**Memorandum from the Parliamentary Office**

**NATIONAL ASSEMBLY**

**FOR WRITTEN REPLY**

**QUESTION 2649**

**DATE OF PUBLICATION OF INTERNAL QUESTION PAPER: 31/07/2015**

**(INTERNAL QUESTION PAPER 26 OF 2015)**

**Adv A de W Alberts (FF Plus) to ask the Minister of Higher Education and Training: †**

Whether, arising from his remarks on the importance of mother tongue instruction in the light of the Government’s constitutional and international legal obligations to promote mother tongue instruction, he will consider the positioning of (a) some or (b) all universities as institutions of mother tongue instruction; if not, why not; if so, what are the relevant details?

**NW3051E**

**REPLY:**

1. The Constitution of the Republic of South Africa declares that “the official languages of the Republic are Sepedi, Sesotho, Setswana, siSwati, Tshivenda, Xitsonga, Afrikaans, English, isiNdebele, isiXhosa and isiZulu”. The Constitution, Section 6 (1), (2) and (4) of the Founding Provisions also states that “the state must take practical and positive measures to elevate the status and advance the use of these [the indigenous] languages” and that all official languages must enjoy parity of esteem and be treated equitably. The Constitution enjoins the Pan South African Language Board to promote and create conditions for the development and use of these and other languages.

With regard to the provision of languages at institutions of higher learning, Section 29 (2) of the Constitution states 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. In order to ensure the effective access to, and implementation of this right, the state must consider all reasonable educational alternatives, including single medium institutions, taking into account:

1. equity;
2. practicability; and
3. the need to redress the results of past racially discriminatory laws and practices.

These facts are stated so that there is a clear understanding on the obligations of the Minister of Higher Education and Training. In terms of Section 27 (2) of the Higher Education Act (101 of 1997, as amended), the Minister determines Language Policy for Higher Education. In accordance with this legislation, each institution of higher education is required to establish its own language policy, guided by the Constitution and Language Policy for Higher Education. This requirement takes into account the autonomy of institutions to determine flexible language policies provided that such determination is within the context of public accountability and my responsibility to establish the parameters. Although the Language Policy for Higher Education is designed to promote African languages in institutional policies and practices in higher education, it clearly does not make a determination for institutions to instruct in various mother tongues. It would be against the Constitution of the Republic if institutions were to instruct in a language that will disadvantage non-speakers of that particular language. For example, English as a medium language of tuition allows access for all to our higher education institutions and therefore, no one is prevented from accessing our higher education institutions if English is utilised as a language of instruction.

In terms of individual university language policies, multilingualism is supported. Currently, it is however not practical to use languages other than English or Afrikaans as a medium language of tuition, since these have not been developed as languages of instruction at school level. The language of instruction at most universities is therefore English, while most formerly Afrikaans institutions have a dual language policy. The action required is aggressive improvement of universities in developing indigenous languages. I believe that the promotion of multilingualism in the higher education sector is imperative as the Constitution of the RSA accords equal status to all our languages.

In this regard, the *Language Policy for Higher Education* published in November 2002 is the framework that guides the practices at higher education institutions. The Department is in the process of revising this policy to ensure that other South African languages can be developed to a level where they can enjoy parity in our universities.

Compiler/contact persons:

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DIRECTOR – GENERAL

STATUS:

DATE:

REPLY TO QUESTION 2649 APPROVED/NOT APPROVED/AMENDED

Dr BE NZIMANDE, MP

MINISTER OF HIGHER EDUCATION AND TRAINING

STATUS:

DATE: