

Children's Rights to Mother-Tongue Education in a Multilingual World: A Comparative Analysis between South Africa and Germany

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Abstract

The importance of the mother tongue, and, more specifically, of mother-tongue education, is recognised globally. Use of the mother tongue is regarded as one of the most effective ways of acting and performing cognitively, socially and communally. The aim of this article is to encourage and promote the implementation and realisation of mother-tongue education through certain school/education models in order to achieve equality and liberation and to increase the incidence of high-performance education systems in a multilingual world. A comparative analysis of South Africa and Germany will also be undertaken with regard to language policies and the mother-tongue education situation in these countries' school systems. Several other aspects such as the choice of language as a fundamental right, the importance of international instruments, as well as some lessons to be learnt for both South Africa and Germany in respect of mother-tongue education, will be discussed. It will be concluded that, despite the existence of a multilingual world, the crucial importance of the use of the mother tongue and mother-tongue education should not be underestimated and/or ignored.

Keywords

Mother tongue; mother-tongue education; bilingual education; MT-based MLE; language policy; international instruments; UN Convention on the Rights of the Child; Convention against Discrimination in Education.

.....

One should respect one's motherland, one's culture and one's mother tongue because they are givers of happiness.¹

1 Introduction

The importance of the mother tongue, and more specifically of mother-tongue education, is recognised globally. The use of the mother tongue is regarded as one of the most effective ways to act and perform cognitively, socially and communally.² It is also true that there is a strong relation between one's mother tongue and one's identity. One's mother tongue is also an important connection between one's culture and one's history.³ The different characteristics and components of a person's personality are balanced and equalised by a healthy identity, and communities verbalise part of their identities in their mother tongues. The positive result of this is that communities make good, informed choices and decisions that promote harmony, consistency, and the development of self-assured individuals. Moreover, the protection of one's mother tongue is fundamental for the protection and safeguarding of one's own culture and existence, and also for the recognition of a need for a sense of "belonging" and shared heritage.⁴

Mother-tongue education is not just an important issue in developing countries such as South Africa, but is also of importance in developed countries such as Germany. On the one hand, it is sensible, acceptable and desirable to provide learners with mother-tongue education if there is a demand for the provision of such education. On the other hand, to put mother-tongue education into practice is not always as simple as it seems. There are many times when some difficulties and hindrances in the implementation and realisation of the "mother-tongue education ideal" occur. Difficulties such as insufficient funding, the lack of skilled educators, and insufficient resources are sometimes raised as obstacles, but it is submitted that these difficulties cannot be regarded as sufficient reason for failing to provide mother-tongue education. Although it is true that the provision of mother-tongue education is not always possible or reasonably practicable⁵ (worldwide, and specifically in South Africa), it is also submitted that there are certain school/education models that are able to conquer and

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¹ Gustafson "Geopolitics of Global Citizenship" 132; Rigveda date unknown <http://www.neelkanthdhaam.org/rigveda1.html>.

² Chürr 2013 *Obiter* 274-275; Byram "Languages and Identities".

³ Skutnabb-Kangas "Wer entscheidet, ob meine Sprache wichtig für mich ist?" 343.

⁴ Chürr 2013 *Obiter* 274-275; Byram "Languages and Identities".

⁵ See 3.1 below for a discussion of what is meant by "reasonably practicable".

overcome these difficulties. The impact of these models will promote mother-tongue education as far as is reasonably practicable and possible and will be discussed in 4.1 and 4.2 below.

Most countries and their societies are multilingual, but their education systems operate in only one or two languages. This can be attributed to the age-old misconception that national unity can only be built around a single language. Using only one language and excluding many other languages causes divisions, inequalities and inequities, since it means that millions of people around the globe are forced to learn (or to teach) through an "unfamiliar" language in which they are not proficient.⁶

The aim of this article is therefore to encourage and promote the implementation and realisation of mother-tongue education through certain school/education models in order to achieve equality and liberation and to increase the incidence of high-performance education systems in a multilingual world. A comparative analysis of South Africa and Germany will also be undertaken with regard to language policies and the mother-tongue education situation in these countries' school systems. Several other aspects such as the choice of language as a fundamental right, the importance of international instruments, as well as some lessons to be learnt for both South Africa and Germany in respect of mother-tongue education will be discussed below.

It will be concluded that, despite the fact that we live in a multilingual world, the crucial importance of the mother tongue and mother-tongue education should not be underestimated and/or ignored.

2 Is language regarded as a fundamental right?

The South African *Constitution*⁷ expressly provides for the protection and promotion of the country's 11 official languages.

Section 6 of the *Constitution* states that the official languages of the Republic of South Africa are Sepedi, Sesotho, Setswana, siSwati, Tshivenda, Xitsonga, Afrikaans, English, isiNdebele, isiXhosa and isiZulu. Affirmative action must be taken with reference to the African languages that were historically diminished in the past. This means that these languages "must enjoy parity of esteem" and "must be treated equitably". The state also has the obligation in terms of section 6 to "take practical and

⁶ Benson and Kosonen "Introduction" 2.

⁷ *Constitution of the Republic of South Africa*, 1996 (hereinafter the *Constitution*).

positive measures to elevate the status and advance the use of these languages".⁸

Section 9 of the *Constitution* emphasises the importance of equality and states that no one may discriminate unfairly, directly or indirectly, against anyone on several grounds, including language.

Section 29(2) of the *Constitution* states that everyone has the right to receive education in the official language or languages of his/her choice in public educational institutions where such education is reasonably practicable.⁹ Section 30 of the *Constitution* stipulates that everyone has the right

... to use the language and to participate in the cultural life of their choice, but no one exercising these rights may do so in a manner inconsistent with any provision of the Bill of Rights.

Section 31 of the *Constitution* makes provision for persons belonging to a cultural, religious or linguistic community. This section stipulates that these persons

... may not be denied the right, with other members of that community – (a) to enjoy their culture, practise their religion and use their language; and (b) to form, join and maintain cultural, religious and linguistic associations and other organs of civil society.

Section 35(3) of the *Constitution* stipulates that every accused person has a right to a fair trial, which includes the right (in 35(3)(k))

... to be tried in a language that the accused person understands or, if that is not practicable, to have the proceedings interpreted in that language.¹⁰

In Germany, the *Administrative Procedure Act*¹¹ and the *Court Constitution Act*¹² stipulate that German is the official language of administration and of

⁸ See in general, Beukes "First Ten Years of Democracy".

⁹ See 3.1 below for a discussion of "reasonably practicable".

¹⁰ It is also necessary, for the sake of completeness (pertaining to language and language rights), to briefly mention s 185(1)(a), that deals with the primary objectives of the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities. One of these objectives is to "promote respect for the rights of cultural, religious and linguistic communities". S 186(2)(a) states that the composition of the commission must "be broadly representative of the main cultural, religious and linguistic communities in South Africa". Furthermore, s 235 states that "the right of the South African people as a whole to self-determination, as manifested in this Constitution, does not preclude, within the framework of this right, recognition of the notion of the right of self-determination of any community sharing a common cultural and language heritage, within a territorial entity in the Republic or in any other way, determined by national legislation". Reference to all the above sections is made in order to indicate the pivotal importance of language.

¹¹ Also known in German as the *Verwaltungsverfahrensgesetz*, section 23.

¹² Also known in German as the *Gerichtsverfassungsgesetz*, section 184.

the judiciary. Section 23 of the *Administrative Procedure Act* states the following: "The official language shall be German".

Section 184 of the Court *Constitution Act* stipulates as follow:

The language of the court shall be German. The right of the Sorbs to speak Sorbian before the courts in the home districts of the Sorbian population shall be guaranteed.

There are special exceptions in the states of Brandenburg and Sachsen where the use of the Sorbian (Wendish) language is permitted and guaranteed.¹³ The "language situation" in the education sector is somewhat different and will be discussed in 3.2 below.

Moreover, linguistic rights are, on a fundamental level, implemented in article 3 of the *German Constitution*.¹⁴ Article 3(3) stipulates that

... no person shall be favoured or disfavoured because of sex, parentage, race, language, homeland and origin, faith, or religious or political opinions. No person shall be disfavoured because of disability.

It is clear from the above that the South African *Constitution* makes comprehensive provision for language rights. The German *Constitution* also provides for language rights, but not as comprehensively as the South African *Constitution*. Therefore, language is certainly regarded as a fundamental right.

3 Language policy and mother-tongue education in South African and German schools

3.1 South African schools

South Africa has several pieces of national legislation which provide for language rights and set out clearly the language policy in South African schools.¹⁵ Moreover, there is also case law that is relevant with regard to language policy in South African schools, an aspect which will be discussed below.¹⁶ It is wise to start first with the South African *Constitution* in order to provide a solid background on how the "language puzzle in South African schools" fits together.¹⁷

¹³ Lohmar and Eckhardt *Education System in the Federal Republic of Germany* 19.

¹⁴ The German Constitution is known as the *Basic Law for the Federal Republic of Germany*.

¹⁵ See, for example, the *National Education Policy Act 27 of 1996*; the *South African Schools Act 84 of 1996*, and the *Constitution of the Republic of South Africa, 1996* (s 29(2)).

¹⁶ See pages 9-13 of this article.

¹⁷ For the purposes of the topic of this article, only certain national legislation will be discussed.

Section 29(2) of the *Constitution* deals specifically with education in one's preferred language, and stipulates as follows:

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 –

- (a) equity;
- (b) practicability; and
- (c) the need to redress the results of past racially discriminatory laws and practices.

To put it differently, the cardinal importance of mother-tongue education is recognised in section 29(2). However, mother-tongue education will be possible only if such education is reasonably practicable.¹⁸ The question now is: What exactly is meant by "reasonably practicable"? It is submitted that "reasonably practicable" has a twofold definition: Firstly, it means that every learner (in the case of a minor, his or her parents or legal guardian(s)) has the opportunity to choose the language in which he or she prefers to be instructed.¹⁹ Secondly, it means

... something that is reasonable to the degree of being practical – something that can be done, implemented or achieved without difficulty.²⁰

Accordingly, one can argue that "reasonably practicable" means making provision for learners' preferred language (mother-tongue education) if no fewer than 40 learners in grades 1 to 6 or 35 learners in grades 7 to 12 request a preferred language at a particular school.²¹ If the number of learners is less than the prescribed number, it is the duty of the head of the Department of Basic Education to present possible solutions or alternatives.²² This must, of course, be done in collaboration with the school governing body, the principal and the school, since their advice and recommendations will be of great importance in determining certain factors.²³ Factors such as the need to achieve fairness and to resolve

¹⁸ Robinson 2003 *PELJ* 33-35.

¹⁹ Chürr 2013 *Obiter* 294.

²⁰ Chürr 2013 *Obiter* 294.

²¹ See in general the Norms and Standards Regarding Language Policy in Public Schools, GN R1701 in GG 18546 of 19 December 1997, promulgated pursuant to s 6(1) of the *South African Schools Act* 84 of 1996; see also Chürr 2013 *Obiter* 294.

²² DBE 1997 [http://www.education.gov.za/Portals/o/Documents/Policies/GET/Language EducationPolicy1997.pdf?ver=2007-08-22-083918-000](http://www.education.gov.za/Portals/o/Documents/Policies/GET/Language%20EducationPolicy1997.pdf?ver=2007-08-22-083918-000). Possible solutions and alternatives will be discussed in 4.1 and 4.2 below.

²³ Chürr 2013 *Obiter* 294-295.

racially discriminatory practices should be taken into account. The cost of accommodating education in a preferred mother-tongue as well as the availability of facilities and educators are also important factors to take into consideration. Moreover, the distance(s) to similar schools where the preferred mother-tongue education is provided can also be a decisive factor to be taken into account when "reasonably practicable" needs to be determined.²⁴

Malherbe refers to section 29(2) as an "empowerment clause", since its purpose is to extend educational opportunities to, and increase such opportunities for, as many South Africans as possible.²⁵ There are also some consequences pertaining to section 29(2) that need to be accentuated:²⁶

- In order to ensure successful and effective access to, and implementation of, this right, the state has the duty to take into account all reasonable educational alternatives, including single-medium institutions. (One should not confuse single-medium instruction with a school system where learners are isolated from other languages. Furthermore, one should also keep in mind that the South African school system/curriculum requires all learners to learn at least two languages: a first language and an additional or second language – single-medium schools in South Africa therefore offer all learners the opportunity to learn two or more languages). The state has two obligations in this regard: to ensure that the necessary attention and care are given to this right as well as to demonstrate that it is acting reasonably and practically in providing for the right to receive education in one's preferred language. In other words, the state has to prove that this right is being executed in an effective and satisfactory way.
- The right to receive education in one's preferred language is, first and foremost, dependent on the practicability test and not on the factors "equality, practicability and the need to redress the results of past racially discriminatory laws and practices". These factors are applicable only when an appropriate alternative / appropriate alternatives need to be determined in order to give effect to this right. Therefore, these factors cannot be used to deny the right per se.

²⁴ Malherbe 2004 *TSAR* 439; Chürr 2013 *Obiter* 294-295.

²⁵ Malherbe "Education Rights" 410.

²⁶ Malherbe 2004 *TSAR* 439-440; Malherbe "Education Rights" 411-413.

- Section 29(2) provides expressly for single-medium institutions. The *Constitution* regards single-medium institutions as a valid option within a range of possibilities that may also include dual-medium and parallel-medium instruction. This means that the state may not as a matter of policy reject single-medium instruction *ab initio* (unless its actions can be justified by section 36, which deals with the limitation of rights), since such a policy would restrict and reduce the range of possibilities that are permitted by the *Constitution*.
- In some instances, dual-medium and parallel-medium institutions are the best alternative to fulfil the right to receive education in one's preferred language. This has a less favourable result, in that the reduced numbers of a specific language group can put immense pressure on that language, pressure which may lead to single-medium instruction. The consequence of this is that the right of those learners who prefer education in a particular language is then placed in jeopardy.

Nonetheless, the interpretation of section 29(2) causes many academic debates and arguments. Malherbe, for instance, is of the opinion that section 29(2) indeed provides for single-medium institutions and maintains that any views and opinions which claim that single-medium institutions impede and hinder the redress of past discrimination are unproven and unfounded, since the highest standard of education can be made available to all South Africans through the use of the mother tongue.²⁷ Swart indicates that Woolman and Fleisch differ from this opinion, since they are of the view that section 29(2) does not make any provision for the right to single-medium schools.²⁸ Their opinion is as follows:

At best [section 29(2)] places an obligation on the state to justify any refusal to recognise and support single medium public schools.²⁹

It is submitted that Malherbe is correct: public funded single-medium schools can be created.³⁰ Swart agrees with Malherbe to a certain extent: section 29(2) does not make provision for a right to single-medium institutions, but that the state must support single-medium schools/institutions as long as their admission policies are not racist.³¹ This

²⁷ There are also several international instruments that emphasise the cardinal importance of mother tongue and mother-tongue education, an aspect which will be discussed in 5 below. Malherbe 2004 *TSAR* 439-440.

²⁸ Swart 2008 *ZaöRV* 1095; Malherbe 2004 *TSAR* 439-440.

²⁹ Fleisch and Woolman 2007 *SAJHR* 50.

³⁰ Swart 2008 *ZaöRV* 1095.

³¹ Swart 2008 *ZaöRV* 1095-1096.

means that publicly funded single-medium schools/institutions can indeed be created. When a proper and suitable institution in general, or in a particular case, is chosen in order to fulfil and satisfy the right to education in one's preferred language, the state has the responsibility to consider all reasonable alternatives in a *bona fide* way, taking into consideration what is educationally appropriate, as well as factors such as equity, practicability, and the need for redress. These factors are equally important and must be balanced. The following should be emphasised:

What may be equitable to everybody concerned may not be practicable or educationally appropriate, and what may be practicable may not serve to redress historical inequalities.³²

One of the most recent lawsuits with regard to language policy in South African public schools came under scrutiny in 2014. The question in the case of *Governing Body, Hoërskool Fochville v Centre for Child Law*³³ was who has the final decision or authority when language policy in South African public schools is determined: schools and their governing bodies or provincial departments of education? In this case, the Department of Basic Education ordered the school to accommodate English-speaking learners. The department compelled the school to accommodate the children. As a result of this course of action on the part of the department, the school brought an application for an urgent order against the department. The school argued that its school governing body (SGB) had legally determined its language policy (Afrikaans) as well as the school's capacity and could, on these grounds, not accommodate the learners.³⁴ The department, for its part, argued that the school's intention was to preserve "racial privilege", since the school would have had no problem in accommodating the learners if they had accepted Afrikaans as the medium of instruction.

The legal point of departure was, of course, section 29(2) of the *Constitution* read together with section 5(5) of the *South African Schools Act (SASA)*.³⁵ Section 5(5) stipulates that,

... subject to this Act and any applicable provincial law, the admission policy of a public school is determined by the governing body of such school.

³² Malherbe "Education Rights" 411-412.

³³ *Governing Body, Hoërskool Fochville v Centre for Child Law* 2014 6 SA 561 (GJ).

³⁴ For a decision on who has the power to decide the capacity of public schools in South Africa, see the case of *Member of the Executive Council for Education in Gauteng Province v Governing Body of Rivonia Primary School (Equal Education, Centre for Child Law and Suid-Afrikaanse Onderwysunie as Amici Curiae)* 2013 6 SA 582 (CC).

³⁵ *South African Schools Act* 84 of 1996.

The SASA is also crystal-clear regarding language policy in schools: section 6(2) provides that

... the governing body of a public school may determine the language policy of the school subject to the Constitution, this Act and any applicable provincial law.

Moreover, section 6(3) states that "no form of racial discrimination may be practised in implementing policy determined under this section".

It was therefore argued that the SGB of a school has the final say in determining the language of instruction of such school, on condition that such school refrains from racial discrimination. It is also apparent that, in terms of the SASA, SGBs are permitted (within their legislative mandate and subject to the *Constitution* and relevant legislation) to determine the language policy at their respective schools.³⁶

An out-of-court settlement was eventually reached between the department and the school with regard to the language of instruction. The parties agreed that the language of instruction at the Hoërskool Fochville was Afrikaans and that the school could continue to pursue its education in Afrikaans.³⁷

