2002: 200-202) "a basic individual interview is one of the most frequently used methods of data gathering within qualitative approach. Individual interviews differ from other types of interviews in that it is an open interview which allows the object of the study to speak." Individual interviews avoid to provide respondent with a battery of own predetermined hypothesis-based questions.

"Qualitative interviewing design is characterised by being flexible, iterative and continuous rather than prepared in advance and locked in stone. Qualitative design interviewing is iterative. Meaning that each time a researcher repeats the basic process of gathering information, analysing it, winnowing it and testing it, a researcher come closer to a clear and convincing model of the phenomenon that one is studying. The continuous nature of qualitative interviewing means that the questioning is redesigned throughout the project that is being studies" (Rubin, Herbert and Riene, 1995: 46-47).

The researcher used individual interviews based on the advantages identified by Terre Blanche *et al*. (1999: 282) that are associated with personal interviews that "During individual interviews a comprehensive evidence is derived from semi-structured interviews; study participants are free to seek clarification if questions are not clear; if the study is conducted in

a remote area like rural areas, it is the only option that can be utilised in the absence of telephones and mails; if interviews are conducted personally the rate of response upsurges. During interviews, researchers have two options to use either open-ended interviews or close-ended interviews, wherein the study participants are required to provide answers to the questions probed.

3.7.2.2 Semi-structured Interviews

In a semi-structured interview open-ended and closed-ended questions facilitate information gathering. This mode of interview allows a researcher to substantiate data that was collected from other sources. In this study, both open-ended and close-ended questions were used to substantiate data that emerged through the observation of the implementation of multilingual policy and planning and the observation of language situation in South Africa with special reference to law-making processes. The semi-structured interviews gave the researcher an opportunity to establish contemporary explanations for multilingual policies implementation and planning; whether the equitable use of all official languages has improved since the inception of the NLPF: IP 2003; whether the citizens of South Africa who had no access to legislation have access to legislation in their languages subsequent to the establishment of the Language Unit in the OCSLA.

Furthermore, semi-structured interviews in this study allow the researcher to ascertain whether the National Language Unit in the DAC has fulfilled its obligation to oversee the use of official languages in all departments with special reference to the operation of the Language Unit in the OCSLA that translate legislation at a national level. Semi-structured interviews also allow participants to answer a set of predetermined questions although they are organised around a particular area of interest, they still allow a flexible depth and scope. Semi-structured interviews allow a researcher to concentrate on the responses of the participants in order to recognise new developing lines of analysis that are related directly to the subjects being examined.

3.8 Case Study

The implementation process of the NLPF: IP 2003 is evaluated in this study. The case study type that was adopted in the study falls within the category of studies of organisations and institutions. Babbie *et al*. (2001: 281) state that this type of a case study typically takes place in business and management studies, "where the focus is on the firm, corporation, trade unions etc. There are many foci including studies of best practice, policy implementation and evaluation, human resources practices, management and organisational issues, organisational culture, processes of change and so on." This study suits this case study category since the study is the implementation of mother-tongue legislation for previously marginalised languages. The NLPF: IP 2003 policy statement is monitored and evaluated in this research.

The case study allows the researcher to monitor the implementation of Language Management Project in the OCSLA from the project inception 2008, whether there are any changes in the multilingual policy implementation whether South Africa citizens are now taking control over the law-making process in the country subsequent the multilingual policy and planning implementation.

3.9 Sampling

In sampling a researcher identifies and select participants to be included from an identified target population. Terre Blanche *et al*. (1999: 274) define sampling as a process used to select cases for inclusion in a research study. "All empirical research is conducted on a sample of cases which may be individuals, groups, organisations or archival documents. Sampling is a very important aspect in research because the type of conclusions that can be drawn from the research depend directly upon whom the research was conducted. The researcher needs to ensure that a sample is collected in a systematic manner, so that the impact of the sample members on the result can be estimated and evaluated" (Terre Blanche *et al*., 1999: 104).

The implementation of multilingual policy in South Africa supports the provision of languages as set out in Section 6 of the Constitution, (Act No. 108 of 1996). Section 2 (1) of the NLPF: IP 2003 calls for "collaborative partners at national, provincial and local government level to play critical role in ensuring the successful implementation of the Language Policy. All government structures nationally, provincially and locally are bound by the provisions of the Policy, as are any institutions exercising any public power and performing any public function in terms of legislation to establish language units." Meaning that there are a number of language units that have been established in various government departments at national, provincial and local government level since the inception of the Policy and responding to the call of the NLPF: IP 2003. However, the researcher used the Language Unit in the OCSLA as a case study.

The Language Unit in the OCSLA is the only Language Unit at a national level that is mandated with the executive task to translate legislation i.e. Draft Bills, Amendment Bills, Bills and Acts into all languages. The establishment of the Language Unit in the OCSLA was promulgated as a result of a Cabinet Meeting held on the 6th September 2006. The Cabinet took a decision that the Minister of Arts and Culture, Science and Technology, Justice and Labour must look into a feasibility of having a Language Unit specialising in the translation of Draft Bills, Amendment Bills, Bills and Acts of Parliament into second languages because the legislation that emanates from the OCSLA's Directorate does not represent the true demographics of the South Africans. The legislation was only available in two languages English and Afrikaans.

The OCSLA recognised the provisions of the Constitution 1996 and took a practical step to advance legislation in all languages. The case study of the Language Unit in the OCSLA is selected based on these attributes. When selecting samples to be used in the any study, the researcher is obliged to choose between two modes of sampling i.e. probability mode of sampling and non-probability mode of sampling.

3.9.1 Non-probability Mode of Sampling

In this study, non-probability mode of sampling is used. Non-probability sampling is not based on statistics, this technique is however based on the convenience and accessibility. Non-probability sampling is often used "when there is no available sampling frame; the cost of

probability sampling in terms of time and money is too high and when a researcher is planning an in-depth qualitative research" (Terre Blanche *et al.*, 1999: 483). In non-probability mode of sampling the researcher depends on available subjects, selecting informants, quota, snowball sampling and judgemental (purposive) sampling.

3.9.1.1 Purposive Sampling

Participants for the study were nominated by means of purposive sampling. A careful consideration of cases to be selected for involvement in a study is very essential since sampling is very important in research. In the selection of cases to be used in a study, a researcher can either use "probability sampling or non-probability sampling" (Babbie *et al*., 2001: 645). "Purposive sampling is a type of non-probability sample in which a researcher selects the units of analyses to be observed on the basis of a researcher's own judgement about which cases will be the most useful or representative of the population" (Babbie, 2004: 183).

Therefore, non-probability sampling techniques that were used in the study in selecting the Language Unit in the OCSLA as the unit of analyses is purposive or judgemental sampling. Babbie *et al*. (2001: 166) argue that "purposive or judgemental sampling is a type of non-probability sample in which a researcher selects the units of analyses on the basis of the researcher's judgement about which sample will be the most useful and representative." It is essential and appropriate for a researcher to choose a sample if a researcher knows the population, the essential features of that population and the nature of the envisioned hypothesis.

Terre Blanche *et al*. (1999: 483) state that the best principle to use in purposive sampling to choose "a sample is to use expertise judgement to choose cases with an explicit objective in mind." Purposive sampling is occasionally used in exploratory research studies. Blaxter, Hughes and Tight (2001: 161) define purposive sampling as a "sampling method that involves handpicking supposedly typical and interesting cases. It selects participants of the study among a selected target population, because of some defining characteristics that make them the holders of the data needed for the study." The defining characteristics of the participants for this study are discussed below.

The Language Unit in the OCSLA is the target population for the study in which the NLPF: IP 2003 applies. The Language Unit has the major contributors of language management in the legislative field since the Language Unit in the OCSLA is the only unit at national level that is mandated with executive task of providing second language Acts in all official languages. The executives in the OCSLA are the implementers of the NLPF: IP 2003 and are charged with the provisions of the policy to establish and manage the implementation of mother-tongue legislation in all official languages.

The selected participants are part of the programme management system, human resource base and stakeholders that have a direct or indirect bearing on the success and failure of the NLPF: IP 2003. The choice of these participants is partly informed by Babbie and Mouton's (2001) conceptual model of social programmes which identify goals, target groups, measurable outcomes/critical success factors/benefits, programmes components, management systems, human resource base, stakeholders and context as the key sources of information in evaluating a policy. The components of this model overlap extensively with the theories adopted in this study.

3.10 Conclusion

This chapter constitute of research design and research methodology that were used for the study. A comprehensive argument that deals with the execution of this research was discussed. The definitions and explanations of several research methods was done citing various references. The methods were discussed with the DOJ&CD in mind with special reference to the OCSLA, since the study revolves around the implementation of the NLPF: IP 2003 in the OCSLA. The next chapter presents data for analysis in the study.

CHAPTER FOUR (4)

PRESENTATION OF DATA COLLECTED

4.1 Introduction

On the 6th September 2006 the Cabinet in Parliament took a decision that the former Ministry of Arts and Culture; Science and Technology; DOJ&CD; Communication and the Ministry of Labour have a duty to take into consideration the feasibility of establishing a Language Unit specialising in the translation of legislation into all the languages in the OCSLA. The project started with a pilot project in March 2008 – March 2010. Subsequently in May 2010 the full project was completed. The DOJ&CD's mandate was to establish a project on language management to be implemented and designed as part of the transformation of the aspirations of the Constitution 1996, that promotes equal status to languages.

The end result and the motive were the formulation of the implementation of multilingualism project. However, the primary aspiration of the Language Management Project in the OCSLA was to support multilingualism policies implementation and planning at a National Department in order to advance service delivery to the citizens by enabling accessibility to legislation. The legislation was to be made available in all languages. Since the implementation of multilingualism in South Africa is premised on legality, therefore; the implementation of this project was executed in accordance with legislative framework that supports multilingualism.

In terms of legislative framework, a number of structures have been established with regards to the enforcement of the strong statutory commitment pertaining to languages in South Africa i.e. the Constitution 1996 and other legislative framework i.e. Use of Official Languages Act 2012; NLPF: IP 2003; NLP 2002 and Joint Rules of Parliament 1999. The legislative structures that support the implementation of Language Management Project in the OCSLA are discussed below.

4.2. The Final Constitution of South Africa, 1996

Firstly, the Language Management Project in the OCSLA is based on the Constitution 1996 that "recognises the historically diminished use and status of the indigenous languages of the country and further states that the government must take practical and positive measures to elevate the status and the advance use of all indigenous languages of the country." The 1996 Constitution explicitly asserts that "the national government and provincial governments, by legislative and other measures must monitor the use of official languages in government and when communicating with the citizens of the country."

The Language Management Project in the OCSLA is an essential element of government process since the government is mandated with the task for the implementation of administrative and legislative power to safeguard equity on languages for all the citizens, visitors and refugees within South African jurisdiction. The powers vested upon the South African government to ensure language justice and to safeguard equity of languages is neither a scientific effort, however, the government can utelise scientific efforts and other capabilities in the execution of its mandates.

The government is also mandated with the task to legally incorporate language affiliations within its jurisdiction. This can be executed without disbanding the shared language relations. According to Strauss (1987: 65-66) government's mandate is premised on "Constitutional and legal recognition of the language rights of individuals and communities; the requirement of equitable access to public language resources and infrastructure; the provision of language protection and care for citizens from language communities weakened by their historical disadvantages or minority status and the call to contribute to international language justice. The careful management of state language resources to establish and maintain public justice; the exercise of language justice in such a way as to ensure balance and harmony among legal language interests, including the legal interests of people in their language interaction; the legal interests of language communities and the protection of the right of individuals and language communities to use their languages in the public realm."

The aforementioned mandates also comprise of safeguarding equity on languages for previously marginalised languages and parity of esteem for linguistically disadvantaged groups such as illiterate, the blind, deaf and those languages that were not recognised due to

colonialisation. The government's mandate is a threefold dimension. Firstly, it includes embarking on programmes and campaigns that are aimed at assisting public in prevention against exploitation of the linguistically disadvantaged. Secondly, in instances where public lacks sources of opportunities and motivation for linguistically disadvantages i.e. illiterates, deaf and blinds, the government must make provisions for such challenges. Lastly, the government must encourage public if necessary to judicial enforcement.

4.3 Joint Rules of Parliament 1999

Language Management Project in the OCSLA emanates from the Joint Rules of Parliament, wherein Section 220 [(1) – (2)] declares that "a Bill (proposed legislation under consideration) introduced in either the National Assembly or National Council of Provinces must be in one of the official language. The official text must be translated into at least one of the other official languages of South Africa." The Joint Rules 1999 serve as guidelines for the regulations and principles governing the conduct and procedures within the South African National Parliament.

Section [220 – 222] of the Joint Rules of Parliament 1999 provides for the language related matters in terms of legislation. Section 220 [(1) – (4)] state that a Bill that is introduced to "either the NA or the NCOP must be in one of the official languages. The Bill in the language in which it was introduced will be the official text for the purpose of parliamentary proceedings. The official text of the Bill must be translated into at least one of the other official languages and the translation must be received by Parliament at least three days before the formal consideration of the Bill by the House in which it was introduced. The cover page of the Bill must specify which language version is the official text and the official translation. The Secretary of the House must ensure that all amendments to the official text are reflected in the official translations before the official text is sent to President for assent."

The Joint Rules of Parliament empower the President to assent to a Bill only if the Bill is "accompanied by the official translation or translations" (Joint Rules, 1999: 240). In this manner the Rules are used as a mechanism to ensure that Constitutional language provision is given effect. The Rules are not used as a means to promote indigenous languages in legislation.

4.4 National Language Policy Framework 2002

The NLP 2002 as envisioned in the Constitution 1996 entails good features of the modern language policies that include amongst others the implementation structures, implementation mechanisms, language planning, language development role, the building of national identity and national unity, protection of cultural diversity and pluralism. The NLP 2002 also recognises the value of language as influenced by political, social and economic dynamics. The NLP 2002 also takes into account the challenges of globalisation. It explicitly states that the indigenous languages must join the ever-changing world technologically.

The NLP 2002 seeks to empower the usage of all official languages so that service delivery can be rendered in all languages in an equitable manner.

4.5 National Language Policy Framework: Implementation Plan 2003

The Language Management Project in the OCSLA also emanates from the NLPF: IP 2003 that initiated the implementation structures, mechanisms, measures and plans to address language problems in South Africa. The aforementioned aim is reliant in promoting and developing efficiency in the implementation of multilingual policy in South Africa. Therefore, the NLPF: IP 2003 forces the authoritative strategies and methodologies to change language inequalities.

The Implementation Plan is part of the NLPF, furthermore it was founded on the basis of the 1996 Constitution predominantly Section 6. The NLPF consists of the Language Policy Statement, the Implementation Plan, Use of Official Languages Act 2012, South African Language Practitioner's Council Act 2014 and the regulations thereof. The NLPF: IP (2003: 5) reads "The Implementation Plan is presented as a flexible proposal to which further identified structures and mechanisms for promoting multilingualism may be added. The Policy Statement of the NLPF was announced by the Minister of Arts, Culture, Science and Technology on 3 December 2002. Cabinet subsequently approved it on 12 February 2003. The

Policy is aimed at promoting the equitable use of the eleven official languages with a view to facilitating equitable access to government services, knowledge and information, as well as respect for language rights."

4.6 The Use of Official Languages Act 12 of 2012

The Language Management Project in the OCSLA is also supported by the aforecited Act No. 12 of 2012. The Act stipulates a very clear mandate on language use on its objectives. The objectives of the Act are provided in the long-title of the Act and provides that the Act is mandated with the tasks "to provide for the regulation and monitoring of the use of official languages by national government for government purposes; to require the adoption of a language policy by a national department, national public entity and national public enterprise; to provide for the establishment and functions of a national language unit; to provide for the establishment and functions of language units by a national department, national public entity and national public enterprise; to provide for monitoring of and reporting on use of official languages by national government; to facilitate intergovernmental coordination of language units and to provide for matters connected therewith."

4.7 Language Management Project in the OCSLA

The Language Management Project in the OCSLA was an initiative of the National Government in the DOJ&CD in collaboration with the PanSALB and the National Language Unit in the DAC. With this project, the DOJ&CD sought to implement a Language Management Project that is intended for the transformation with regards to access to legislation. The end result for the project was to establish and manage a Language Unit nationally within the DOJ&CD. The Language Unit at national level is purported to provide legislation in all indigenous languages. However, the drive behind this project is to monitor the implementation of Language Management Project at a national level that seeks to improve service delivery, accessibility of government legislation and the facilitation of participatory to governance and democracy.

Pillay in Terre Blanche *et al*. (1999: 243) maintain that policies are often not the inclusive domain of one government department. In the coordination of multilingual policies implementation and planning at a national level and in ensuring that the attainment of unified goal to enhance indigenous languages in the legislative processes, there were other key departments/stakeholders that participated in the project namely:

- Ministry of Art and Culture.
- Ministry of DOJ&CD.
- Ministry of Communication.
- Ministry of Science and Technology.
- Ministry of Labour.
- Parliament of South Africa.
- PanSALB.
- Cabinet.

Notwithstanding the provision of the 1996 Constitution that proclaims that "the national government and provincial government by legislative and other measures must regulate and monitor the use of official languages." The South African linguistic demographic profile presented a resilient foundation for Language Management Project in the OCSLA. Underneath is the table showing the justifiable linguistic demographic profile.

Official Languages	**Home Language Speakers**
IsiZulu	22.9%
IsiXhosa	17.9%
Afrikaans	14.4%
Sepedi	9.2%
English	8.6%
Setswana	8.2%
Sesotho	7.7%
Xitsonga	4.4%
SiSwati	2.5%
Tshivenda	2.2%

isiNdebele	1.5%
Other	0.6%

Table 4.1 Sourced in Statistics South Africa, 2000

The aforementioned linguistic demographic demonstrates South Africa as a multilingual state. Therefore, there was a need by the state to put measures and mechanisms to formulate the implementation of mother-tongue legislation for previously marginalised languages in order to conform to the 1996 Constitutional obligations and other legislations. The data provided for in the linguistic demographic profile (sourced in Statistics South Africa 2000) confirmed South Africa as a multilingual state that requires multilingual policies and plans to be implemented to conform to the Constitutional aspiration particularly the Bill of Rights in Section 6. This Section supports language rights and empowers service delivery in the languages that are understood by the citizens and to participate vigorously in the programmes.

The succeeding section provides the justification for implementation of a Language Management Project in the OCSLA.

4.8 Rationale for Language Management Project

The scope of the NLPF: IP 2003 is very clear. Section 1.2 of the NLPF: IP 2003 empowers "all government structures and institutions that are exercising public power or performing any public function in terms of the legislation to establish language units." These institutions are bound by the NLP 2002; therefore, infrastructure to operationalise the National Language Policy is required. The infrastructure includes the envisioned language units in government departments nationally and in government departments provincially to manage language related matters and specific language concerns. Section 2.3 of the NLPF: IP 2003 states that "the sizes for the language units are to be determined and skills training in that area needs to be prioritised after a number of official languages to be used have been determined."

The NLPF: IP 2003 affirms that language units will be devoted in the supervision of multilingual policies implementation and planning in all provinces and in government departments. The envisioned language units ought to comprise of incumbents that are expertise

in language related matters either to outsource, translate and to perform quality check mechanism on all documents that are ascribed in all the official languages nationally, provincially and locally. Section 1.1.3 of the NLPF: IP 2003 states that "language units need to be central in ensuring the sustained use of the official languages as required by the NLPF. The language units must also support the efforts to implement multilingualism." Section 2.3.3 of the NLPF: IP 2003 states that the language units will oversee the multilingual policies implementation and planning thereof in government departments and in provinces and also liaise with other departments on language matters.

Section 2.3.3 of the NLPF: IP 2003 stipulates the terms of references for the envisioned language units as follows: "entrenching the Language Policy in the department or province; raising awareness of the Language Policy and the Language Code of Conduct within the department or province; managing and facilitating all translation and editing services whether in-house or outsourced; proofreading and printing documents in the official languages; facilitating the use of interpreting services in the official languages; advising the department or province on language use (oral and written); managing and facilitating training programmes for new recruits in translation, editing, terminology development and language programmes in the official languages for the employees of the department or province; collaboration with Department of Arts and Culture and PanSALB bodies e.g. provincial language committees, national language bodies and national lexicography units to develop terminology; act as intermediary between the department or province and Department of Arts and Culture and/or PanSALB with regard to developmental support and training provided by Department of Arts and Culture and/or PanSALB and encourage the use of plain language in the Public Service."

The Language Management Project in the OCSLA was implemented with the main task to foster multilingual policies implementation and planning i.e. "to translate legislation from English into all the indigenous official languages." Section 8 of the OCSLA Memorandum No. 462009 states that the establishment of the Language Unit in the OCSLA responds to the Cabinet's decision taken at a Cabinet Meeting on the 6th September 2006 that Ministries in the Arts and Culture, Science and Technology, Justice and Constitutional Development, Communication and Labour must take into consideration the feasibility of having a Language Unit specialising on translation of legislation into indigenous languages to be established in the OCSLA.

The OCSLA Protocol 2010 declares that the OCSLA is pro-active, it keeps track of legal developments and abreast of the law as its unfolds through the courts and any other forum as well as developments relating to official languages and alerts Government on issues that need attention through upholding the Constitution as well as by ensuring that the OCSLA is accessible to its clients. In order to ensure that the South African citizens have access in the legislative processes, the OCSLA is mandated with the task to provide legislation in all languages.

The translation of legislation into all the official languages allows the OCSLA to comply with the Constitutional obligations of Section 6. Section 3.2 of the NLPF: IP 2003 indicates that there seem to be insufficient structures that provides services in the translation, interpreting and editing. The NLPF: IP 2003 projects that the envisioned language units have an essential mandate in resolving language related matters i.e. in translation, interpreting and editing services. Measures to provide language related capacity need to be supported. There are problems that needs to be resolved regarding language services in terms of the Language Policy. Those problems comprise of training capacity by relevant institutions of higher learning that can provide tailor made courses for translation, interpreting, editing and proofreading.

The LU in the OCSLA seeks to help with the formulation of legal terminology for use in legislation. In this manner the OCSLA contributes to the further development of all official languages, which contributes towards achievement of quality and enhancement of dignity between different users of the official languages. Section 3.1 of the NLPF: IP 2003 declares clearly that "the implementation of the Language Policy will result in a high demand for translation, editing and the development of terminology in all fields. This will call for collaboration between all stakeholders, language units and language bodies e.g. PanSALB sub-structures such as national lexicography units, national language bodies and provincial language committees." The LU in the OCSLA ought to collaborate with all these structures in terms of terminology cultivation.

The following section documents the procedure that was followed on the implementation of the Language Management Project in the OCSLA namely the human resources capacity; the estimated costs for the LU; the advertisements; receipt of applications; selection committee, selection processes and interviews; reference and background checks and the approval of prospective candidates. These processes are discussed below.

4.9 Aim and Objectives for Language Management Project

The aim for Language Management Project in the OCSLA is to assist the National DOJ&CD to formulate multilingual policies implementation and planning in the OCSLA, that is aimed at providing mother-tongue legislation for previously marginalised languages, with the view to address language inequalities.

The objectives of the projects were:

- To establish a Language Unit in congruence with the Constitution 1996; Joint Rules of Parliament 1999; NLP 2002 provisions; NLPF: IP 2003 provisions and Act No. 12 of 2012 on the use of official languages.
- To facilitate the formulation and multilingual policies implementation and planning.
- To monitor multilingual policies implementation and planning in the OCSLA.
- To ensure that legislation is accessible to larger population of South Africa who are not conversant with English and Afrikaans.

The Language Management Project in the OCSLA seeks to serve some practical purposes of language management. According to Mwaniki (2011: 236-237) "to achieve the practical end, language management engages in the formulation of optimal managerial, sociolinguistic and development oriented methodologies and strategies for multilingual policy implementation; application and testing of the managerial, sociolinguistic and development oriented methodologies and strategies in practical multilingual policy implementation scenarios so that the methodologies and strategies can continuously be reviewed and updated; characterisation of the optimal variables that need to be secured for multilingual policy implementation and characterisation of the macro and micro contexts (actual and desired) for multilingual policy implementation."

4.10 Project Design

The discussion on Language Management Project in the OCSLA deliberates on the following aspects: aim and objectives; project design; project execution; the implication of language management variables in the OCSLA's project; the implication of language management methodologies and strategies on the OCSLA's project; the outcomes and challenges on the

OCSLA's project. The features of the implementation of Language Management Project in the OCSLA were reviewed continuously and further restructured accordingly on different phases of the project and subsequently integrated to LMA, a theory that is used as elaborated in chapter two of the current study. Other aspects of LMA that are discussed in chapter two were developed prior the implementation of Language Management Project in the OCSLA and were later used to validate them. Other pivotal features of LMA are subsequent to the involvements, participation and insights that were gained during the processes of the implementation of Language Management Project in the OCSLA.

4.11 Execution of Language Management Project

4.11.1 Human Resources Capacity

The OCSLA is amongst the ten branches that constitute the DOJ&CD; therefore, the OCSLA is mandated to abide by the Department's Policy. Section 5 of the Human Resources Reviewed Recruitment and Selection Policy, 2011 (hereinafter HRRR&SP) of the Department states that, where a vacancy has occurred either through the vacation of the position or the creation of a new position and before filing any vacancy, the delegated authority must confirm that the post is required to meet the Department's objectives; liaise with Human Resources on the existence of the post and on the approved establishment and ensure that the post is funded. The authority of the approved or disapproved appointments shall be in line with Departmental Delegation of Authority Framework of the DOJ&CD.

4.11.2 Financial Implications for Language Management Project

The executives within the OCSLA liaised with the Human Resources on the existence of the posts and on the approved establishment. The estimated financial implications for the Language Management Project was done in line with the NLPF: IP 2003. Section 4.1 of the NLPF: IP 2003 states that "the costing for the implementation of the Policy will take into consideration setting up the infrastructure for the Language Unit in the Department; recruitment and training; salaries and benefits of the Language Unit staff; work programme of the Language Unit to drive the implementation and ongoing training of Language Unit staff. The normal standard items such as administration e.g. relocation, travelling, accommodation, office, telephone costs, telephone equipment, publications, printing, documentation, stationery, office materials

and equipment e.g. computers and audio equipment also had a bearing impact on the establishment of the Unit."

The posts for the Legislative Language Practitioners were evaluated at level 10 which is an Assistant Director rank within the Public Service. The salary package for the three initial language practitioners was at R297.950.34 plus R8 456.34 paid in lieu of service benefits. The additional Legislative Language Practitioners who were employed from 2010 on permanent basis were also ranked at level 10. The entry level package for the Legislative Language Practitioners was calculated at R289 494.00 with eleven appointments amounting to R3 184 434.00. Recommendations that the supervising editors be appointed at level 12, the Deputy Director level on permanent basis in terms of Public Service were made. The entry level package for the supervising editors was calculated at R407 745, with four appointments amounting to R1 630 980. 00. Only one Senior Legislative Language Practitioner was appointed at a Deputy Director level. The total expenditure deemed to be incurred for the Language Unit was calculated at R4 815 414.00 and in terms of HRRR&SP 2011 for the DOC&CD all posts for the Language Unit were funded.

4.11.3 Advertisements

4.11.3.1 Legislative Language Practitioners

Section 6 (1) of the HRRR&SP 2011 states the advertisement must be done in a manner that does not prejudice, favour and discriminate the applicants. The advertisement must be fully in line with the job content and post requirements. The advertisement for the posts indicated the summary description of the OCSLA, the requirements, the skills and the duties as follows:

(i) Requirements

In line with (DPSA, 2010) applicants were required to have a university degree majoring in at least one of the official languages; knowledge of any of the other languages to be useful; a practical understanding of the law or a legal qualification or practice as an attorney or an advocate to be a recommendation; applicants to be involved in either teaching or

providing translation services in or be involved in the work of a language practitioner in at least one of the official languages and applicants who do not meet these requirements were not to be considered.

(ii) Skills and Competencies

The post required the applicants with presentation skills; language proficiency skills; communications skills; computer literacy; translations skills and the ability to work under pressure.

(iii) Duties

The advertisement required the applicants to perform the translation of legislation from English into all the official languages in accordance with instructions issued by state departments and guidelines issued by Parliament and the Cabinet; assist the Office to develop legal terminology in all the official languages for use in legislation; interact with PanSALB and other organisations, universities and other language practitioners who were involved in promoting the use of all official languages; to assist with the promotion and development of all official languages in order to make legislation more accessible to the broader South African population; attend Parliamentary Committee meetings to assist with the simultaneous translation of amendments to legislation; translate such other documents as may be referred to the Office from time to time and to provide language quality control mechanisms in respect of legislation.

The duties of the Language Unit in the OCSLA were in line with the duties of the language units as envisioned in the NLPF: IP 2003, with an additional responsibility to attend Parliamentary Committee meetings to assist with the simultaneous translation of amendments to legislation which is in line with the business processes of the State Law Advisers in the OCSLA.

4.11.3.2 Senior Legislative Language Practitioner

(i) Requirements

The requirements for the Senior Legislative Language Practitioner were a university degree in Communication or Linguistics with English as a major subject; a legal background or a legal qualification was an added advantage; knowledge of other languages coupled with a practical understanding of the law was a recommendation and the candidate to have editing experience of at least three years.

(ii) Skills and Competencies

The post required the applicants with editing skills; presentation skills; language proficiency; communications skills; computer literacy and the ability to work under pressure.

(iii) Duties

The advertisement required the applicants to manage the translation of legal documents; ensure efficient and effective translation of all legal documents; execute editorial functions through editing of legislation, legal documents from state law advisers and other office correspondences; oversee the layout, appearance and content of legislation before it is translated; edit and re-phrase legislation in a manner that is understandable and can be easily translated; manage the terminology development by ensuring that proper language and orthography standards are in place and to manage human resource of the Language Unit through the provision of professional guidance and assistance to subordinates; directing workflow and quality of outputs; performance management and the proper allocation of work.

4.11.4 Receipt of Applications

All applications were managed in accordance with the HRRR&SP 2011. Since the OCSLA is a division that falls within the National Office of the DOJ&CD; applications were processed by the Human Resources National Office in line with Section 6.3.1 of the HRRR&SP 2011 that states that, the advertisement shall be compiled and placed by the Human Resources at National Office for Senior Management post and all other post at National Office.

4.11.5 Selection Committee, Selection Process and Interviews

The Delegated Authority appointed a Selection Committee to make recommendations on appointments. The shortlisted candidates only included those applicants who were assessed as having met the minimum post requirements as stated in the requirements for the Legislative Language Practitioners and Senior Legislative Language Practitioner and also having completed and submitted all required documents i.e. signed form Z83 obtainable from Public Service Departments. The selection process was used to serve as a platform to monitor the Employment Equity Act, 1998. The final list of shortlisted prospective candidates that consisted of five candidates per post was interviewed.

4.11.6 Reference Check and Background Check

Reference check and background check were conducted by delegated Human Resources officials on recommended candidates in collaboration with the Chief Directorate: Risk Management. Background and reference checks were recorded and form part of the selection of suitable candidates. In terms of Section 6.10.1[(i)(ii)(iii)(iv)] of the HRRR&SP 2011 the background check includes the criminal record checks; citizenship verifications; qualification verifications and previous employment verifications.

4.11.7 Recommendations/Approval of Prospective Candidates

Human Resources officials prepared a prescribed format indicating recommended candidates in the order of preference to be considered for the appointment. The delegated Authority approved recommendations of the selection committee and candidates signed off the offer of employment in line with Section 6.1.1 of the HRRR&SP 2011. The OCSLA complied with the HRRR&SP 2011 in order to ensure that the prospective candidates had the required expertise and capabilities to meet the Departmental planned objects and operational prerequisites. The Policy also assisted to ensure that consistency was maintained in filling the post; therefore, the best candidates were appointed.

4.11.8 Business Processes of the Language Management Project

In terms of the OCSLA Protocol 2010, the mandate of the Language Unit is to translate legislation i.e. Acts, Bills, amendment Bills regulations, proclamations, notices, rules and guidelines into official languages. When the work is allocated to the SLAs by the OCSLA's information services, a copy of the file is also delivered to the Senior Legislative Language Practitioner for consideration and a decision on whether to translate the allocated document in consultation with the OCSLA is made.

Upon deciding that a particular document will be drafted in any official languages, the Senior Legislative Language Practitioner initiates contact with the relevant department and offer the service of the Unit. A decision is made as to whether the OCSLA will take responsibility and which language the document needs to be produced into. The Department's preference as far as possible is accommodated; however, the Senior Legislative Language Practitioner also suggests and motivates the language that should be used based on the target audience, availability of Legislative Language Practitioners and the need to develop certain official languages to guard against their extinction.

Translation does not begin immediately. The complexity of the document, the development status of language, the urgency of the work and the projected deadline for completion of the work by the Senior State Law Adviser is considered. The Legislative Language Practitioner only commence translation once the Senior State Law Adviser has completed the document. The final document is then sent to the Legislative Language Practitioner to commence the process of translation. The Legislative Language Practitioner translating the documents maintains constant communication with the Senior State Law Adviser who is working on that document.

In such cases whereby an Amendment Bill has to be drafted, the Senior Legislative Language Practitioner determine the second language of the Principal Act and allocate the Amendment Bill to the relevant Legislative Language Practitioner. Ideally, the Amendment Bill must be allocated to two more Legislative Language Practitioners. The OCSLA Protocol 2010 states that a mechanism will be developed to assure the quality of work done by individuals within the Unit, especially in the absence of editors for each language. Spell checkers and dictionaries will also be procured to ensure the enhancement of the work of the Unit.

4.11.9 Performance Management and Assessment

According to Hay Group. 1999. Re-engineering Performance Management for 1999. http://www.haygroup.com/za (11 August 2014) "Performance Management is a process used to establish a shared understanding about what is to be achieved, and how it is to be achieved and an approach of managing people that increases the probability of success. Performance Management is not just about a set of forms, the review or bonus scheme. It is about the everyday actions and behaviours people use to improve performance in themselves and others. It cannot be divorced from the management processes which exist in the organisation. To improve performance, individuals need to have a common understanding about what performance and successes in their jobs look like. It is the understanding of the outcomes, outputs, competences, the understanding of the targets and standards. The focus of Performance Management is on people; it is about how individuals and teams work together and support each other to achieve shared aims. In particular, it puts the responsibility on managers to work effectively through coaching and motivating those to whom they are accountable for. Performance Management has a clear purpose; it is about achieving success in the workplace by individuals and the organisation in which they work for. By establishing a continuous

management process that delivers clarity, support, feedback and recognition to all staff. Managers will take a major step forward in ensuring significant performance improvement in their organisation."

4.11.10 Performance Assessment for the Language Unit

Section 5.7.3.1(iv) of the study identifies the duties of the Legislative Language Practitioner as identified by (DOJ&CD, 2009) as "to translate legislative documents from English into indigenous languages; to develop terminology into indigenous languages; to interact with PanSALB and other organisations, universities and other language practitioners who are involved in promoting the use of all official languages; to assist with the promotion and development of all official languages in order to make legislation more accessible to the broader South African population; to attend Parliamentary Committee meetings to assist with the simultaneous translation of amendments to legislation; to translate such other documents as may be referred to the Office from time to time and to provide language quality control mechanisms in respect of legislation."

The responsibilities of the Legislative Language Practitioners are aligned with the OCSLA's strategic, operational and annual work plans. The Legislative Language Practitioners' job description and the content of the Legislative Language Practitioners' work plan cascades down from the Senior Legislative Language Practitioner's work plan. The Legislative Language Practitioners are assessed in terms of the KRAs and Generic Assessment Factors (hereinafter GAFs) that are mandatory in the Performance Assessment. In terms of the OCSLA Protocol 2010 the KRAs are the main responsibilities that effectively contribute to the overall purpose of the jobs. The KRAs are the areas that need to be achieved to ensure that the goal is accomplished. The KRAs only reflect the main objective and does not indicate how the objective will be achieved.

Initially the Legislative Language Practitioners were assessed in terms of the KRAs that count on the final assessment score namely to translate and certify legislative documents, specifically Bills into official languages to enable the President to assent and sign Bill/s in terms of Section 84 (2) [(a)] and (3) [(a)] of the Constitutions, 1996; to edit target text to enhance legibility, quality, eliminate errors and ensure that the meaning of the source text is conveyed correctly; to develop terminology into official languages; consultations with stakeholders i.e.

supervisor/SLAs/Parliament/departments/ PanSALB/language experts and to proofread translated and edited legislation and related documents.

Over a period of time the KRAs have shifted from the initial KRAs and include the translation of legislation (bills, proclamations and related instruments) into official languages for departments, Parliament and all other stakeholders to enable access to legislation by the public; edit and proofread all translated documents and any other documents received in the Unit; to develop language; reporting on work received/done and the submission of files for record purposes. In addition to the KRAs the GAFs are used to address good management of employees' knowledge, skills and attributes and they are compulsory to work plan in the performance agreement.

The Senior Legislative Language Practitioner and the Legislative Language Practitioners agreed on the GAFs that important for the job purpose. The GAFs are job knowledge; quality of work; reliability; flexibility and team work. The results of performance assessment are less subjective, fair and foster healthy competition.

4.11.11 Training

The training for the Language Unit in the OCSLA to be conducted in line with the NLPF: IP 2003. Section 4.3 of the Policy states that "staff for the Language Units will be recruited by line departments and given in-service training in their responsibilities by DAC, in collaboration with PanSALB officials." Capacity building programmes by PanSALB and DAC in concurrence with relevant accredited stakeholders with regards to translation, editing, lexicography and terminography are attended by the Legislative Language Practitioners on continuous basis to increase productivity and for the proper implementation of the NLPF: IP 2003.

Section 3.3 of the NLPF: IP 2003 states that "block-release programmes will be negotiated with service providers for existing language practitioners, and scholarships will be offered to new recruits and existing language practitioners. Training programmes will also include short courses, in-service training and full-time training programmes." From 2010 to date, existing Legislative Language Practitioners are granted study leaves for block-release programmes with

accredited universities in order to enhance their productivity and scholarships are awarded by the DAC to deserving staff.

4.12 Project Outcome

The aim of the Language Management Project in the OCSLA was to assist the National DOJ&CD to formulate multilingual policies implementation and planning in South Africa, that is aimed at providing mother-tongue legislation for previously marginalised languages, with the view to redress language inequalities. This was to be implemented in line with the requirements of the NLP 2002, NLPF: IP 2003, Constitution 1996 and the Joint Rules of Parliament 1999. The aim and the objectives of the project were met.

After a formative/summative evaluation, it is concluded that the project in the OCSLA was able to meet its aim.

4.13 Conclusion

The data presentation in this chapter was formulated to test the adequacy of the available tactics that ought to support multilingualism. Furthermore, the data presentation was formulated to indicate to what extent the implementation of multilingual policy can create equal opportunities. The involvement of study participants on the implementation of Language Management Project provided critical insights particularly on the use of optimum mixture of methods and approaches to facilitate multilingualism. Furthermore, the implementation of this project afforded a researcher a practical background for interaction with various language variables. These variables were identified and needed for multilingualism policy to succeed. The project team made an effort to secure these variables to an optimal mix to ensure that the implementation of Language Management Project in the OCSLA was effective.

CHAPTER FIVE (5)

ANALYSIS OF DATA PRESENTED

5.1 Introduction

This chapter analyses the data that was collected in chapter four using data collection methods as illustrated in chapter three i.e. less structured mode of observation, structured mode of observation and a case study of Language Management Project in the OCSLA. This chapter seeks to analyse data with a view to examine the challenges that are associated with multilingual policies implementation and planning.

5.2 Documentary Analysis using Critical Discourse Analysis (CDA)

In this study the researcher conducted Critical Discourse Analysis (hereinafter CDA) on the execution of Language Management Project in the OCSLA, wherein language management variables, language management strategies and methodologies that have impact on the execution of the Project are analysed. CDA is used to analyse and interpret the influence of these variables on the execution of the Project. Furthermore, CDA was used to analyse legislative framework that have a bearing on the execution of Language Management Project in the OCSLA i.e. Constitution 1996, Joint Rules of Parliament 1999, NLP 2002 and the NLPF: IP 2003 and the Use of Official Languages Act 2012.

5.3 Language Management Variables on the Execution of the Project

Chapter two of the study indicates that language management variables must be integrated and continuously developed for multilingual policies implementation and planning to succeed. The aspirations of the Language Management Project in the OCSLA, was that the implementation

of the project succeeds. Stakeholders that were part of the project strived for the optimum mixture to secure all language management variables. A detailed review of language management variables that were secured on the implementation of Language Management Project in the OCSLA is examined. The detailed review identifies the variables that were already in existence prior the implementation of the project; the variables that were integrated and developed on the implementation of the OCSLA's Project and those variables that were neither integrated nor developed on the implementation of the project.

5.3.1 Legal Variables

The Language Management Project in the OCSLA is founded on the basis of the legality of the Constitution 1996. The provisions of the Constitution 1996 were articulated explicitly to the stakeholders concerned prior the implementation of the project. This was done so that the participants in the project, actors and stakeholders understand the legal prerequisite of the formulation of multilingual policies implementation and planning in the DOJ&CD. The 1996 Constitutional directs the "national government and provincial government to regulate and monitor the use of official languages." The OCSLA's Project responds to the provisions of the 1996 Constitution.

The OCSLA's advertisement for the Legislative Language Practitioner's job invited applications from suitably qualified language practitioners in all languages i.e. "Sepedi, Sesotho, Setswana, SiSwati, Xitsonga, English, Afrikaans, isiZulu, isiXhosa, isiNdebele and Tshivenda" as envisioned in the Constitution 1996 to be part of the intended Language Unit in Cape Town. This requirement on the advertisement conforms to 1996 Constitution particularly Section 6 [(1) – (5)] that "declares eleven official languages of South Africa as Sepedi, Sesotho, Setswana, SiSwati, Xitsonga, English, Afrikaans, isiZulu, isiXhosa, isiNdebele and Tshivenda and recognises the historically diminished use and status of the indigenous languages of the citizens of South Africa and maintains that the state must take practical and positive measures to elevate the status and advance the use of all official languages."

The 1996 Constitution in Section 9 (1) declares that "everyone is equal before the law and has the right to equal protection and benefit of the law." This necessitates multilingual policy implementation in the legislation in order for the legislation to be accessible to wide population. The 1996 Constitutional provision of Section 9 (3) "protects against unfair discrimination on

the ground of language." Furthermore, the provision of Section 79 elaborates on the legislative processes with regards to the assent of Bills by the President into Acts. Sections 81 and 82 give details on the publication and safeguarding of Acts.

Project stakeholders, participants and actors were informed that multilingual policies implementation in the OCSLA was in accord with the Joint Rules 1999. Wherein Section [220 – 222] of Joint Rules 1999 provides for the language related matters in terms of legislation wherein Section 220 [(1) – (4)] state that "a Bill that is introduced to either in the NA or NCOP must be in one of the official languages. The Bill in the language in which it was introduced will be the official text for the purpose of parliamentary proceedings. The official text of the Bill must be translated into at least one of the other official languages and the translation must be received by Parliament at least three days before the formal consideration of the Bill by the House in which it was introduced."

Projects stakeholders, project participants and actors were further informed that the OCSLA's Project was in congruence with the National Language Policy 2002 and the implementation thereof 2003. The NLP 2002 in Section 2.4.1 compels all "the three spheres of government i.e. at national, provincial and local spheres and any institutions i.e. parastatals, private entities and non-government organisations that are vested powers by the government to exercise public power and perform public function in terms of legislation to establish language units." Wherein the NLPF: IP 2003 proposed the implementation of effective mechanisms and structures to enhance the usage of official languages. To this end, structures and mechanisms were needed to manage and oversee the implementation of the NLPF: 2003. Therefore, the OCSLA responded to this call with the establishment of Language Unit.

The project also emanates from the legal framework of the National Language Plan, a South African statement on the issues of languages that seeks to accomplish the succeeding objectives as identified by Prah (2007: 15) "Firstly, all South Africans should have access to all spheres of South African society by developing and maintaining a level of spoken and written language, which is appropriate for a range of contexts in the official language or languages of their choice. Secondly, all citizens of the country should have access to the learning of languages other than their mother-tongue. Thirdly, the African languages, which were marginalised by the hegemonic policies of the past should be maintained and developed. Lastly, equitable and widespread language facilitation services should be established."

The legal variables on the implementation of Language Management Project in the OCSLA not only encompasses the Constitution 1996 with its language commitment that is obligatory on national government. The language related policies that were in existence prior the implementation of the Language Management Project in the OCSLA were imposed i.e. Joint Rules of Parliament 1999; NLP 2002 and the NLPF: IP 2003.

5.3.2 Political Variables

Securing of political variables in the execution of the project in the OCSLA was of paramount importance. Securing political variables in this project emanates from the insights elucidated from literature review in chapter two of the study. Political variables on the implementation of Language Management Project in the OCSLA not only conceptualised the basic fundamentals for multilingual policies, however, also conceptualised political variables as a means to canvass for political will power that facilitate Language Management Projects.

In order to secure political support on the project, the Project Team in the OCSLA involved the Cabinet Members (Senior level of executive branch of the South African Government, constituency of the President, the Deputy President and the Ministers). The Cabinet Members in Parliament who took the decision on the 6th of September 2006 to implement a Language Management Project in the OCSLA. The Arts and Culture; Science and Technology; DOJ&CD; Communication and Labour ministries were also mandated with the task to take into consideration the feasibility of establishing a Language Unit specialising in translation of legislation into all the official languages in the OCSLA. This mandate was in congruence with the provisions of the Constitution 1996; the NLPF: IP 2003 and the Joint Rules of Parliament 1999.

Taking into consideration the broad range of services offered by OCSLA; the existence, operations and services of the OCSLA, multilingual policies implementation and planning within the OCSLA needed to be widely publicised to ensure that the services of indigenous legislation was accessible to every organ of state that is involved in legislation. Section 8 of OCSLA Memorandum No. 462009 recommends a coordinated information campaigns to bring the expansion of the Language Unit and its implications to the attention of the public. All national departments and other organs of state were advised of the services offered by the

Language Unit. Prior the commencement of the project' design and project's execution, it is worth noting that information sharing campaigns were conducted informing government departments nationally, provincially, metros, parastatals, private entities and relevant stakeholders about the project and what was expected from the OCSLA. This information sharing session was chaired by the OCSLA's executives in an information sharing workshop held in September 2008.

The information sharing workshop elucidated vital issues i.e. the constitutional implications, communication implications and implications to vulnerable groups and the importance of the implementation of OCSLA's project. Of particular importance was that, multilingual policies implementation and planning in the OCSLA was of paramount importance since the law making processes would extend to a broader audience and the general participation of vulnerable groups that were not usually included in the law making processes, thus facilitate and nurtures democratic values and peoples' development. On occasions where the OCSLA could not issue information on the implementation of mother-tongue legislation in the OCSLA, the communication was directed from the DAC language interrelations to departments nationally, public entities at national level and public enterprises at national level and PanSALB Board who were major stakeholders involved in the project with delegated powers.

The executives within the DAC part of the OCSLA's project which made an impact on the accomplishment of the project's objectives. Securing political will and support was not only vested on the executives of the DAC. The support and political will from the National Parliament of South Africa was of paramount importance to attain the objects of the project. This emanates from the hypothesis that the operation and the implementation of mother-tongue legislation necessitates the inclusion of Parliament. This was based on the fact that Acts that are translated in the OCSLA are then sent to Parliament for quality check, processing, publication and later sent to the President for assent. This was cautiously explicated to Parliament because the project sought to provide not only for the OCSLA but as distinctive policy platform and outcome that aim to assist the Parliament in compliance to Section 220 of the Joint Rules 1999. The project provided Parliament with political aspirations where Parliament could be perceived as a government entity that mitigates language related problems.

This political will was very crucial to regulate the implementation of language management the project in the OCSLA. The rationality of political variables on the implementation of

Language Management Project in the OCSLA was to demonstrate that is in accord with political programs and ideologies of the state.

5.3.3 Linguistic Variables

The Project Team made every possible attempt to secure linguistic variables in the project. Linguistic variables relate to the development of language and encompasses prestige planning, acquisition planning, corpus planning and status planning. For legislation to be available in all the official languages, languages must be developed in terms of vocabulary and terminology. Prah (2007: 4) states that "beyond the issue of rights, it is important to note that language and literacy are very crucial for societal development. A society develops into modernity when its citizens are literate in the languages of the masses. In other words, it is not possible to reach modernity if the language/languages of literacy and education are only within the intellectual ambit of small minorities. Historically, the jump towards expanded knowledge production and reproduction in societies has only been possible when the languages of social majorities have been centrally placed."

Linguistic variables in this project were the variables that were incorporated and developed on the implementation of the project. The Project Team focused on language development i.e. corpus planning, acquisition planning and language attitude. Corpus planning in this project was very important, particularly with language development i.e. coinage of lexicon of previously marginalised languages. In order for all languages to fully develop and function efficiently in legislative processes corpus planning was emphasised in accord with the NLPF: IP 2003. Section 3.1 declares that when the language policy is in full force, "there will be a high demand for translation and editing, and the development of terminology in all fields will therefore be crucial, requiring the collaboration of all stakeholders, language units and language bodies (e.g. PanSALB substructures such as national lexicography units, national language bodies and provincial language committees)."

Section 3.1 further declares that, "the Terminology Coordination Section of the National Language Service will obtain active cooperation through the mediation of the National Language Forum. The envisioned computerised National Termbank will be an initiative by the DAC seeks to empower the dissemination of terminology in all the official languages. The envisioned Termbank ought to be available on internet and updated every month." Therefore,

multilateral collaboration between the OCSLA and other stakeholders in the terminology development was encouraged so that all the official languages can function at the same level with the English and Afrikaans.

5.3.4 Economic Variables

Economic variables in this project were variables that relate to a budget for multilingual policy implementation. Attempts to secure economic variables in this project were informed by insights elaborated in chapter two of the study. Securing economic variables was of paramount importance in this project. The NLPF: IP 2003 provides a detail plan relating to mechanisms and structures that are needed to implement Language Policy including budgeting and financial implications to national, provincial and local departments. Section 3 of the NLPF: IP 2003 put emphasis on budgeting for multilingual policy implementation. Wherein economic variables in this process include budget for terminology development, translation, interpreting, editing, proofreading, awareness on language campaigns, language audit and surveys.

Section 4 of the NLPF: IP 2003 states that the costing exercise that was steered "by the National Treasury and DAC in 2001" established that the projected expenditure for operationalising the language policy is justifiable and will be accounted for with inconsequential adjustments to planned budgets. The budgetary projections were conducted on rotational basis of four language groups i.e. Nguni, Sothu, Tshivenda and English. The budgetary projections estimated that only 1% will be required to increase the normal budget. If six languages are to be used in accordance with the NLPF: IP 2003 the budget will exceeds with only 2%.

The provincial departments and local government ought to depend on the peculiar demographic requirements. Government departments at national level are required to provide "official documents in Afrikaans; English; Xitsonga; Tshivenda; and at least one of the following: isiZulu, isiXhosa, isiNdebele, siSwati (Nguni group); Sesotho, Setswana, Sepedi (Sotho group)" (DAC, 2003: 25). The NLPF: IP 2003 provides that all government spheres need to have adequate budget "for the implementation of the language policy in accord with Medium-Term Expenditure Framework cycles" (DAC, 2003: 25). The projected date for the phasing-in of the National Language Policy was 2003/2004 financial year.

Subsection 4.1 of the NLPF: IP 2003 further states that "the projected expenditure for the implementation of the Language Policy and its implementation plan" must consider six aspects namely:

- Establishing Language Units nationally and provincially.
- Employment and training of the staff.
- Salaries of the staff including their benefits.
- Working plans for the multilingual policies implementation.
- Outsourcing translation services.
- Ongoing skills development of the staff.

Below is the table that compares and demonstrates the projected expenditure for the envisioned language unit in the MTEF period.

Projected Expenditure for Language Units in line with the NLPF: IP 2003

Analysis per Standard Item per MTEF period

	2002-2003	**2003-2004**	**2004-2005**	**TOTAL**
	30%	60%	100%	
Personnel	760 675	797 948	833 055	**2 391 678**
Administration	1 180 874	575 477	883 798	**2 640 149**
Stores	1 011 839	2 067 965	3 574 768	**6 654 572**
Equipment	130 222	51 004	53 198	**234 425**
Land	-	-	-	**-**
Prof & Spec	1 017 640	1 957 452	3 347 595	**6 322 686**
Transfer	-	-	-	**-**
Miscellaneous	-	-	-	**-**
TOTAL	**4 101 250**	**5 449 847**	**8 692 413**	**18 243 510**

Figure 5.1 Source from NLPF: IP 2003

Subsection 4.2 of the NLPF: IP 2003 elaborates on the MTEF budget processes and states that; the departments need to implement the NLPF: IP 2003 in congruence with the MTEF. Meaning that the process of MTEF budget prepare and prioritise budgetary submissions made in April. Configurations in line with the macro-economic framework, fiscal policy and Division of

Revenue are conducted from July. This is the period "when the Medium Term Expenditure Committee (MTEC) makes its recommendations. Preparations of comprehensive financial and Final Draft Implementation plan documentation follows when the MTEF is endorsed in October 2003" (DAC, 2003: 16).

In this project financial implications were incurred by the DOJ&CD. It was very important to the stakeholders that were involved on the implementation of Language Management Project to emphasis that financial implications for the implementation of NLPF: IP 2003 in the OCSLA ought to be incorporated in the DOJ&CD's annual proposal and in the MTEF. Authorities within the OCSLA liaised with the Human Resources on the existence of the posts for Legislative Language Practitioners and on the approved establishment. Costing for the establishment of the Language Unit was done considering the projected expenditure for Language Units in line with the NLPF: IP 2003 projected in figure 5.1.

5.3.5 Socio-cultural Variables

Attempts to secure socio-cultural variables in this project were made and also emanates from insights elaborated in chapter two of the study. To secure socio-cultural variables was of critical importance in the OCSLA's project. It is essential within multilingualism settings that projects should be founded on the recognition on social and cultural fabrics of the perspective recipients of the projects. In this project this was done by the construction of multilingual policies implementation and planning that were viewed as means through which OCSLA in collaboration with stakeholders' concern may perhaps encourage multicultural, social and well-being and diversity of the South Africans.

The stigma attached to legislative processes that are conducted in indigenous languages was another concern for the Language Management Project in the OCSLA. A concern for language attitude was establish on the commencement of the project. The main concern was the negative attitudes towards indigenous languages when used in the legal processes. The negative approach towards indigenous languages in the legislative processes is perpetuated by both the non-speakers and the speakers of these languages. There is also a concern about the viability of indigenous languages.

The stakeholders that were involved in the project addressed the issue of negative stigma that is labelled on the indigenous languages. The team emphasised that the implementation of multilingualism is premised on the legality of the Constitution 1996 that promote democracy in South Africa. Multilingualism is embedded on multicultural; therefore, all South African citizens have a duty to tolerate and accept one another when issues concerning language usage erupt.

5.3.6 Management Variables

Management variables on the implementation of Language Management Project in the OCSLA were secured. This was done by transferring language skills, and management skills to the stakeholders, actors and participants.

5.3.7 Educational Variables

During the execution of the project the OCSLA called for candidates to apply for the positions of Legislative Language Practitioners. The requirement was that the incumbents should possess a university degree with a major in any official languages. This variable is very important in the new South Africa since prior 1996 Constitution, African languages were not taught to empower Africans with literacy skills, but to separate them from one another.

Within the implementation of the project in the OCSLA respective university i.e. University of Stellenbosch was guided to develop programmes for skills development to train Legislative Language Practitioners on legislative editing, corpus development and on potential skills mandatory to implement a Language Management Project in the OCSLA. The DAC nationally in partnership with the University of the Free State also afforded qualifying Legislative Language Practitioners with bursaries to further their studied on languages in order to enhance the skills of Legislative Language Practitioners. This was done to improve productivity within the implementation of mother-tongue legislation.

5.3.8 Technological Variables

Attempts to secure technological variables in this project were informed by insights elaborated in chapter 2 of the study. Securing technological variables was very important in the OCSLA's

project. However, there were no technological variables that were secured and tested on the implementation of Language Management Project in the OCSLA.

The Project Team envisioned technological variables as an ongoing process starting from 2003. Therefore, during the initial execution plan of the project, technological variables were not secured.

5.4 Language Management Methodologies and Strategies in the Project

In order to facilitate the process of multilingual dispensation there are strategies and methodologies that out to be implemented. These methodologies and strategies are referred to as language management methodologies and strategies and distinguish as follows "management oriented methodologies and strategies; sociolinguistic oriented methodologies and strategies and development oriented methodologies and strategies" (Mwaniki, 2011: 247). The aforementioned methodologies and strategies need to give effect for multilingual policy dispensation to succeed. The methodologies and strategies elaborated in literature review in chapter two of the current study were comprised in the Language Management Project in the OCSLA.

The methodologies and strategies are deliberated exhaustively below.

5.4.1 Management Oriented Methodologies and Strategies in the Project

The elaborated management oriented methodologies and strategies in chapter two of the study under literature review namely staffing, planning, organising, leading, controlling, conceptual skills development, technical skills development and human skills development were incorporated in the OCSLA's project. These management oriented methodologies and strategies elaborated above within the context of the project were used with special reference to human and financial resources, time-frames and the methodologies and strategies that were needed for the successful execution of the project.

Staffing is very important in the execution of the project. The Project Team comprised of delegates from PanSALB and the DAC nationally with expertise on multilingualism. Therefore, on the recruitment of the Legislative Language Practitioners for the Language Unit

in the OCSLA, a university degree with a major in "one of the official languages; knowledge of any of the other languages to be useful; a practical understanding of the law or a legal qualification or practice as an attorney or an advocate to be a recommendation; applicants to be involved in either teaching or providing translation services in or be involved in the work of a language practitioner in at least one of the official languages" (DPSA, 2010). The post required the applicants with "presentation skills; language proficiency skills; communications skills; computer literacy; translations skills and the ability to work under pressure" (DPSA, 2010)

The prominence of "management oriented methodologies and strategies to this project was not only confined to the operational efficiency of the project. The stakeholders, actors and participants in the project also acquired management oriented methodologies and strategies that they could use in the formulating of multilingual policies implementation and planning in their respective departments. As such, the management oriented methodologies and strategies i.e. planning, organising, leading and controlling were introduced, explained, harnessed and nurtured to the participants of the Project. The stakeholders, actors and participants in this project were informed of how to apply the management oriented methodologies and strategies in the formulation of multilingual policies and planning in their entities" (Mwaniki, 2011: 293).

Conceptual skills development, technical skills development and human skills development also form part of management oriented methodologies and strategies that ought to be developed and harnessed for any multilingual policy and planning to succeed as elaborated in chapter four. In this project it was not practical to introduce, cultivate, harness and nurture the technical skills and conceptual skills of all the participants. In the execution of this project in the OCSLA, to nurture technical skills would mean that the Project Team equip all prospective Legislative Language Practitioners, legal editors, legal proof-readers and quality checkers with necessary skills prior their employment.

5.4.2 Sociolinguistics Oriented Methodologies and Strategies in the Project

There was an implication of sociolinguistic oriented methodologies and strategies in the project. "Sociolinguistic oriented methodologies and strategies comprise of language surveys, status planning, corpus planning, acquisition planning, prestige planning functional language planning, linguistic auditing, technological customisation and multilingual service provision"

(Mwaniki, 2011: 255). Firstly, language survey data on the demographic of official languages deducted from the 1996 in Statistics South Africa, 2000 was used.

Language planning activities as identified in chapter two of the study i.e. prestige planning, acquisition planning, corpus planning and status planning were considered in the project as discussed in securing language management approach variables in linguistic variables and language planning activities for the project. Linguistic auditing in the OCSLA was conducted to support the executives of the OCSLA to detect the strengths and weaknesses of the OCSLA in communication with indigenous languages.

5.4.3 Development Oriented Methodologies and Strategies in the Project

As elaborated in literature review, chapter two of the study development oriented methodologies and strategies comprise of legislation, advocacy, litigation, development communication, participatory action research, dialogical intervention strategies, indigenisation and project management. There was an implication for development oriented methodologies and strategies in the study.

5.5 Provisions of the Constitution 1996 in the OCSLA's Project

It can be argued that the state made provisions for multilingualism implementation with the establishment of Language Units. The 1996 Constitution in Section 6 declares that "the official languages of the Republic are Sepedi, Sesotho, Setswana, siSwati, Tshivenda, Xitsonga, Afrikaans, English, isiNdebele, isiXhosa and isiZulu. Recognising the historically diminished use and status of the indigenous languages of our people, the state must take practical and positive measures to elevate the status and advance the use of these languages." The South African languages are termed "official languages." UNESCO (1951: 689-690) define "official language as a language that is used to do government business. Meaning that all the eleven official languages are equal and will be used equally for government purposes." Section 3 of the interpretation of 1996 Constitution concurs and states that "an official language or languages, must be construed as a reference to any of the official languages under the new Constitution."

The linguistic and cultural capital ascribed to all the official languages in the aforecited policy document unsurprisingly gives the impression that they are all equal in terms of power, status, right, privileges and prestige. However, the usage of English perpetuates the disregarding of other official languages. This has a negative influence on the endevours to support, advance, communicate and learn other official minority languages. This demeans the spirit of multilingual policies implementation and planning in the OCSLA. English and Afrikaans are already fully developed for implementation in the legislative processes and all necessities to empower the teaching of these two languages are provided for, upgraded to be compatible with evolving technology, needs and demands.

The covert implication of not affording all languages official status is based on the premise that the majority of languages are underdeveloped. This makes the underdeveloped official languages less preferred languages in any field and this creates a stigma on the official underdeveloped languages. The stigmatisation depicts these languages as inappropriate for any formal engagement in South Africa. Bamgbose (2007: 2) contends that "stigmatisation is unjustified, because the distinction between majority and minority languages is arbitrary." A language might be a majority language for a specific speech community and in another speech community be considered as a minority language i.e. in Swaziland SiSwati is considered as a majority language yet a minority language in South Africa.

The South African government tends to develop negative attitudes towards minority languages. All government businesses are conducted in English "Negative attitudes towards minority languages kills the spirit to develop and promote the teaching and learning of minority languages. Given a choice, very few minority language speakers prefer to be taught in their minority languages because. Most commercial publishers avoid publishing in such languages. Because of the privileged status of major languages, there is always a mad rush for major languages as the languages of education" (Ndlovu, 2013: 312)

While the Constitution 1996 remains inspirational to the citizens of South Africa who were subjected to apartheid legacy, the practice of the constitutional obligations that are aimed at empowering indigenous languages require more commitment by the state "for the indigenous languages to assume a meaningful and effective role in the legislative processes" (Ministerial Report, 2004: 19). The South African constitution is widely received as the liberal and advanced constitution globally. Multilingualism is experienced as a coercive practice and it is inadequately supported by implementation. The constitutional credibility is questionable. It is for this context that multilingual policy dispensation is South Africa must be implemented effectively.

It is evident that the Constitution 1996 is a realisation of the desires of the citizens and it ended the era of domination and exclusion. The Constitution started an era where South Africans could be proud of their independence and equality; however, the use of English in the legislative processes is driven by political pressure rather than to develop the indigenous languages. The current goal of eleven equal official languages and the implementation of mother-tongue legislation for previously marginalised languages could and should play a very crucial and substantial progression towards empowering South Africans; however, this is unlikely to be attainable.

5.6 Provisions of the Joint Rules of Parliament 1999 in the OCSLA's Project

The Joint Rules of Parliament 1999 elaborates on language requirements for Bills introduced in Parliament as the Joint Rules in Section 220 states that "A Bill introduced in either the NA or the NCOP must be in one of the official languages. The Bill in the language in which it is introduced will be the official text for purposes of parliamentary proceedings. The official text of the Bill must be translated into at least one of the other official languages and the translation must be received by Parliament at least three days before the formal consideration of the Bill by the House in which it was introduced." Meaning that if a Bill was in English and then translated into any other official language, the Bill will be available in only two official languages. This act furthers the gap in status between official languages.

Whereas the Constitution 1996 promotes eleven official languages, the Joint Rules only promotes two and the Use of Official Languages Act promotes "the identification of at least three official languages that the national department, national public entity or national public enterprise will use for government purposes." This promotes inconsistency, incoherency and contradiction in legislative framework and it could cause misperception amongst those who are charged with the responsibility to implement policies. Clarity on the official status of official languages is needed. Inconsistencies may possibly lead to delays in the implementation of multilingualism. This signals the necessity of an unambiguously, documented and coordinated legislative framework that can be used as the focal reference for all language related issues. Contradictions and inconsistencies embedded in these policy documents can cause fluctuations in the implementation.

The provision of Bills into other official language put emphasis on English which is neither cited in the 1996 Constitutional clause on languages. "The dominant and hegemonic status of English is textually disguised and reproduced in policy documents. The emphasis on the equality of status between all languages points to a preoccupation with the hierarchical order of the languages involved in the policy documents. While policy documents give the impression that all languages have a place, the covert and overt implications prescribe English as the major languages" (Ndlovu, 2013: 316). The priority given to English undermines the position of other languages and effort to promote underdeveloped indigenous languages.

Section 220 (2) states that "The cover page of a Bill must specify which language version is the official text; and an official translation." Furthermore, Section 220 (4) of the Rules states that "In parliamentary proceedings, only the official text of a Bill is considered." The authorised copy of a Bill is always in English meaning that English is only the official language during parliamentary proceedings on legislative processes. Section 221 elaborates "on the referral of Bills to President for assent, where the English must be accompanied by the official translation or translations." The President only append his/her signature on the "official" text (English), the translation only accompanies the official text.

The translation is also not available to the public when the Parliament goes on site visit to listen comments on proposed legislation. Meaning that the ordinary citizens experience challenges in public debate. The translated version is only made available to comply with the constitutional obligations. Colonialism has no feature to any further extent in South African politics, but the deployment of courses of transformation and disempowering practices in still evident in the legislative processes in South Africa. Gerriet Brand a South African journalist suggested that, "Today South Africa is approaching reality in linguistic capitalism in which the knowledge of English rather than race, defines whether or not one will have the opportunity to join the governing elite" (Brand, 2004).

The continued marginalisation of the indigenous languages and challenges associated with multilingualism erodes the quality of representative democracy and the aspirations of the Constitution 1996. The vagueness in the Joint Rules is clattered and compounded with concepts i.e. official text and official translation. The usage of official text implicitly refers to the use of English because there are no cases where the Act of Parliament is drafted in any other language other than English. The same is explicit in the usage of the term official translation. There is a need to clearly distinguish the connotations attached to these term because they bring confusion with regards to multilingual policies implementation and planning. The absence of an explicitly, written policy governing languages in the legislative processes in Parliament reflects avoidance by the state to fully implement multilingual policies and planning thus results in reference to numerous vague policies that require patience to gather an understanding of the stipulations.

5.7 Provisions of the NLPF: IP 2003 in the OCSLA's Project

The NLPF: IP 2003 proposed the implementation structures, mechanisms, measures and plans to deal with language problems. Section 1.2 of the NLPF: IP 2003 empowers "all government structures i.e. national, provincial and local government as well as institutions that are exercising public power and performing any public function in terms of the legislation to establish language units." The multilingual policies implementation and planning in the

OCSLA emanate from this clause of the policy. The requirements of the NLPF: IP 2003 are not vague; they are simple and straight forward.

5.8 Provisions of the Use of Official Languages Act in the OCSLA's Project

The long tittle of the Act states that "the Act seeks to provide for the regulation and monitoring of the use of official languages by national government for government purposes; to require the adoption of a language policy by a national department, national public entity and national public enterprise; to provide for the establishment and functions of a National Language Unit; to provide for the establishment and functions of language units by a national department, national public entity and national public enterprise; to provide for monitoring of and reporting on the use of official languages by national government; to facilitate intergovernmental coordination of language units and to provide for matters connected therewith."

The preamble reads "whereas the use of the Republic's official languages must be promoted and pursued in accordance with the Constitution of the Republic of South Africa, 1996; and whereas section 6 of the Constitution of the Republic of South Africa, 1996, provides for eleven official languages of South Africa; recognises the diminished use and status of indigenous languages and requires the State to take practical and positive measures to elevate the status and advance the use of indigenous languages; and whereas the Constitution of the Republic of South Africa, 1996, requires all official languages to enjoy parity of esteem and be treated equitably; and whereas Section 6 (4) of the Constitution of the Republic of South Africa, 1996, provides that national government must regulate and monitor its use of official languages by legislative and other measures." The preamble unambiguously sanctions that the Act originates from the 1996 Constitutional provisions. Meaning that the OCSLA's Project is designed in accord with the constitutional requirements.

The Act in Section 4 (1) proclaims that "every national department, national public entity and national public enterprise must adopt a language policy regarding its use of official languages for government purposes within 18 months of the commencement of this Act or such further

period as the Minister may prescribe, provided that such prescribed period may not exceed six months." The DOJ&CD complied with Section 4 (1) of the Act when adopted the language policy that is purported to support decent language management in government departments nationally and provincially and in public entities and enterprises nationally. Subsection (2) further proclaims that "A language policy adopted in terms of Subsection (1) must comply with the provisions of Section 6 (3) [(a)] of the Constitution that states that the national government and provincial governments may use any particular official languages for the purposes of government, taking into account usage, practicality, expense, regional circumstances and the balance of the needs and preferences of the population as a whole or in the province concerned; but the national government and each provincial government must use at least two official languages."

The aforecited clause is ambiguous. Given the fact that the Constitution 1996 strives for the promotion of all languages. The aforementioned clause is contradictory with the use of practicality and expense. This implies that the provision of other languages can only be accommodated if it is practical to do so. The usage of an escape clause "practicality" expresses a lesser amount of firmness on position and decision and regarding multilingual policies implementation and planning. It entails that information in other languages is neither mandatory nor obligatory since the order is articulated using the noun practicality. The Constitution 1996 empowers government to conduct businesses in official languages, however, the directive that is imposed uses a clause that is not commanding thus weakened by escape clause that makes the clause unsound.

Subsection (2) [(b)] states that "language policy adopted in terms of Subsection (1) of the Act must identify at least three official languages that the national department, national public entity or national public enterprise will use for government purposes." The use of the phrase "at least three official languages" in the Act is also another escape clause and another cause for concern with regards to the context of the Act. The Constitution 1996 encourages the usage of eleven languages which is not in congruence with the provisions of this Act. There should be no vagueness and contradictory phrases in any clauses of the Act unless a latter clause repeals the former clause. If all the indigenous languages are to be implemented in a multilingual

setting, the directive and the provisions from language related acts must be obligatory, in harmony with the similar intent. The use of three official languages is not compelling the government to facilitates the implementation of eleven official languages. Languages use nationally, provincially and locally are merely permissible not obligatory.

The Act in Section 4 (3) provides that "in identifying at least three official languages as contemplated in Subsection (2) [(b)], every national department, national public entity and national public enterprise must take into account its obligation to take practical and positive measures to elevate the status and advance the use of indigenous languages of historically diminished use and status in accordance with Section 6 (2) of the Constitution." The practical measures in this clause implies that "if the national department, national public entity and national public enterprise" are of the view that it is not practical to take these measures they may be exempted from advancing the use of official languages. This does not persuade multilingual policies and planning implementers to value the equal status of all languages. Such clauses are not compelling a conducive environment for the implementation of multilingualism.

Instead of obligatory clauses that demands multilingual policies implementation and planning in all government departments, there are opt-outs, alternatives and escape clauses in the Act. Instead of empowering all languages, there are modifications in the Act. Section 12 endorse the exemptions from application of Section 7 which is the "establishment of language units in national departments, national public entities and national public enterprises." Section 12 states that "the Minister may, on application by a national public entity or national public enterprise listed in Schedule 3 Parts A or B to the Public Finance Management Act, 1999 (Act No. 1 of 1999), exempt, wholly or in part, such national public entity or national public enterprise from the application of Section 7." Clauses that are intended to promote official languages are conditional formulations. There are no clauses that empowers the government in taking practical steps to ensure that all languages are part of government processes that are binding and enforced by sanctions.

Section 12 [(2) – (4)] further states that the "Minister may, on his or her own accord and on such terms and conditions as the Minister may determine, by notice in the Gazette, exempt a national public entity or national public enterprise listed in Schedule 3 Parts A or B to the Public Finance Management Act, 1999 (Act No. 1 of 1999), from the application of Section 7. The application for an exemption must be in the form and manner prescribed by the Minister. If the Minister exempts a national public entity or national public enterprise from the application of Section 7 the national public entity or national public enterprise must assign a senior employee to perform the functions of a language unit." Again, the usage of the escape clause "may" is a concern. The several limitations, terms and conditions that are associated with the use of languages are at the discretion of the Minister.

Clauses that are promoting all the official languages are cautiously articulated. The government is not obligated to implement multilingual policies and planning. The language related clauses are a mere statements of intent to offer the services in official languages. There are no sanctions and obligations to force the government to implement multilingual policies and planning. In principle, the invalidated, defused, nullified and less sanctioned clauses are not promoting the use of all languages. These statements of intent generate hegemonic setting for English and efficiently lessen the space for other official languages. They reaffirm and rearticulate the domination and supremacy of English. They are not legal grounds that enforce and create an environment for multilingualism.

Section 3 (2) provides that "the Use of Official Languages Act takes precedence over any inconsistent provision of any other law on the use of official languages by national government." Wherein the 1996 Constitution in Section 2 states that "the Constitution of the Republic of South Africa, 1996 is the supreme law of the country, law or conduct that is inconsistent with it is invalid, and the obligation imposed by it must be fulfilled." Vagueness, arbitrariness and inconsistency between the policy documents facilitate non-compliance with the policy. The ambiguous nature of these clauses reveals uncertainty. The ambiguousness in the Act is perpetuated by the decisions that are not well informed by research and language audits prior the enactment of the Act. If the Act was informed by relevant research and planning, there would be no clauses that are elusive in the Act.

There are discrepancies in the Act i.e. the Constitution 1996 promotes eleven official languages to be use for government purposes. The NLPF: IP 2003 promotes three languages only if it is practical to do so. The Use of Official Languages Act "promotes three languages that the national department, national public entity or national public enterprise will use for government purposes."

5.9 Vagueness, Arbitrariness and Inconsistency in the Legislative Frameworks

The discrepancies, variations, incoherencies and conflicts in the legislative framework may possibly cause contradiction amongst those aspire to implement the policy. This can inevitably contribute to the delays of multilingual policies and planning. This highlights the need to have an explicit policy on the use of languages officially as a reference point. These discrepancies, variations, incoherencies and conflicts can lead to fluctuation in legislative framework, particularly on the implementation of the NLPF: IP 2003. The inconsistencies on the provisions of the legislative framework reveal poor communication and uncoordinated work by the National Language Unit in the Arts and Culture Ministry. It is not clear whether the National Language Unit in the DAC is performing its functions as envisioned in Section 6 of the Use of Official Languages Act 2012. Section 6 (1) (a) (iii) of the Act states that the National Language Unit must "promote good language management within national departments, national public entities and national public enterprises; and on the functions of language units contemplated in Section 8 liaise with and promote the general co-ordination of language units."

The inconsistencies and contradictions need to be coordinated by the Arts and Culture Ministry because they indicate that there is fragmentation within the Ministry. This is an indication that there is no coordination between stakeholders concern when legislative frameworks are enacted and formulated.

5.10 Interviews with the Study Participants in the OCSLA

The researcher conducted interviews with relevant authorities in the OCSLA wherein, fifteen participants were interviewed. The researcher opted for semi-structured interviews with Legislative Language Practitioners and the Head of the Language Unit. Semi-structured interviews enabled the researcher to ascertain a number of challenges that are associated with multilingual policies implementation and planning in the OCSLA. The interviews allowed the researcher to ascertain whether the National Language Unit in the DAC has fulfilled its obligation. The Use of Official Languages Act in Section 6 declares obligations for the National Language Unit as "to regulate and monitor the use of official languages in all departments for government purposes." The interviews also allowed the participants to answer a set of predetermined questions that were organised around various area of interest in relation to the implementation of legislation for previously marginalised languages.

The interviews were predominantly centered on the challenges that are associated with multilingual policies and planning. Interviews with the individuals were recorded in a meticulous manner. Recording the participants during the interview was very essential because it gave a researcher an opportunity to concentrate on the interviews and processes thereof. That gave a researcher an ample time to concentrate on participants, gave participants appropriate body language i.e. posture, facial expression, hand gestures which gave a researcher precise information that was needed during the interview. Because of the advantages of tape recording, the researcher opted for recording and taking notes during the interview session with the participants.

During the phase of data analysis, the data was structured in terms of key concept. Themes were derived from legislative frameworks governing the usage of South African official languages and the reviewed literature. A set of pre-determined semi-structured queries were probed. These questions are discussed below.

5.10.1 Implementation of the Language Management Project

During the interviews with the study participants, participants were asked if the Language Management Project was properly implemented in the OCSLA. There were affirmations that the Language Management Project was properly implemented. The affirmations were supported by the statement that Section 1.2 of the NLPF: IP 2003 states that "All government structures i.e. national, provincial and local government are bound by the provisions of the Policy, as are any institutions that are exercising any public power and performing any public function in terms of legislation to establish Language Units." Therefore, the OCSLA responded to this provision with the implementation of Language Management Project in the OCSLA to fulfil the requirements of the NLP 2002. This manifests that the OCSLA upholds the supremacy of the Constitution 1996.

Some affirmations that the NLPF: IP 2003 was properly implemented were also supported by an indication that the OCSLA's Language Management Project complied with the requirements of the Use of Official Languages Act. Wherein the Act in Section 7 sanction "all national department, national public entity and national public enterprise to establishment language units in national departments, national public entities and national public enterprises to ensure that the language units are provided with human resources, administrative resources and other resources necessary for their effective functioning." The implementation of Language Management Project in the OCSLA ensures that all the citizens are actively involved in the legislative processes in their own languages.

The implementation questionnaires also indicated that the Language Unit in the OCSLA is well capacitated with qualified Legislative Language Practitioners.

5.10.2 Target Group

The issue of targeted group was a daunting issue to answer by a number of participants. During the interviews with the participants, participants were asked whether the target group was adequately covered with the OCSLA's Project. It was indicated that the target group was adequately covered with multilingual policies implementation and planning in the OCSLA. This was supported by statements such as prior to the establishment of the Language Unit in the OCSLA, legislation was only available in English and Afrikaans. Since the inception of the project, legislation is now available in all official languages which is an exercise that never existed in the past. Due to that the, obligations of the Constitution 1996 are fulfilled to empower all languages. The translation of Bills into all the official languages is an indication that people who had no access to legislation can now have access to legislation in their own mother-tongue; therefore, the target group has been adequately covered.

Participants presented diverse views on the issue of target group. It also emerged that although there is an impression that the legislation is now available to everyone in all the official language, that is a just a declaration without implementation. Because when a Bill is taken to the public for public comments, translation is not available at that stage. The only version that is available is the summary of the Bill. The translated version of the Bill is only available for second reading phase and during the final stage of the law making process when the Bill is sent to Presidency for assent. Target groups are covered, but it remains a relevant question that still needs to be addressed as to whether the stage when the translation is available to the public is really assisting the public to participate in the law making processes.

Other participants feel that the translation of Bills into any other languages other than English or Afrikaans is an exercise to comply with the Rules of Parliament. It does not benefit the public who are not conversant with English and Afrikaans. The target readership is not considered during all the important stages of the law making processes. The only stage where a Bill is available in translation is when the President has to assent to the Bill. Meaning that during all the processes of the law-making process the translation is not seen as an obligatory

document. The translation is only available during the very last stage of the law making process. This is an indication that the translation of Bills is only done to conform to Section 221 of the Joint Rules 1999 that reads "when the official text of the Bill is sent to the President for assent it must be accompanied by the official translation or translations." During the most important phases of the law making process whereby the public is invited for public comment there is no translation except for the summary of the Bill.

During the interviews it also emerged that the President append the signature on an English copy with one translation. Meaning that the Act will be an English version with one official translation, i.e. the Use of Official Languages Act 2012 is available in English and the official translation is Tshivenda. Millions of South African citizens who are non-English speakers nor Tshivenda speakers have no access to this piece of legislation. This applies in all the Acts that are assented to by the President in Parliament. This leaves a number of targeted groups not covered in their own languages. The demographics of the usage of South African official languages in Table 4.1 in chapter four indicates that English users are at 8.6 % and Tshivenda at 2.2% as per Statistics South Africa 2000. In terms of South African Demographics this means that this piece of legislation can only be accessed by South African population of 10.8%.

There is also a misconception in the OCSLA that if a Bill that was introduced was translated into Afrikaans in the Principal Act, the translation of the amendment Act should also be in Afrikaans. Whereas Section 222 of the Joint Rules of Parliament elaborates on subsequent amendments of Bills and Acts and states that "if an Act passed after the adoption of Joint Rule 220 is amended, the official text of the amendment Bill amending that Act may be in any of the official languages. If the official text of the Bill is not in the same language as the signed text of the Act that is being amended, then one of the official translations of the Bill must be in the language of the signed text." Meaning that an amendment Act can be translated into any other language or languages in which the Principal Act was not translated into.

This misconception in the OCSLA that the Bills that were translated into Afrikaans must be again amended into Afrikaans has attributed to a number of Bills to be only available in English

and Afrikaans even after 1994. The table below indicates that English and Afrikaans are still given high preference in the law-making processes of South Africa. See table below:

Bills Passed per Parliament

Parliament	**English**	**Afrikaans**	**Other Languages**
1st Parliament (1994-1999)	531	530	1
2nd Parliament (1999-2004)	311	270	41
3rd Parliament (2004-2009)	234	151	83
4th Parliament (2009-2014)	167	115	52
5th Parliament (2014-2019)	119	44	75
Total number of Bills in 25 years	1362	1110	252

Table 5.2 Sourced from Bills Office in Parliament 2020

The table above indicates that out of 1362 Bills that were assented to by the President in a space of 25 years, 1110 are translated into Afrikaans, only 252 Bills that are translated into indigenous languages.

It also emerged from other participants that on surface one can assume that the target group is adequately covered. However, the question on how the OCSLA ensures that the translated legislation is disseminated to the wider population of the citizens remain unaccounted for. One participant stated that in a Stakeholder's Meeting that was hosted by the OCSLA mid 2008 with various stakeholders, the stakeholders directed the same question to the executives of the OCSLA as to whether the target group is covered and how does the OCSLA ensure that the

Bills are disseminated to the non-English speakers. The OCSLA responded by stating that another department is charged with that responsibility. However, the OCSLA could not identify which department is responsible for making sure that the public have access to legislation in their own mother-tongue. The OCSLA put emphasis on its mandate to translate legislation nor dissemination thereof.

5.10.3 Desired Impact of the Language Management Project

The participants were asked if the NLPF: IP 2003 was implemented as desired in the OCSLA. The study participants indicated that the OCSLA's Project was implemented as desired in terms of the Cabinet's decision taken at a Cabinet Meeting on the 6th September 2006. The initial plan that was approved by the Cabinet was that the OCSLA will recruit ten Legislative Language Practitioners; however, the OCSLA is still facing progressive challenges to recruit more Legislative Language Practitioners, proof-readers and editors. In the absence of a Legislative Language Practitioner any work that is related to the language of the absent Legislative Language Practitioner will be put on hold. In cases where a Legislative Language Practitioner takes maternity leave for the duration of four months, all her duties will be put on hold or the OCSLA solicit the National Language Unit in the DAC to do the work. This is time consuming as the language practitioners in the National Language Units are not familiar with the intricacy of terminology that is used in the translation of legislation.

Section 5.4 of the OCSLA Memorandum No. 462009 proposed that the Language Unit in the OCSLA should consists of one Legislative Language Practitioner per official language and the appointment of four additional language practitioners who will perform the functions of editors for each cluster and one for English and Afrikaans. The Memorandum also indicates that there is a need for the appointment of an English language practitioner who is not only suitably qualified to teach the English language, but who has experience for English teaching to its second language users. With the teaching of English, the OCSLA hopes to oversee the quality control of the English Bills and enhance the use of English by the Senior State Law Advisers whose home language is not English.

It has been twelve years since the inception of the Language Unit in the OCSLA; however, there is still one Legislative Language Practitioner per official language and one Senior Legislative Language Practitioner. The Senior Legislative Language Practitioner is the English language practitioner envisioned in OCSLA Memorandum No. 462009. The Senior Legislative Language Practitioner performs the task of managing the translation of legal documents; ensures efficient and effective translation of all legal documents; execute editorial functions through editing of legislation, legal documents from the Senior State Law Advisers and other office correspondences; oversees the layout, appearance and content of legislation before it is translated; edit and re-phrase legislation in a manner that is understandable and can be easily translated. The Senior Legislative Language Practitioner manages the translation of legal documents but does not edit the translated versions of the Bills, meaning that no one oversees and do quality check over the second languages.

During the interviews it was apparent that the Senior Legislative Language Practitioner performs the tasks of an English editor envisioned in the OCSLA Memorandum No. 462009. Section 5.5 of the OCSLA Memorandum 462009 explicitly states that "the English language practitioner will help to advance the quality of the English language Bills and enhance the use of English by the Senior State Law Advisers." Section 5.6 of the Memorandum further states that, because English is used internationally therefore, the advancement of English language skills by the law advisers is of paramount importance. The Senior Legislative Language Practitioner executes editorial functions through editing of legislation, legal documents from the Senior Law Advisers and other office correspondences. The duties of the Senior Legislative Language Practitioner ascertain that the establishment of the Language Unit was not implemented as designed.

The interviews also revealed that the responsibilities of the Legislative Language Practitioners have shifted from the initial plan that was in accord with the functions of all language units envisioned in terms of Section 2.3.3 of the NLPF: IP 2003 namely to translate and certify legislative documents, specifically Bills into official languages to enable the President to assent and sign Bill/s in terms of Section 84 (2) (a) and (3) (a) of the Constitutions, 1996; to edit target

text to enhance legibility, quality, eliminate errors and ensure that the meaning of the source text is conveyed correctly; to develop terminology into official languages; consultations with stakeholders i.e. supervisor/SLAs/Parliament/departments/ PanSALB/language experts; to proofread translated and edited legislation and related documents and to attend Parliamentary Committees for simultaneous translation of amendments.

The current situation depicts that the responsibilities of the Legislative Language Practitioners is to translate legislation (Bills, proclamations and related instruments) into official languages for departments, parliament and all other stakeholders to enable access to legislation by the public; edit and proofread all translated documents and any other documents received in the Language Unit; to develop language; answer telephones; reporting on work received/done; compiling files and the submission of files for record purposes. Legislative Language Practitioners are accessed in terms of submission of files as a result the position of the Legislative Language Practitioners has lost the essence and is now seen as equivalent to an administration officer since the current responsibilities embodies administration work.

5.11 Challenges for Language Management Project in the OCSLA

5.11.1 In-house Style

Interviews were conducted to ascertain whether the study participants were experiencing any challenges that relates to the implementation of the OCSLA's Project. A number of challenges were presented by different study participants during the interviews i.e. the challenge of an in-house style, software, terms of reference, uneven salary scales, lack of capacity, monitoring and evaluation, access to legislation and language attitude towards indigenous legislation. On the issue of an in-house style, study participants state that the OCSLA recognised the legislative framework that perpetuates the use of languages. However, the content of the legislative framework is not considered to the highest degree.

The NLPF: IP 2003 empowers the translation, interpreting and editing services. Wherein Section 3.2 states that "The Translation and Editing Policy Guidelines are aimed at providing guidelines on both the in-house translation, editing and checking of documents and on the outsourcing of documents with a view to improving service delivery and providing high-quality products." Since the inception of the Language Management Project in the OCSLA the Language Unit has not complied with this aforecited provision. The Language Unit has no specific usage and editing conventions for the Legislative Language Practitioners to ensure stylistic consistency in legislation. Documents from the Language Unit reflect individual's stylistic patterns. There is no uniformity. Therefore, an in-house style is needed to guide against mechanical application in legislation.

Another mechanism that can be deployed to guide against the pitfall of technical errors in language technology is the software.

5.11.2 Software

Section 3.4 of the NLPF: IP 2003 states that "technology should be used to facilitate collaboration between language stakeholders and to develop indigenous languages. Computer software, such as word processing programmes, terminology management systems and translation software should be compatible to encourage the exchange of terminology and other information between language units and collaborators, such as Hansard and the National Language Unit." No software has been procured by the OCSLA since the inception of Language Management Project. There are no spell checkers and terminology management system. The translation of legislation is done manually. The only programme that was downloaded in 2015 is Autshumato, a Machine Translation Tools that is used to assist human translators. However, the Legislative Language Practitioners are not well-equipped with the software as the phasing in of this software was not monitored and updated.

5.11.3 Terms of Reference

On the advertisement as provided for in Section 4.11.3 (iii) of the study, the responsibilities of the Legislative Language Practitioners is to "translate legislation from English into all the official languages in accordance with instructions issued by state departments and guidelines issued by Parliament and the Cabinet; assist the Office to develop legal terminology in all the official languages for use in legislation; interact with PanSALB and other organisations, universities and other language practitioners who are involved in promoting the use of all official languages; assist with the promotion and development of official languages in order to make legislation more accessible to the broader South African population; attend Parliamentary Committee meetings to assist with the simultaneous translation of amendments to legislation; translate such other documents as may be referred to the Office from time to time and to provide language quality control mechanisms in respect of legislation" (DPSA, 2010).

Legislative Language Practitioners in the Language Unit perform editing and proofreading tasks which is outside the scope of their job description. An additional eye is needed to ensure the quality of all work that is produced from the Language Unit. In addition to that, the performance assessment for the Legislative Language Practitioners includes editing and proof-reading all translated documents and any other documents received by the OCSLA. The South African Language Practitioners Council Act, 2014 recognises translation, editing, proofreading and terminology development as separate professions that require specialised skills. However, in the OCSLA these tasks are performed by a single person under the title Legislative Language Practitioner. The revised Key Responsibility Areas for the Legislative Language Practitioners include reporting on work received, compiling files and submission of files for record purposes as mandatory in the performance assessment. This is an indication that the Legislative Language Practitioners have diverted from the main responsibilities that were in accord with the functions of the language units as envisioned in Section 2.3.3 of the NLPF: IP 2003.

Section 2.3.3 of the NLPF: IP 2003 proclaim the functions of the language units as follows:

- Establishing the Language Policy in the department or province.

- Raising awareness of the Language Policy and the Language Code of Conduct within the department or province.
- Managing and facilitating all translation and editing services, whether in-house or outsourced.
- Proofreading and printing documents in the official languages.
- Facilitating the use of interpreting services in the official languages.
- Advising the department or province on language use (oral and written).
- Managing and facilitating training programmes for new recruits in translation, editing, terminology development, and language programmes in the official languages for the employees of the department or province.
- Collaborating with DAC and PanSALB bodies (e.g. provincial language committees, national language bodies and national lexicography units) to develop terminology.
- Acting as intermediary between the department or province and DAC and/or PanSALB with regard to developmental support and training provided by DAC and/or PanSALB.
- Encouraging the use of plain language in the Public Service.

The functions of language units are also documented in section 8 of the Use of Official Languages Act 2012 as follows:

Every Language Unit must-

- Advise the responsible accounting officer or accounting authority on the development, adoption and implementation of the language policy for the national department, national public entity or national public enterprise concerned.
- Monitor and assess the use of official languages by the national department, national public entity or national public enterprise concerned.
- Monitor and assess compliance with the language policy of the national department, national public entity or national public enterprise concerned.
- Compile and submit a report to the Minister and to the Pan South African Language Board in terms of Section 9 of the Act.
- Promote parity of esteem and equitable treatment of official languages of the Republic and facilitate equitable access to services and information of the national department, national public entity or national public enterprise concerned.

- Promote good language management by the national department, national public entity or national public enterprise concerned; and perform any other functions that the Minister may prescribe.

5.11.4 Uneven Salary Scales

The interviews also reveal that it is only the Legislative Language Practitioners that were recruited from 2008-2010 who are on Assistant Director Level (10). When those Legislative Language Practitioners resign for greener pastures, the vacant positions are filled with Legislative Language Practitioners who are on Level (7) an administration clerk level in terms of the public service grading. The Assistant Director level that was approved in terms of the OCSLA Memorandum No. 462009 has been downgraded. The posts for the Legislative Language Practitioners were evaluated at level 10 which is an Assistant Director rank within the Public Service and were approved. The same position was advertised on the 15th April 2016 on Circular 15 of 2016 with a lower level which is level seven in terms of Public Service ranking. The Legislative Language Practitioners are performing similar duties, yet the salaries are not the same.

Study participants interpreted the uneven scale of salaries as unethical and disrespect for other languages. It is not clear whether the uneven salary scale of the Legislative Language Practitioners is influenced by the revised job profile of the Legislative Language Practitioners that involve administrative duties. This has a negative impact on staff retention and there is also a challenge to approach highly qualified candidates for the vacant posts. Therefore, there is a desirable need to review the terms of reference for the Legislative Language Practitioners and the work process for the Language Unit.

5.11.5 Lack of Capacity

The interviews revealed that the hours, work and the constant pressure to perform by the Legislative Language Practitioners in the Language Unit wears off even on the most passionate individuals. The Legislative Language Practitioners perform the tasks of language practitioners, proof-readers, editors and terminographers regardless of the requirements of the South African Language Practitioners Council Act that recognises these professions as separate professions that require specialised skills. There is only one Legislative Language Practitioner for each language who performs all the tasks stated above. In addition to the Key Responsibility Areas of the Legislative Language Practitioners; the Global Assessment of Functioning is used to address good management of their job knowledge, quality of work, reliability, flexibility and teamwork. These skills and attributes are compulsory for the work plan and in the performance agreement because they are used to calculate 20% of the Legislative Language Practitioners assessment score. The Global Assessment of Functioning include assessing the quality of work translated by the Legislative Language Practitioners. However, there are no mechanisms that are in place to measure the quality of translated documents since there are no editors in the Unit.

5.11.6 Monitoring and Evaluation

The NLPF: IP 2003 acknowledges monitoring and evaluation for multilingual policies. Wherein Section 3.7 states that “ongoing and effective policy implementation and review will require accurate data on patterns of language use and current practices in order to identify the strengths and weaknesses of the Policy and to monitor its progress. Language surveys and audits will be conducted in close collaboration with relevant language bodies such as PanSALB and research and development institutions. The results obtained from these surveys and audits will assist government to make informed decisions on Language Policy implementation. Language units will be required to audit the available language skills and capacity in their department or province. This information will be valuable with regard to recruiting,

implementing the Language Code of Conduct and determining the needs and requirements of the specific department or province."

During the interviews the study participants revealed that there is no monitoring and evaluation that is conducted in the OCSLA. An ongoing monitoring of the business operation of the Language Unit is recommended in order to reveal the working conditions of the Legislative Language Practitioners and the exploitation in terms of salaries. The results obtained will assist the OCSLA to identify the strength and the challenges of multilingual policies and planning. Use of Official Languages Act supports monitoring and evaluation of the language units. Wherein Section 6 of the Act empowers the National Language Unit housed in the DAC nationally "to regulate and monitor the use of official languages by national government for government purposes; to uphold decent language management for national and provincial departments, national public entities and enterprises and guide the language units."

The interviews reveal that there is no general coordination of the Language Unit in the OCSLA, as a result the functioning on the Language Unit is taking a different direction as the one it was initial intended for.

5.11.7 Access to Legislation

Chapter one of the study gave a synopsis of aims and objectives. One of the objectives of the study is to outline how the OCSLA ensures usage, practicality and accessibility of translated legislation. In Section 10 of OCSLA Memorandum No. 462009 the OCSLA pride itself and states that the law-making process will reach a wider audience and the general participation of vulnerable groups that were not usually included in the law-making processes, thus facilitating and nurturing democratic values and peoples' development.

Section 167 [(1) – (2)] of the Joint Rules states that "If the Bill has been published for public comments in terms of the National Assembly or National Council of Provinces rules, the joint committee to which the Bill is referred to may arrange its business in such a manner that interested persons and institutions have an opportunity to comment on the Bill. If the Bill has not been published for public comment, and the committee considers public comment on the Bill to be necessary, it may by way of invitations, press statements, advertisements or in any other manner, invite public to comment on the Bill." During the process whereby the Bill is sent to public for comments translation or translations is not available.

The Joint Rules of Parliament in Section 220 (1) states that "the official text of the Bill must be translated into at least one of the official languages and the translation must be received by Parliament at least three days before the formal consideration of the Bill by the House in which it was introduced." Section 221 further states that "When the official text of the Bill is sent to the President for assent it must be accompanied by the official translation or translations." The Joint Rules of Parliament also reveal that there is no official translation that accompanied the Bill during public participation. The translated version is only available when there is second reading of the Bill and when the Bill is referred for assent to the President. The study reveals that during the most important phase of the law-making process whereby the public is invited for comment there is no translation of the Bill except for summary.

The only phase where the translation is compulsory is when the Bill is referred for assent to the President. This is an indication that there are no measures that bind the OCSLA to ensure usage, practicality and accessibility of translated legislation. The ideology of the Language Unit in the OCSLA is to make sure that the law making processes reach a wider audience of South African citizens however, in reality the Language Unit only serves the executives at Parliament who need translation for one reason; to comply with the Rules of Parliament. The vulnerable groups who were not included in the law-making processes as envisioned in Section 10 of OCSLA Memorandum No. 462009 are still excluded in the law-making processes.

5.11.8 Status Afforded to Indigenous Languages

During the interviews the study participants revealed that indigenous languages are not afforded respect the same manner in which English is considered. This is the challenge that the Language Unit faces on daily basis. When the national departments approach the OCSLA for the drafting of any legislation, the State Law Advisers are given enough time to draft, consult and liaise with Parliament during legislative processes. When all the processes are completed and a Bill is passed by the two Houses of Parliament i.e. NA and NCOP and requires the President to assent to the Bill, that is when the Departments approach the OCSLA for translation. The Legislative Language Practitioners are not afforded enough time to do research and to develop the terminology that is required for that Bill at hand. The same manner that is done with the State Law Advisers. This serves as a warning that indigenous languages are not respected because only English is prioritised.

5.12 Measures Addressing Challenges for Language Management Project

The participants were asked if there are any measures that are in place to address the challenges that are associated with the implementation of Language Management Project in the OCSLA. The interviews revealed that Section 3.7 of the NLPF: IP 2003 recognises an ongoing and effective policy implementation reviews for precise data on practices and patterns of language usage to ascertain the advantages, disadvantages, strengths or weakness of the Language Policy; however, there are no measures that are in place to facilitate the challenges associated with multilingual policies implementation and planning in the OCSLA.

There are no reviews nor monitoring by the PanSALB and by the National Language Unit since the inception of the Project to monitor the progress of NLPF: IP 2003. The Use of Official Languages Act explicitly declares the responsibilities of the National Language Unit in the DAC “to guide the Minister on methodologies, strategies and policy in order to regulate and

monitor the use of official languages by national government for government purposes and to liaise with the Department and promote general coordination of language units."

Use of Official Languages Act in Section 9 (1) provides that "the Minister is also accountable for observing the usage of official languages by the national government for government purposes." However, those measures have not taken place. Furthermore, Section 9 (2) proclaims that "the OCSLA is obliged by the law to submit a report to the Minister and to the PanSALB yearly reporting on the activities of the Language Unit. The content of the report may include Language Management Project in the OCSLA; complaints if there are any that were lodged on the use of languages during the law making processes; and any other matter that the Minister may prescribe."

The envisioned report in the Use of Official Languages Act may be a useful instrument by the OCSLA to solicit intervention from the Minister responsible for language related matters. However, this is not in place.

5.13 Research Findings from Policy Documents

The analyses of existing data was conducted. The analyses of existing data in this study involves the 1996 constitutional obligations particularly Section 6. The legislation and structures supporting the advanced use of languages in relation to the current study are Constitution 1996, Joint Rules of Parliament 1999, NLP 2002, NLPF: IP 2003 and the Use of Official Languages Act 2012. These structures were observed and analysed through CDA as secondary data in the study.

Through CDA of the forecited secondary data it was revealed that the implementation of Language Management Project in the OCSLA is founded on legal foundation. The benefit of analysing the above pieces of legislation is self-evident. Legislation assists to regulate and to

monitor the implementation of multilingual policy in order to promote good language management. The enactment of legislation is also used as a tool to compel the state to adopt multilingual policy and on the other end it provides sanctions to those contravening the stipulations of legislation.

The Use of Official Languages Act manifests this in Section 4 (1) that "compels all national public enterprise, national public entity and national department to implement a language policy concerning the use of official languages for government purposes within 18 months upon the commencement of the Act or such further period as the Minister may prescribe." Subsection (2) of the Act states that an adoption of the language policy ought to meet the terms and conditions Section 6 (3) (a) of the Constitution. The analyses of legislation provided an in-depth awareness that legislation on its own cannot be functional if there is no co-relationship between the legislation and the actual practices.

It is crucial to recognise the 1996 constitutional supremacy as a pillar and the law of South Africa. A behavior that contradict the supremacy of the Constitution is regarded as null and void. In a constitutional democracy all government action must be premised on the constitution and other subordinate legislation and policies that seek to support the Constitution therefore, it is crucial to outline the constitutional obligations of the study. The NLPF: IP 2003 is another crucial tool that attributes to the establishment of the LU in OCSLA. The NLPF: IP 2003 supports the Constitution 1996. Section 1.2 of the NLPF: IP 2003 states that "all government structures i.e. national, provincial and local government are bound by the provisions of the Policy, as are any institutions that are exercising public power or performing public function in terms of legislation to establish LUs."

The OCSLA responded to this provision and realised the necessity for the establishment of the LU. The content of the NLPF: IP 2003 aim to promote unbiased usage of languages in order to facilitate access to government services by all the citizens. Translation of legislation from English into all the official languages enables the South African citizens to access legislation in their own mother-tongue. Therefore, documentary analysis of the policy documents reveals

that the delay in the implementation of the NLPF: IP 2003 policy development can be partly traced to the policy directives guiding the use of official languages in South Africa.

The NLPF: IP 2003 enshrine and promotes the South African language rights. However, the South African legislative documents that are purported to promote all languages equally, rationalise the inconsistencies pertaining to language usage. Even the Constitution 1996 is giving the impression of accommodating all languages for government businesses. However, the laws that emanates from the Constitution 1996 are not in line with its own provisions. According to Ndlovu (2013: 345) this means that the laws "are overtly and covertly underpinned by the philosophy of linguistic homogenisation and assimilation of these language groups into the dominant groups."

There are views suggesting that the NLPF: IP 2003 was formulated with an aim to silence the official languages speakers while maintaining the *status quo*. It come as no surprise that instead of strengthening all languages, the legislative framework emphasises the hegemony of English. The policy documents prioritise the minority group. Several constraints, terms and conditions, weakness of the policy documents, escape clauses and stipulations that purport to sanction language usage impact negatively on the implementation of the NLPF: IP 2003.

5.14 Research Findings from Interviews with Study Participants

5.14.1 Covert use of English

English holds a very important position in the new South Africa. A confirmation to this is depicted by its continued existence as the language of legal proceedings in Parliament i.e. in legislative processes. The main language in the production of Bills is still English and Afrikaans. In all spheres of government, English takes a centre and that exclude the majority of the South African citizens who are not conversant with English in the law-making processes.

The ideology of covert and overt use of English in South Africa is expressed vividly in the supreme laws and legislation.

South Africa seem to have unformulated covert language policy that endorse English exclusively in the legislative processes i.e. in the publication of Bills, Amendment Bills, Draft Bills, Acts, regulations, proclamations, parliamentary debates and public participations. Afrikaans is mainly used in the amendments of Bills and Acts with the claim that an Act can only be translated into a language in which it was translated to previously. Prior 1994 Bills and Acts were written in only English and translated into Afrikaans; therefore, a Bill or an Act amending that principal Act or Bill is translated into Afrikaans with a claim that the principal act was originally written in those two languages. English still holds a very prestigious status and used for dominion and segregation. It hinders South African citizens from the social justice that empowers the norm that all endeavours should be made to guarantee that groups and individuals benefit from non-discriminatory access to rewards.

Education is offered in English and that provides a fair share of job opportunities; however, English is also an impediment to those who are not competent in it. English provides mobility to socio-economic benefit; however, it threatens the promotion of indigenous languages. A survey that was ordered by PanSALB (2000) reveals that "more than 40% of the people in South Africa often do not understand what is being communicated in English. The survey indicated that most South Africans are dissatisfied with the way their languages are used in the public sector. The survey also found that the general public perceived the Public Service as inaccessible in terms of language."

The implementation of Language Management Project in the OCSLA ensures that people benefit from social justice. People can access legislation in an unbiased and fair manner hence enforce social justice. There are arguments that English is an international language; therefore, it must receive priority and that African languages are restricted to Africa and therefore there are no opportunities arising from mother-tongue proficiency. Others argue that African languages have limited vocabularies, hence there are no sufficient academic textbooks written in African languages. There is a desirable need to vigorously promote the teaching of African languages while simultaneously developing academic books in African languages. The

Christian bible for instance has been translated into all African languages so that the less Anglicised can access the teachings of Christianity.

The same practice can be done with the legislation. If it is provided in all the languages all the citizens will have access to the law making processes therefore decolonise the minds.

5.14.2 Promotion of National Building

National building can be seen as the practice whereby the general public possesses diverse ancestries, origins and background, languages, history, beliefs and religions come together with united legal and constitutional obligations as equal to embark on eliminating injustices and the divisions. The findings in this research demonstrate language policy as the preservation, protection of cultural and linguistic legacy of mankind. The language policy recognises diverse languages. The language policy therefore, serves as a key to advance the use and accommodate the linguistic rights of human kind. The promotion of multiculturalism and multilingualism is recognised and it serves as the central part of nation building.

All government departments nationally, provincially and at local level must uphold and empower multilingualism. This can be done by the establishment of functional language units as envisioned in the NLPF: IP 2003. Government at all times must strive to support the promotion of multilingualism through various channels i.e. PanSALB and through various institutes of higher learning. The South African minority languages must feel that the minority status afforded to them have been uplifted. The minority languages need to benefit equally as English and Afrikaans. The enforcement of linguistic diversity must be supported in order to implement multilingualism.

5.14.3 Declaration without Implementation

Although the world view the Constitution 1996 as the most liberal constitution in the world with its progressive features that are based on basic human rights, freedom and equality;

however, it is not the representation of the contemporary language practices of South Africa. On contrary there are criticism that the content of the Constitution 1996 is uncompromising perhaps idealistic, because the goals and objectives that it wishes to accomplish are not practical. Other theorists argue that the efforts to accomplish the practicality of the Constitutional principles pertaining to equality of language is not practical. Wright (2002: 337) states that "language planning practice in South Africa, especially over the last decades seems very keen to force develop constructs and applied them to circumstances that are remote to the South African circumstances in the interpretation and application of South Africa's Constitution language provisions."

While the Constitution 1996 remains inspirational to the citizens of South Africa who were subjected to apartheid legacy, the practice of the constitutional obligations that are aimed at empowering indigenous languages require more commitment by the state for the indigenous languages to adopt a significant and operative role in the legislative processes. A democratic country like South Africa with its constitution widely recognised as one of the most liberal and open-minded constitution in the world, multilingualism is experienced as a coercive practice and it is supported inadequately by ineffective implementation. The constitutional credibility is questionable. It is for this context that multilingualism dispensation is South Africa must be implemented effectively.

5.14.4 Myth of Language Equity

The translation of Bills into other languages put emphasis on the prominence of English which is not mentioned in the 1996 Constitutional clause of languages. The overriding and hegemonic English is disguised and reproduced in legislative framework. The emphasis on the equality of status between all official languages points to a preoccupation with the hierarchical order of the languages involved in these policy documents. While these policy documents give the impression that all official languages have a place in the South African context, the covert and overt implications prescribe English as the major languages in South Africa. The priority given to English undermines the status of other official languages and efforts that seeks to promote underdeveloped languages.

The exclusion of the indigenous languages in the legislative processes reflects lengthy past heritages of suppression, colonisation and deep-rooted constructions of hierarchy. This act explicitly perpetuates overt use of language planning that catered for elite group. There were no policies that were aimed at enhancing and empowering equity among the citizens. UNDP (2004: 9) states that even social and economic policies that support impartiality are critical in addressing the disparities. Multicultural and multilingualism policies recognising variances amongst groups are desirable to resolve the prejudices, inequalities, biased and injustices that are rooted historically and entrenched socially.

According to the UNDP (2004: 5) "there are more than 370 million self-identified indigenous people in 70 countries that are facing discrimination and exclusion in the legal framework in their own languages." The UNDP (2004: 63) states that "language policies for the judiciary should not deny justice to the citizens. The use of English as the primary language of legal discourse is common in Anglophone Africa like South Africa, where judicial and legislative systems are based on the British legal system. This often alienates the people from the law since most of the citizens have little or no facility in English." The use of English in the legal fraternity does not empower the development of the citizens; however, it deprives them human development.

Researchers are questioning whether the parity of esteem in languages in South Africans can be achieved. The exclusion of the indigenous languages in the legislative processes reflects lengthy historical origins of defeat, colonisation and deep-rooted structures of hierarchy. The 1983 Constitution perpetuated overt use of language planning that catered for elite group. There were no policies that were aimed at enhancing and empowering equity among the citizens. Countries such as Belarus, Canada and South Africa have come up with methods to deal with multilingualism in legislative processes. Others countries fear that legal multilingualism weakens the norm of an integrated legitimate law system and promotes customary practices that are conflicting to equality and human rights. Certainly, clashes ascend, in South Africa as an example, there is a struggle to comprehend the rights of women to the entitlement of inheritance. In terms of the law constitutionally, women are entitled to inheritance and in customary law that right is denied. However, this does not justify the denial

of justice to languages that are best understood by people. Constructs must be developed to deal with such hiatus decisively.

5.14.5 Challenges of Language Planning Activities

Language planning activities constitute of prestige planning, acquisition planning, corpus planning and status planning. The challenges that are associated with language planning activities is that these activities can only address the question of what to be planned in language planning i.e. to plan language function or its structure and this does not answer the question of how these plans are implemented. Firstly, with regards to status planning, the government at national level made a declaration that all languages will be equal. However, the government does not provide guidelines on how this declaration will be achieved. Status planning focuses only on political and social processes of selecting languages. Indigenous languages are afforded an equal official status, however, this is not practical in the legislative domain.

5.15 Conclusion

Deducing from the study participants' contributions during the interviews, it is concluded that Section 1.2 of the NLPF: IP 2003 was properly implemented with multilingual policies implementation in the OCSLA. To answer the question on whether the target group was adequately covered, it is clear that the Language Unit translates all Bills from English into other official languages although it is not clear how the OCSLA ensures that the translation reaches the wider population even the grass root level. The study also seeks to address the notion of whether the intervention was implemented as designed. Elucidating from the respondents' answers it is clear that multilingual policy implementation and planning in the OCSLA was not implemented as designed and there are challenges that ought to be addressed.

CHAPTER SIX (6)

FINDINGS OF THE RESEARCH AND RECOMMENDATIONS

6.1 Introduction

The current chapter gives a synopsis of the entire research. The synopsis comprises of the research problem, the aim of the study, the objectives of the study and an analysis of broader input on language management following the European perspective, African perspective and the current perspective on the issues of language management. Furthermore, this chapter presents conclusion and recommendations. The conclusion is derived from the insight of the study review. The consolidation of insights drawn from this study is categorised into unambiguous themes on what to be done to facilitate multilingualism policies hereinafter the implementation of Language Management Project in the OCSLA, and elsewhere. The consolidated insights are presented as recommendations.

The case study presented in this research is the implementation of Language Management Project in the OCSLA. The notion for multilingual policies implementation and planning emanates from the NLPF: IP 2003 that fosters all government structures to establish language units. The implementation of Language Management Project in the OCSLA is devoted in facilitating the Language Policy. The implementation of OCSLA's Project is an indication that the policy of multilingualism and planning thereof has been carefully planned to a considerable degree. It is essential for all government entities like departments, provinces, municipalities to establish their own language units to foster the implementation of the NLPF: IP 2003.

6.2 Findings of Research

With the implementation of Language Management Project in the OCSLA, the researcher aims to investigate the challenges that are associated with multilingual policies implementation and planning in the DOJ&CD with special reference to the OCSLA. In the study, language management variables are consolidated into a theoretical insight for the effective facilitation of the policy of multilingual and planning thereof. Language is the human right for all, and it should be protected by the provisions of the Constitution 1996. It is imperative that the policy

of multilingualism be premised on the Constitutional obligations and legislative framework that supports multilingualism i.e. the NLPF: IP 2003.

In the study the researcher managed to achieve objectives that were envisioned for the research. Firstly, the study outlines the elements of language planning in accord with Eastman (1983: 206 classification i.e.

- Language choice – choosing the languages to be included in the plan.
- Policy formulation – proclamation of the by authorities and language planning agencies.
- Policy codification – technically preparing the formulation and determination of the policy.
- Policy elaboration – technical preparations.
- Policy implementation – putting into practicality the changes by means of an organisation generally supported by the planning agency or authority.
- Policy evaluation – measuring the entire plan to identify if there is a need for alterations to enhance communication.

These are considered to be the main objectives of language planning. In this study, language choice refers to the constitutional provision of Section 6 that declares eleven "official languages of the Republic of South Africa as Sepedi, Sesotho, Setswana, siSwati, Tshivenda, Xitsonga, Afrikaans, English, isiNdebele, isiXhosa and isiZulu. The recognition of the historically diminished use and status of the indigenous languages of the people whereby the state must take practical and positive measures to elevate the status and advance the use of these languages." The choice of a language refers to an official status that is afforded to these eleven languages.

Policy formulation with reference to this study refers to the NLP 2002 and NLPF: IP 2003 and other legislative framework that empowers the usage of South African official languages. These pieces of legislation were already in existence when the current study was conducted i.e. PanSALB Act No. 59 of 1995; the Commission for the Promotion and Protection of the Right of Cultural, Religious and Linguistic Communities 1996; LiED Policy 1997; Joint Rules 1999; NLP 2002; NLPF: IP 2003; Use of Official Languages Act 2012 and the South African

Language Practitioner's Council Act 2014. Of particular importance in this study is the NLP 2002, NLPF: IP 2003, Joint Rules 1999 and the Use of Official Languages Act 2012.

The insight gained from the aforecited legislative documents was valuable in the logical analysis of the data. This study emanates from the obligations vested upon the NLPF: IP 2003 that calls for all government structures to establish language units that will be responsible for multilingual policies implementation in the state departments. Policy elaboration refers to all areas where the envisioned change of the NLPF: 2003 is intended to take place. In this study as elaborated above the policy will be implemented in the government departments, parastatals and private entities. The case study of the implementation of mother-tongue legislation in the OCSLA is the policy implementation and the study is the evaluation of whether the policy was properly implemented.

Secondly, the study sought to establish possible explanation of the challenges associated with multilingual policies implementation in the OCSLA. The theoretical framework for the basis of the study is elaborated wherein diverse views from various theories on language management and language planning are reviewed. The theories in this study research attempt to establish the possible explanation of ineffective implementation of multilingualism policies in South Africa.

Thirdly, the study sought to critically evaluate the adequacy of language management variables in facilitating the implementation of Language Management Project in the OCSLA. Language management variables, strategies and methodologies are incorporated to the study to determine the applicable variables and methodologies that were captured on the implementation of Language Management Project in the OCSLA. Lastly, the study sought to incorporate the theoretical approach of language management in practical setting of the implementation of Language Management Project in the OCSLA.

Despite serving all government stakeholders at national level the Units is facing operational challenges. There are many challenges on the operation of the Language Unit. The challenges include lack of capacity, in-house style, software, monitoring and evaluation, terms of references, downgrading of the ranking of the Legislative Language Practitioners, the inability for the public to access legislation during public participation and the inability to develop terminology. These challenges bear a very profound impact on the operation of the Unit. Such

matters require further exploration and intervention to propel multilingual policy implementation and planning in the right direction. Lastly, the study seeks to assess if the target population is covered efficiently by the implementation of the NLPF: IP 2003.

Some theorists associate the issues of ineffective multilingual policies implementation with the dominant use of English, others to the political will of the government, others to the lack of theory that can be used to facilitate language management issues. Critiques for ineffective implementation of multilingualism policies emanate from the normative language planning approach that was adopted in South Africa.

6.3 Justification for Normative Language Planning in South Africa

Upon planning the languages for recognition in the Constitution 1996, normative approach was embraced. Based on the elucidation of normative approach defined in chapter two of the current study, normative approach in South Africa was justifiable. Normative language planning approach is fundamentally designed to serve interests of the entire state. Normative planning supports liberation for all the oppressed. “It sides with those in struggle against inequality, injustice, oppression and allies itself with the struggles for emancipation and for the creation of a free, just, and egalitarian social order” (Kellner, 1995: 96).

South Africans were on the verge of freedom to set themselves and their linguistic rights free from elite supremacy and practices that promoted division. The Constitution 1996 serves the interests of the citizens who were oppressed in all forms and who were subjected to discrimination and linguistic inequality. Therefore, the notion of eleven official languages of South Africa was proposed and should receive full recognition. Generally, when several major languages are competing for final choice for a particular policy, it is essential not to impose one language because the imposition can create more problems than what the policy seeks to solve. The Constitution 1996 became a true reflection and legitimate expression of the people.

The Constitution 1996 is premised on the liberation of human rights empowerment, enhance human rights culture and secure accountability. The notion of human rights is a very influential

feature in the current political and social discourse. Human rights "seeks to overcome divisiveness, sectarianism and unite people of different cultural and religious traditions in a single movement asserting human values and the universality of humanity. In colonised states values such as human rights are under threats from forces of economic globalisation and religious fanaticism. The notion of human rights, appeal to universally applicable ideas of the values of humanity, seems to resonate across cultures and traditions and represents an important rallying cry for those seeking to bring about a more just, peaceful and sustainable world" (Ife, 2001: 10-11).

In the classification of human rights (i.e. use of indigenous languages) is that everything that is categorised as human rights means that it is given priority. In order to make claims that are premised on human rights, a prescribed condition is needed i.e. understanding of the right that is claimed to be a human right is necessary for individuals "to achieve full humanity in common with others. If something is claimed to be a human right, it should apply to all or to individuals from previously marginalised groups for whom the attainment of those rights is important to achieving full human potential. There is substantial universal consensus on the legitimacy of the claimed right otherwise it cannot be called a 'human right' unless there is widespread support for it across cultural and other divides; it is possible for the claimed right to be effectively realised for all legitimate claimants and this excludes rights to things that are in limited supply and the claimed right does not contradict other rights" (Ife, 2001: 10-11)

Access to information in all languages is the basic human right. Therefore, the implementation of mother-tongue legislation for previously marginalised languages of South Africa seeks to ensure that groups and individuals benefit from unbiased access to legislative processes. When something is classified as human right, it means that it is prioritised further above other privileges of right. According to Kellner (1995: 96) normative language planning is nationally accepted since it was debated for a period of two years in the National Assembly, by the chosen representatives of the people of the country before being ratified, so one can assume that the Constitution 1996 is a legitimate expression of the will of the South African people, and that it constitutes a valid set of norms for public planning and action. In so far as language planning gives expression to these norms it can be said to be justified and non-arbitrary.

Secondly, in so far as language planning proposals accord with the constitutional language stipulations, it cannot be seen as serving sectional interests, but as serving the interests of the

nation as a whole. Normative language planning approach was predominantly adopted with an aim of creating a society that is founded on democracy. Normative language planning approach supports the fights of oppressed clusters against domination and control, in favour of those who are fighting discrimination, unfairness and persecution and support liberation and the formation of a free and democratic social order. Normative language planning is also accepted because language planning recommendations in South Africa follows constitutional provisions; therefore, the language planning practices in normative approach cannot serve certain quotas of South Africans rather it must engage with the aim of growth, change and rebuilding the society.

