

Comments on Language Practitioner's Bill B14-2013

Language is a behavioural habit. An attempt to control language is an attempt to control behaviour.

The Bill seeks to impose a measure of control on the "language industry" which will result in political and bureaucratic control of what is a right protected under the Constitution: freedom of expression. It will be remembered how previous regimes had misused the "Fit and Proper Person" clause to control who may be in positions of power and who should be eliminated. A government with powers such as are proposed may well be tempted to control the appointment of media editors, language teachers, journalists, who per implication, in the definition as set out, are editors.

Every teacher will be a language practitioner in the definition of the proposed legislation, as all teachers revise the texts of their students. All Court translators are, per definition, language practitioners under the proposed legislation, and would be penalised. Many rural businesses depend on translation on an ongoing basis, and the proposed legislation would thus create a two-tier system, with privileged translators, and those excluded.

Bureaucracies are self-perpetuating structures. In the words of a senior official to President Ronald Reagan: "We are like headless nails. Once they are in, you can't get them out." Officials create work to fill their time, and this will grow over time. And the cost will be borne by the "language industry."

The Bill is aimed at creating a bureaucracy that will largely operate in the areas where the Pan South African Languages Board and the relevant SETA's operate. It will set up a duplicate service which will probably cost in the vicinity of R 100 million per year. This will impose a cost on the Treasury and the "language industry" that will have a serious impact on the lower end of the industry. Individuals that do part-time language services will have to pay significant licence fees to the proposed Board, which will make it unprofitable to continue. All local publications will become more expensive due to higher input costs, which would make it more profitable for book sellers to use foreign books. For example, the registration fee for Financial Advisors, an industry that can afford to pay, is around R 15 000 per year. How much will it be for Language Practitioners? How many practitioners will be excluded?

Proposal:

I propose that the present Pan South African Language Board be empowered to include accreditation of translators in its tasks, and to add a section for accreditation of editors. Such accreditation should be provided free of charge in conjunction with the existing SETA's and SAQUA, limited to an endorsement of the qualifications of the person concerned.

Ongoing training and qualification should be at the initiative of the individual practitioner, and should not be regulated by law. While this is a nice aspiration, it will be beyond many language practitioners, especially in the rural areas.

The principle should be to ensure that no language practitioner is excluded, and that the benefits of accreditation is extended to the large number of language practitioners who at present do not have access to the structures.

"Language is a process of free creation; its laws and principles are fixed, but the manner in which the principles of generation are used is free and infinitely varied. Even the interpretation and use of words involves a process of free creation." Noam Chomsky.

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