

Evolution of language rights

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The South African Language Rights Monitor (SALRM) of 2003 follows on its 2002 predecessor. This second report has as its objective the presentation of an annual in-depth report on South African language rights issues reported by the printed media. The format is largely similar to that of the previous report, but differs in that it is more comprehensive and introduces matters not previously addressed. It also covers themes regarded as fundamental to the establishment of a language rights culture in South Africa.

The function of SALRM 2003 is to help the Pan South African Language Board (PanSALB) in the execution of the latter's statutory mandate. The mandate includes, among others, to assist any person, community or institution with complaints regarding alleged language rights violations. SALRM does this by collating information on language rights matters into a comprehensive in-depth report which, as a publication, is made available to interested readers and parties. What is furthermore commented with the publication of this report is its contribution towards a tolerant language milieu that features dialogue and mutual respect among different linguistic groups. In addition, it can contribute towards international research on language rights and act as a direction indicator for the South African government to anticipate language tensions, to discover counter-measures for diffusing such tensions and to encourage constructive dialogue.

The investigation into language rights issues is introduced together with a discussion on theoretical considerations regarding linguistic rights. Themes reviewed during this investigation are the relationship between linguistic rights and basic human rights, the concept of a minority language, the realisation of linguistic rights, and exemplars of the attitude displayed towards language rights. A consideration which arises is that language rights as a human right

cannot be generated by legislation alone, but requires a commitment from the State to fulfil the legal obligations of linguistic rights.

The investigation into language rights is undertaken in five focus areas. The first of these is an analysis of printed media coverage (primarily newspapers) on language issues with reference to the spread of records on language-related subjects and language enhancement.

The second focus area concerns an analysis of language rights complaints and complainants in the printed media, a content analysis of language rights complaints, as well as an analysis of language rights complaints submitted to PanSALB. The latter is reviewed in a separate section under the headings of methodology, language rights complaints registered with PanSALB, outcomes of the lodged complaints, type of language rights complaints, and a comparison between the language rights complaints covered by the media and those that were lodged with PanSALB.

An analysis of other instruments of language rights activism as reported in the printed media is undertaken in the third focus area. In the sense that a commitment to struggle for language rights amounts to a commitment toward democracy, the themes covered are language rights complaints versus language rights activism and language rights activist media coverage.

In the fourth focus area cases of linguistic rights litigation are discussed. Three court cases that appeared in 2003 are referred to. They are Radio Pretoria, Kimberley Girls' High School and Danie Malan Primary School. The applicants lost the first two court cases, while a settlement was reached in the third. The comments and conclusion on these cases are enlightening.

The constitution of South Africa accords official status to eleven languages. Despite this, certain groups believe that English is the dominant language and the government campaigns actively in favour of this perception. Against this background research on linguistic rights is conducted in the fifth focus area in which the following themes are touched on: linguistic rights as a fundamental human right, the right to be educated in one's mother tongue, statutory provisions regarding linguistic rights, the deliberate decreasing of the status of Afrikaans, increasing English monolingualism, and the disempowerment of the masses.

Some of the conclusions arrived at in this report are:

- The linguistic rights of minorities may be regarded as a human right and as such requires active political protection from the State, and not persecution.
- The constitution provides a legal foundation for litigation to coerce a recalcitrant State into recognition of linguistic rights, and this needs to be actively pursued.
- The cultivation of language rights activism is greatly dependent upon media coverage on language issues.
- State institutions are responsible for the highest proportions of alleged language rights violations.
- A successful activist technique mostly used by the Afrikaans community is community mobilisation.
- The government ought to create a need for multilingual skills in all communities.

The SALRM report needs to be made widely and readily available. The issues surveyed are not only topical and interesting, but of vital importance in the struggle for linguistic rights and ultimately the recognition of minorities' human rights. Disconcerting is the fact that the government actively campaigns against its minorities.