Normative planning seeks to serve the interests of the country. Therefore, it is very important to acknowledge that this approach is diverse culturally and wishes to address diversity culturally and otherness. Since normative approach serves the interest of the country, when applied in any situation, it is intended for growth, to bring change and transforming the lives of South Africans as a whole. The growth that normative language planning approach is directed at is embedded in the UNDP Human Development Report of 2004. The report empowers the demands that public policies and programmes must concentrate on creating and enlarging citizens' choices yet provide them with mechanisms and tools to make informed choices.

However, normative approach to language planning cannot guarantee that language planning can only be handled logically. Decisions on normative approach needs to be at all times be founded on fact not on emotional contemplations. During the normative negotiations of the 1996 Constitution, there were assumptions that because of the oppression suffered under the apartheid regime, English and Afrikaans will be excluded on languages provisions. That could have been a clear indication of emotional decision that the normative approach does not promote. Normative language approach must be applied in an explicit conceptual context and be founded on specific concepts, norms, purposes, goals, values, procedures and approaches that are grounded empirically and theoretically. Since multilingual policies implementation and planning is a coherent and an integrated process, it needs to synchronise with other programmes that are planned for national building. Therefore, normative language planning approach is a justifiable approach that South Africa adopted.

6.4 Critics for Normative Language Planning Approach in South Africa

There are critics regarding the adoption of this approach in South Africa i.e. 1996 Constitution in Section 6 put emphasis on language equity. This is the first criticism for normative language planning approach. The statement of equality of all languages is too idealistic, maybe even utopian. The aims that normative language planning approach wishes to attain are unattainable.

Normative language planning approach is an uncompromising approach, but its attainment is very challenging. Since South Africa in its constitutional obligations wishes to protect all the people, the challenges of attaining normative language planning must not be allowed to hinder the exercise of this approach. The Constitution 1996 describes the model of the social order that South Africa desires to become and as a point of reference for language related matters in in South Africa. Policy planners in all the spheres of public lives of South Africans are obligated to realise the goals that the Constitution 1996 wishes to achieve. It is worth noting that to realise the linguistic development and to reconstruct the society of South Africa will not be an easy process that can be done overnight. The implementation of multilingualism in South Africa will be a very multifaceted and complex process and its planning must be acknowledged as a long-term and continuous process.

Secondly, the multilingualism nature that the Constitution 1996 wishes to attain cannot be practical. There are criticisms surrounding normative language planning approach that this approach does not recognise sociolinguistic authenticities of South Africans. Similar to any planning projects, language planning and management thereof need to be informed by the authenticities of the linguistic environment. The goal and objectives of language planning must also be based on fact. Like the use of English in South Africa as an example, the reality remains, English functions hegemonically. Nonetheless its proficiency is indispensable to the South Africans in all domain of public sphere. In addition to the indication of strategies and methodologies that must be nurtured to contest the hegemony practice of English. Language planners need to also propose mechanisms to promote overall proficiency of English.

Thirdly, there is a notion that normative language planning approach neglects the aspirations of the South Africans. This reasoning emanates from the strong preference of English amongst black South Africans predominantly in socio-economic classes. This reasoning is also supported by the inadequate support for African languages in high function domains. Overt

support to promote English as a medium of communication in educational spheres is thus, interpreted as an act of contempt for the aspirations of the speakers of African Languages. Nevertheless, the support for the elevation of indigenous languages as medium of communication in education sector does not suggest that school governing bodies will be obligated to choose mother-tongue education.

The liberty of decision-making in schools needs to be promoted and respected. Educational establishments must be indebted to enlighten school governing bodies of the rewards and shortcomings of the decisions they take regarding school medium of instruction. School governing bodies must also be aware that conflicts between the needs and wants and that other choices can lead to limited of options.

Lastly, normative approach inclines to prescriptiveness. This denunciation is premised on previous two observations, and it must be acknowledged. Normative language approach is however, in definition not rigid. It compels itself to work within a nationwide acknowledged vision and set of standards and norms. Furthermore, normative approach concentrates on recommending tactical methods and structures that can propel language change and also create an environment where peoples' rights are promoted.

6.5 Challenges for Normative Language Planning in South Africa

This approach is an intricate initiative. Language planning seeks to change the meaning of a language or languages and people's perception regarding that language or languages. Although normative language planning was an ideal approach in South Africa, it is also critical to recognise the obstacles that are associated with it namely:

- Language political heritage.
- Power dimension.
- Plural democracy.
- Fear of ethno-linguistic nationalism.
- Cultural dimension.

The first challenge that is associated with the implementation of normative language approach is language political heritage of the South Africans. South Africans have experienced a number

of bad memories that are language-based. In the past South Africans endure language usage for control and domination i.e. students were forced to use Afrikaans in schools. That erupted 1976 Soweto uprising where hundreds of black students were killed because they were fighting for their language rights. The Soweto uprising may be in the past but the effect it has on South African history marked an era that will never be eroded. Therefore, there is a need to propose language planning methodologies and strategies that can deal with negative memories in a serene manner.

Secondly, there is a challenge of power dimension. Language planning, management and the development thereof do not occur in a vacuum meaning that it is also controlled by external forces. Languages are instrument for control and domination. However, policy developers and language implementers in South Africa are of the view that a language or languages operate free and are not controlled contextually. This view denotes that the selection of a language as communication instrument in schools, the official status that is afforded to a language or languages, language of legislative processes and public proclamations is an impartial and unbiased exercise that only occurs after the consideration of linguistic capacity of a national and international status that is afforded to a language. This disguises the possibility of a language or languages to operate as an instrument for social manipulation and control. Whereas in practice a language or languages operate within the framework of power. Meaning that language planning approaches should cultivate approaches, strategies and methodologies that constrain the effects of such forces.

Thirdly, South Africa practices multicultural and multilingualism that comprises of eleven official languages. The demise of apartheid legacy created a new South Africa that recognised all the languages in a liberal equality and the government accounts for building a community that accommodates harmony in languages culturally and politically. The implementation of a multilingual society can only be successful if it is not undertaken in a monolingual conceptual framework. Multilingual policy implementation needs to recognise the multicultural status of a country and explicitly make provisions for multilingual framework in public purviews i.e. education, economy, politics, state administration, media and legislative framework.

The fourth challenge is the distress of ethno-linguistic vitality, meaning that the role of politics must be recognised. South Africa has a potential of heritage division and the eleven official languages has a potential of evoking ethnical conflicts which could be problematic for national

integration programmes and nation-building programmes. There is a desirable need in South Africa to fully develop approaches, strategies and methodologies that can identify progressive dimensions of integrating cultural diversity yet avoid possible division. Developing all South African official languages to function in all domains can have positive impacts and possible contribute to ethnolinguistic integration. However, this can only succeed if it is premised on a justifiable notion of multicultural and multilingualism.

Lastly, there is a challenge of cultural dimension. The final challenge in realising the aspiration of the constitution in South Africa is the problem of multicultural society. It becomes a problem to answer a question of whether a state like South African with cultural diversity can be able to accommodate and maintain multilingual policies and planning. The Constitution 1996 empowers multilingualism in South Africa with its liberal democratic values that promotes equality and respect for all languages and cultural diversity. The constitutional features and cultural features can possible lead to ineffective implementation of constitutional language aspirations. Policy implementers need to answer the question of whether a state like South Africa with its multicultural facet can it succeed in implementing language policies and planning that are founded on individual freedom and parity and not on collective groups.

The language policy implementers need to take into consideration the five challenges that are presented by normative language approach when decisions of policy implementation are at stake.

6.6 Justification for Language Management Approach in the Study

The OCSLA was mandated with the task to implement a Language Management Project. The implementation of Language Management Project in the OCSLA embraces aspects greater than the policies. The scope of LMA does not only embrace language policy and planning. “LMA represents logical development in language planning as a discipline by extending its scope of knowledge as well as a response to the weakness and dilemmas of contemporary language planning theory and practice, that stand to benefit from the concept greater than language policy and planning. If the hypothetical submission that language planning theory and practice as they

stand at present have, to an appreciable degree failed to provide solutions to the problems and dilemmas that accompany multilingual policy and planning implementation is held as true, then any attempt at addressing the problems and dilemmas that accompany multilingual policy and planning implementation should embrace theoretical and pragmatic domains greater than policy and planning for their resolution" (Mwaniki, 2011: 177).

The literature review in this study is founded on LMA and it incorporates cost-benefit analyses. According to Mwaniki (2011: 183-184) "in LMA cost-benefit analysis assumes a new important role, different from the traditional conceptualisation of cost-benefit analysis in decision making theory as applied to language planning. Cost-benefit analysis as applied to the LMA is a broader concept, that does not only consider the monetary and other resources at the input end of the cost-benefit analysis chain. However, it critically considers the output and consequences end of the cost-benefit analysis chain, especially with regards on how multilingual policies implementation and planning could serve in the creation of social capital."

Although chapter five of the study identifies the costs incurred on the OCSLA's project, however, in LMA the concern must focus on benefits analysis, but also keeping in mind the costs incurred. The benefit for the implementation of Language Management Project means that the citizens will have access to legislation in all official languages. Thus, the citizens will have access to legislation in their own languages om including those who are not conversant with English and Afrikaans.

The implementation of Language Management Project in the OCSLA is centred on the benefit of the public. It compels the executives to comply with the legal provisions and provide all the citizens of the Republic with information in their own languages. In that manner, the state will be able to provide service delivery in a manner that is just for all. LMA also constitute of language management variables that can be integrated into NLPF: IP 2003 to regulate its success. The implementation of NLPF: IP 2003 need to take into consideration the variables as proposed by Cluver (1991), Osborn (2010) and Mwaniki (2011) namely "linguistic variables, political variables, legal variables, economic variables, socio-cultural variables, management variables, educational variables and technological variables" into consideration. It is very imperative that on the implementation of mother-tongue legislation these variables be considered to an applicable degree as they form an integral part of multilingual policy

implementation. These variables must be considered because they interact with any proposed multilingual policy implementation.

Furthermore, the LMA comprises of development oriented methodologies and strategies that comprise of legislation, advocacy, litigation, development communication and project management. These components are very important in this study particularly legislation since the implementation of multilingual policy and planning is embedded on legislative framework. The implementation of mother-tongue legislation is the recognition by the state that in order for the law making process to reach all the citizens of the country, all languages must be developed in order to nurture the democratic values and peoples' development. With all this in mind the LMA was considered as the suitable approach for the study.

6.7 Recommendations

The recommendations consolidate the insights derived from data analysis that specify what ought to be executed to enable the implementation of Language Management Project in the OCSLA, and elsewhere. The recommendations applaud that language management variables, methodologies and strategies must be consolidated in any project for multilingual implementation to succeed. The LMA adopted in this study suggests that if the language management variables, methodologies and strategies are not secured and consolidated to an applicable decree in multilingual policy planning and implementation, the project might not take off because there are essential variables, methodologies and strategies that must be nurture and harnessed prior the implementation of a project. Technological variables, development communication, management oriented methodologies and strategies, technological customisation, monitoring and evaluation, sociolinguistic oriented methodologies and strategies and corpus planning are recommended in the study.

6.7.1 Technological Variables

Software is required in order to exchange information and terminology amongst terminology collaborators, National Language Unit, language units and Hansard.

6.7.2 Development Communication

The Constitution 1996 stresses the importance of equality for all official languages. Nevertheless, the provision of translating Bills into other languages emphasises the importance of English wherein the 1996 Constitutional clause on languages does not stipulates. The overriding status of English is disguised textually however, it is sustained practically. All the clauses pertaining to languages in any legislative framework in South Africa downplay the superiority of English in all domains. English is covertly used in all domains as the major language of South Africa. The priority given to English undermines other languages and efforts to develop underdeveloped indigenous languages. There is stigma that is attached to indigenous languages in legislation. The stigma needs to be discouraged.

6.7.3 Management Oriented Methodologies and Strategies

Management oriented methodologies and strategies encompasses issues like staffing. The capacity needs to be improved within the Language Unit. It is recommended that the OCSLA consider hiring editors and proof-readers so that Bills can be edited and proof-reader before they are sent to Parliament for assent. This can guarantee the quality of work that is produced within the OCSLA.

6.7.4 Technological Customisation

In-house style to encourage uniformity and to avoid individual's stylistic patterns in indigenous languages is recommended.

6.7.5 Monitoring and Evaluation

This process is required on ongoing basis. Monitoring and evaluation processes need to be reviewed regularly on the status of current language practices to discover the advantages and disadvantages of the NLPF: IP 2003 and to observe its implementation. Linguistic audits and surveys in consultation with appropriate language bodies i.e. researchers, PanSALB and development institutions are recommended. The findings that can be derived from the audits and surveys can benefit government in making informed decisions on Language Policy implementation. Such information can be of value with regards to the challenges that the OCSLA is facing on the implementation of multilingual policy and planning thereof.

6.7.6 Sociolinguistic Oriented Methodologies and Strategies

Sociolinguistic oriented methodologies and strategies i.e. the provision of multilingual service is recommended. It is recommended that the OCSLA ensures that the legislation written in indigenous languages is published and accessible by the speakers of indigenous languages whenever a vernacular version is required.

6.7.7 Corpus Planning

The legacy of underdeveloped marginalised indigenous languages in orthography, standardisation, dictionaries and technical terminology are challenges that could negatively affect the implementation of the NLPF: IP 2003. Furthermore, the LANGTAG Report (1996) reveals that languages that are not fully developed have stigma that persists even to the speakers of these languages. Choosing English over other languages is based on its capacity to easily adopt to technical concepts. Another problem in dealing with multilingual policies implementation and planning is the fact that the indigenous languages are underdeveloped.

Corpus planning is recommended in order to develop legal terminology in all indigenous languages. Government needs to attempt to resolve language problems by participating in mindful and principled planning, by formulating language policies through language management and perpetuate the prestige of all languages.

6.8 General Conclusion

The purpose of this research study was to examine language planning and language management in South Africa and how the NLPF: IP 2003 has been implemented in the DOJ&CD on the implementation of Language Management Project in the OCSLA. The study focuses on OCSLA as a case study. Multilingual policies and planning in the OCSLA emanates from the following legislative frameworks:

- Constitution 1996
- Joint Rules of Parliament 1999
- NLP 2002
- NLPF: IP 2003
- Use of Official Languages Act 2012

The aforementioned legislative framework was analysed as secondary data in the study. All these legislative frameworks are relevant on the implementation of Language Management Project in the OCSLA. The aforementioned documents empower the usage of all official languages.

It is, however, unfortunate that even today English still dominates over other official languages in the law making processes in OCSLA. The indigenous official languages occupy a small portion of law making processes. The target group which is the majority speakers of the official indigenous languages is not adequately covered with the implementation of the Language Management Project in the OCSLA. Out of 1362 English Bills that are assented to by the President into Acts in a space of 25 years, 1110 of those Bills are translated into Afrikaans, only 252 Bills that are translated into indigenous languages.

Equity on languages has not been achieved. Even the legislative frameworks that empower the usage of official languages is vague and arbitrary. The discrepancies, contradictions and incoherencies legislative frameworks generate confusion and misconception to those aspire to implement the policies. Therefore, there is a desirable need for an explicitly, written in black and white policy that is well coordinated. This can enable the users of policies to use reliable policy documents as the main reference for language related issues. The discrepancies, contradictions and incoherencies in the provisions of the legislative frameworks reveal poor language planning, inefficient management and lack of coordination and communication in the DAC and its language development constituents. This manifests fragmentation in the DAC that accounts for language related matters in South Africa.

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Figure 5.1

Projected Expenditure for Language Units in line with the NLPF: IP 2003

Analysis per Standard Item per MTEF period

	2002-2003	**2003-2004**	**2004-2005**	**TOTAL**
	30%	60%	100%	
Personnel	760 675	797 948	833 055	**2 391 678**
Administration	1 180 874	575 477	883 798	**2 640 149**
Stores	1 011 839	2 067 965	3 574 768	**6 654 572**
Equipment	130 222	51 004	53 198	**234 425**
Land	-	-	-	**-**
Prof & Spec	1 017 640	1 957 452	3 347 595	**6 322 686**
Transfer	-	-	-	**-**
Miscellaneous	-	-	-	**-**
TOTAL	**4 101 250**	**5 449 847**	**8 692 413**	**18 243 510**

Figure 5.1 Source from NLPF: IP 2003

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Table 4.1

Linguistic Demographics South Africa

Official Languages	**Home Language Speakers**
IsiZulu	22.9%
IsiXhosa	17.9%
Afrikaans	14.4%
Sepedi	9.2%
English	8.6%
Setswana	8.2%
Sesotho	7.7%
Xitsonga	4.4%
SiSwati	2.5%
Tshivenda	2.2%
isiNdebele	1.5%
Other	0.6%

Table 4.1 Sourced in Statistics South Africa, 2000

Table 5.2

Bills Passed per Parliament

Parliament	**English**	**Afrikaans**	**Other Languages**
1st Parliament (1994-1999)	531	530	1
2nd Parliament (1999-2004)	311	270	41
3rd Parliament (2004-2009)	234	151	83
4th Parliament (2009-2014)	167	115	52
5th Parliament (2014-2019)	119	44	75
Total number of Bills in 25 years	1362	1110	252

Table 5.2 Sourced from Bills Office in Parliament 2020