The outcome of this case was pivotal for South African public schools, as it gave direction to, and guidance on, the future of mother-tongue education in public schools. In short, the department is obliged to acknowledge the right to receive education in an official language or languages of choice where this is reasonably practicable. In this case, Afrikaans was the official language of choice and it was reasonably practicable to employ it as the medium of instruction, since the school was one of long standing and Afrikaans had been the medium of instruction from the very beginning. Moreover, it appeared that the department was reluctant to provide schools that taught in English and Setswana. Instead, the department tried to resolve the problem by compelling the school to accommodate the learners.³⁸

The Fochville high school was only one of many other schools whose language policy had elicited much debate. In the past, several other schools' language policies were scrutinised: in the case of *Laerskool Middelburg v Departementshoof, Mpumalanga Departement van Onderwys*,³⁹ this single-medium Afrikaans school was instructed to enrol twenty learners who

³⁶ Du Preez 2015 <http://www.politicsweb.co.za/politicsweb/view/politicsweb/en/page71639?oid=356073&sn=Detail&pid=71639>.

³⁷ FEDSAS 2015 <http://fedsas.com/English/Media.aspx?MID=135>.

³⁸ FEDSAS 2015 <http://fedsas.com/English/Media.aspx?MID=135>.

³⁹ *Laerskool Middelburg v Departementshoof, Mpumalanga Departement van Onderwys* 2003 4 SA 160 (T).

preferred English as their language of instruction. This meant that the school had to convert to a parallel-medium school.⁴⁰ The school argued that the learners could easily have been accommodated in other parallel-medium schools nearby and therefore approached the court to set aside the department's decision to declare the school a parallel-medium school. The school's application was rejected.⁴¹ Although, in this case, it was clear that the administrative action was unlawful and that the statutory procedures were ignored, the court held that the best-interests principle in terms of section 28(2) of the *Constitution* meant that the rights of those learners who had already been admitted to the school should prevail over the interests of the school, the application of administrative law, as well as the interests of single-medium schools in general.⁴² In the case of *Minister of Education, Western Cape v Governing Body, Mikro Primary School*,⁴³ this single-medium Afrikaans school was instructed to enrol a group of Grade 1 learners whose preferred language of instruction was English. This meant that the school had to convert to a dual-medium school.⁴⁴ Here too the school argued that the learners could have been accommodated without difficulty in another parallel-medium school. The school brought an application requesting the court to review and set aside the department's decision pertaining to the admission of these learners. The Supreme Court of Appeal ruled in favour of the school, affirming that the power of the SGB to determine the language policy of the said school was bound only by the *Constitution*, the SASA and any applicable provincial legislation. This decision is regarded as vital, since it confirms, on the one hand, the right of learners to receive education in their preferred language of choice, but at the same time and on the other hand that some schools are permitted to provide single-medium instruction.⁴⁵ In the case of *Seodin Primary School v MEC of Education, Northern Cape*,⁴⁶ several single-medium Afrikaans schools were instructed to convert to dual-medium schools. An application was brought requesting the court to review and/or set aside the department's decision to convert the schools to dual-medium schools, but

⁴⁰ Parallel-medium schools are schools where two languages are used in separate classes. Learners experience non-language subjects of the curriculum through the medium of one language only.

⁴¹ See in general, Malan 2010 *TG* 268.

⁴² Bonthuys 2006 *JLPPF* 30.

⁴³ *Minister of Education, Western Cape v Governing Body, Mikro Primary School* 2006 1 SA 1 (SCA).

⁴⁴ Dual-medium schools are schools where two languages are systematically used for teaching, learning and assessment purposes, both orally and in writing. The curriculum is therefore taught through the medium of two languages.

⁴⁵ See in general, Lubbe 2006 *SPiL PLUS* 58-59; FEDSAS 2015 <http://fedsas.com/English/Media.aspx?MID=135>.

⁴⁶ *Seodin Primary School v MEC of Education, Northern Cape* 2006 1 All SA 154 (NC).

the court rejected the application. Another important case was *Head of Mpumalanga Department of Education v Hoërskool Ermelo*.⁴⁷ Hoërskool Ermelo is a single-medium Afrikaans high school which was instructed to also use English as a medium of instruction, since there were some learners who chose English as the preferred language of instruction. Apparently, these learners could not be accommodated in other schools, since these schools were already completely full and crammed. The governing body of the school approached the court for an interdict against the department. After a long legal battle, the Constitutional Court ruled as follows: Firstly, it held that the governing body of a school does not have exclusive power to determine the language policy of the school, since the power to do so is co-shared by the Minister of Education and the governing body. Secondly, the court ordered the school to review its language policy and to report back to the court. Thirdly, it ruled that the Department of Basic Education must report back to the court

... setting out the steps it has taken to satisfy the likely demand for an English or parallel-medium high school in the Ermelo district, as well as on the situation at other high schools in the area.

It is clear from the above that Afrikaans public schools in South Africa are heavily weighed down by politics and criticism. This can be attributed to the negative social meaning which is given to Afrikaans (due to apartheid)⁴⁸ as well as to the social and economic power and influence of English. The promotion of mother-tongue education is further hindered by factors such as unawareness of the advantages pertaining to such education as well as some difficulties and complexities with the practical implementation of mother-tongue education in linguistically diverse communities.⁴⁹ Moreover, the literacy and school performance of learners are severely hampered due to the lack of mother-tongue education in schools. It is a fact that mother-tongue education promotes and improves literacy and good school performance. Therefore, mother-tongue education is without doubt pivotal with regard to communication and understanding in the classroom.⁵⁰

⁴⁷ *Head of Mpumalanga Department of Education v Hoërskool Ermelo* 2010 3 BCLR 177 (CC).

⁴⁸ For example, Gauteng Education MEC, Mr Panyaza Lesufi has accused Afrikaans public schools of excluding other races and that Afrikaans is used to create "enclaves". See Masondo 2015 <http://www.news24.com/SouthAfrica/News/Lesufi-Afrikaans-schools-use-language-to-create-enclaves-20150527>. Also see, in general, Deacon and Colditz 2015 <http://www.politicsweb.co.za/politics/afrikaans-schools-in-gauteng-were-going-to-court--20May2015>.

⁴⁹ Chürr 2013 *Obiter* 282.

⁵⁰ Benson 2005 <http://unesdoc.unesco.org/images/0014/001466/146632e.pdf>.

Instead of compelling existing single-medium-instruction public schools to change to dual-medium or parallel-medium schools, education departments should rather focus on what can be done in order to promote mother-tongue education in the other official languages. Alternatively, the possibility of mother tongue-based multilingual education (MT-based MLE)⁵¹ must also be considered, especially where "pure" mother-tongue education is not always reasonably practicable. The advantages of a possible MT-based MLE model in a multilingual and multicultural South Africa will be discussed in 4.2 below.

3.2 German schools

The determination of language policy in German schools is different from the determination of language policy in South African schools, since each state in Germany has its own constitution, which means that each state has its own legislation and its own administration relating to education. To put it differently, a federal approach pertaining to educational policy is followed. As a result, legislation and administration in respect of education are mainly the responsibility of each federal state. The national government therefore plays only a subordinate role. In terms of the *Basic Law* and the constitutions of each federal state, the entire German school system is under the supervision of the state as stipulated in article 7(1) of the German *Constitution*.⁵² Article 7(1) states the following: "The entire school system shall be under the supervision of the state".

There are no corresponding legislative provisions regarding the language of instruction in German schools. The language of instruction and training at general-education and vocational schools is German.⁵³ There are exceptions in the school sector, namely several privately maintained schools, all bilingual schools and classes, as well as additional classes in the mother tongue of learners whose mother tongue is not German.⁵⁴

Schleswig-Holstein,⁵⁵ for instance, has a Danish minority and these children may attend privately maintained *Ersatzschulen* (alternative schools) in preference to general-education schools. These schools' educational objectives must be in line with the educational objectives of the school types

⁵¹ Hereinafter "MT-based MLE".

⁵² Hörner *et al Education Systems of Europe* 302.

⁵³ Hofman *et al Institutional Context of Education Systems* 69.

⁵⁴ Hofman *et al Institutional Context of Education Systems* 69; also see Dirim "Migrantensprachen im bilingualen Grundschulunterricht" 95-96.

⁵⁵ Schleswig-Holstein is one of the sixteen federal states of Germany.

provided for in the Schleswig-Holstein *Education Act*.⁵⁶ The language of instruction in these schools is Danish, and German is usually a compulsory school subject from Grade 2. Parents have the choice to enrol their children at schools that make provision for the Danish minority. If they choose the latter, the local *Grundschule* (primary school) must be informed that the child/children has/have been accepted and enrolled at a "Danish minority school".⁵⁷

Sorbian⁵⁸ children in the states of Brandenburg and Sachsen have the opportunity to learn the Sorbian language in either Sorbian or public-sector schools. Specific subjects are taught in the Sorbian language and the Sorbian language is also taught at certain grades or levels of education. All schools in Sachsen, as well as those in the Sorbian settlement area in Brandenburg, teach Sorbian history and culture. Parents also have the choice to enrol their children at Sorbian schools where Sorbian is a compulsory subject, and, sometimes, also the language of instruction.⁵⁹ Moreover, Romany, the language of the German Sinti and Romanies, as well as Frisian and Low German in the states of northern Germany, is taken into consideration to varying degrees in schools, in higher-education institutions as well as in adult education.⁶⁰

One should keep in mind that Germany has developed in the last few decades into a multilingual society. This can be attributed to the post-war immigration of workers and refugees.⁶¹ Germany is without a doubt the migrant destination country in Europe. It has undergone a cultural change in its immigrant population since the 1990s. Although the Turkish community remains the largest immigrant group, immigrants from all over the world are increasingly becoming part of modern German society.⁶² The effect of this is that there is also a greater demand for schools to instruct immigrant children⁶³ in their mother tongue. The German education system has been fiercely criticised of late. The main criticism of this system is its social inequality on the basis of social background, language and immigrant

⁵⁶ *Schleswig-Holsteinisches Schulgesetz* [Schulgesetz-SchulG: Art. I des Gesetzes zur Weiterentwicklung des Schulwesens in Schleswig-Holstein].

⁵⁷ Lohmar and Eckhardt *Education System in the Federal Republic of Germany* 19.

⁵⁸ Sorbian people are of ethnic Sorbian descent and come from the settlement area of the Sorbs in the states of Brandenburg and Sachsen.

⁵⁹ Lohmar and Eckhardt *Education System in the Federal Republic of Germany* 20.

⁶⁰ Lohmar and Eckhardt *Education System in the Federal Republic of Germany* 20.

⁶¹ Gogolin "Bilingual Education" 133.

⁶² Eckardt 2007 *National Identities* 236.

⁶³ The term "immigrant children" refers to children who are non-German citizens.

status.⁶⁴ The PISA⁶⁵ reports indicate that the educational attainments of immigrant children in Germany are lacking in comparison with those of German children. There are many reasons for this, but one of the reasons (for purposes of this article) is the "language barrier". PISA data indicates that Germany does not sufficiently accommodate learners who do not speak German. It is therefore necessary that other alternatives be considered. Perhaps one of the solutions could be different or improved education models, an aspect which will be discussed in 4.1 and 4.2 below. Germany's education system has improved over the past decade. Although the education system in general as well as equity in education has improved,⁶⁶ the question still remains whether this improvement is sufficient with regard to the mother-tongue education of immigrant children. This will be discussed in 6 below.

One should also keep in mind that education is the main criterion for the successful integration of immigrants. Similarly, German-language skills and good school performances are essential for the successful integration of immigrants in their "new societies".⁶⁷ Language acquisition therefore forms an integral part of educational attainment. There are programmes available in Germany that support immigrant children in their educational needs.⁶⁸ There is still a great need for German-language teaching among immigrants and it is submitted that the existing methods and teaching concepts need to be further developed, improved and implemented.⁶⁹ One could say that the educational attainment of immigrant children is a key indicator in determining how the future integration of immigrants will progress.⁷⁰

The importance of the European directives relating to immigrants and their children must also be emphasised. Directive 77/486/EEC is fundamental when the education of immigrant children is involved. In terms of this

⁶⁴ This was according to PISA (Program for International Student Assessment) conducted by the OECD (Organisation for Economic Cooperation and Development) at schools in participating countries. See a summary of the findings at OECD 2015 <http://www.oecd.org/pisa/pisaproducts/39725224.pdf>. See also OECD 2015 <http://www.oecd.org/pisa/pisaproducts/46581323.pdf>.

⁶⁵ PISA is the abbreviation for the "Programme for International Student Assessment".

⁶⁶ OECD 2015 <http://www.oecd.org/pisa/keyfindings/pisa-2012-results-volume-II.pdf>.

⁶⁷ Söhn and Özcan 2007 *Turkish Studies* 101.

⁶⁸ These programmes were previously known as "FörMig" and aimed to utilise German teaching methods that included and involved all streams and grades. However, it now operates under a new name, DivER – Diversity in Education Research. DivER is particularly known for research and teaching on topics such as intercultural education, migration and its consequences for education, as well as multilingualism and language education. See, in general, Universität Hamburg 2015 <https://www.diver.uni-hamburg.de/diver.html>.

⁶⁹ Miera "German Education Policy". See, in general, Gogolin 2014 *ZFE* 407-431.

⁷⁰ Söhn and Özcan 2007 *Turkish Studies* 101.

directive, European Union (EU) members are obliged to take appropriate measures, in accordance with their national circumstances and legal systems, to ensure that free tuition is available to children of workers who are nationals of another EU member state. This specifically includes: the teaching of the official language of the host state; training teachers for this purpose; and promoting, together with regular education, the mother tongue and culture of the country of origin. There are also several other European directives pertaining to the education of immigrant children,⁷¹ but for the purposes of this article emphasis will be placed on Directive 77/486/EEC only. Directive 77/486/EEC aims to achieve the following:

- Free tuition, especially the teaching of the official language or languages of the host state, provided that such teaching is adapted to the individual needs of children.
- The training and retraining of teachers who have the responsibility to provide the necessary tuition.
- The promotion of mother-tongue instruction (ie teaching in the mother tongue), teaching these children about their culture as it is in their country of origin, and the provision of regular education, all in cooperation with their country of origin.
- Compliance with the provisions of this directive and notification of the Commission regarding measures taken in compliance with such provisions.

Integration itself is an elusive, sensitive and contradictory concept. For most Germans, integration means acculturating immigrants into German society without taking into consideration pluralism or multiculturalism.⁷² It also appears that the effect and importance of the mother-tongue instruction of immigrant children are not sufficiently understood.

It is therefore submitted that the German education system with regard to mother-tongue instruction needs to be reformed in order to improve the educational and linguistic status of immigrant populations. This would certainly contribute to the smooth integration of such immigrant

⁷¹ Directive 2000/43/EC deals with the prohibition of discrimination in education on the grounds of race and ethnicity; Directive 2003/9/EC deals with minors who apply for asylum, or who are children of asylum seekers, and the access of these minors to the education systems of EU members; Directive 2003/109/EC deals with children whose parents have a legal residence and who hold a term residence permit and the access of such children to school as well as study grants.

⁷² Mueller 2006 *Popul Res Policy Rev* 420.

populations.⁷³ MT-based MLE is therefore proposed, especially where "pure" mother-tongue education does not always fit in with the country's national circumstances and/or legal system (one must again keep in mind that the South African curriculum requires all learners to learn at least two languages). This proposed model will be discussed in 4.2 below.

4 Education models that promote bilingualism and multilingualism

There are several education models⁷⁴ that could possibly promote mother-tongue instruction/education, but the crux is to find the best education model that can promote mother-tongue instruction/education as much as possible. Both South Africa and Germany have certain models in their education systems that strive to promote mother-tongue education.

In South Africa, the use of a bilingual-education model in order to promote mother-tongue education is very popular. The use of MT-based MLE is still fairly new in South Africa and has not been properly implemented. Both these models will be discussed in 4.1 and 4.2 below.

The EU (which Germany is part of) currently has two main education models that promote mother-tongue education:⁷⁵

- a) An integrated model where immigrant children (non-native children) and German children (native children) receive the same education. In other words, immigrant children are included in mainstream education classes and they follow the same curricula as German children.
- b) A separate model, which, in turn, divides into two forms:
 - Transitional arrangements

Immigrant children are separated from other (German) children at school on a temporary basis in order to receive special attention according to their needs. These children may attend some mainstream classes.

- Long-term arrangements

⁷³ Mueller 2006 *Popul Res Policy Rev* 431.

⁷⁴ There are various education models in the world. The best-known education models are mother tongue-based instruction; bilingual education; mother tongue-based bilingual education; multilingual education; transitional bilingual/multilingual education (bridging); maintenance bilingual/multilingual education; immersion of foreign-language instruction; and submersion.

⁷⁵ Library of Congress 2015 <http://www.loc.gov/law/help/non-native-education/european-union.php#programs>.

Immigrant children are separated from other (German) children for several years according to their competence level in the language of instruction.

It is submitted that the most favourable and advantageous education models (for South Africa and Germany) are bilingual education and/or MT-based MLE as an alternative to single-medium mother-tongue education (where single-medium mother-tongue education is not reasonably practicable). The reason(s) for this will be discussed in 4.1 and 4.2 below.

4.1 Bilingual-education model (bilingualism)

Bilingual education can be defined as teaching of/instruction in academic content in two languages, the mother tongue and a secondary language, where varying amounts of both languages are used consistent with the relevant programme model. In other words, bilingual education encompasses the development of literacy skills in both the mother tongue and the secondary language. Teaching / instruction is also offered in the two languages.⁷⁶ Moreover, bilingual education can be divided into additive bilingualism and subtractive bilingualism. Additive bilingualism is that where learners begin their school careers in their mother tongue and continue to receive instruction in their mother tongue until the age of nine or ten, when a secondary language is then introduced and facilitated. Subtractive bilingualism is that where a secondary language hinders the learning of a learner's mother tongue. The secondary language replaces the mother tongue. This usually occurs during secondary-language acquisition and the consequence hereof is that the learner loses or unlearns his or her mother tongue.⁷⁷ Subtractive bilingualism is therefore without a doubt incompatible with equal educational opportunities.⁷⁸

It is submitted that additive bilingual education is the most successful and effective form of bilingual education. With additive bilingualism, one can come to the conclusion that two languages (the mother tongue and the secondary language) and cultures are seen as "mutually enriching".⁷⁹

In South Africa, two types of bilingual-education models are favoured, namely the maintaining model and the mainstream model. With regard to the maintaining model, the majority language and the minority language (the

⁷⁶ Söhn "Introduction" 1; also see Cummins "Fundamental Psycholinguistic and Sociological Principles" 19.

⁷⁷ Balfour 2007 *Journal for Language Teaching* 3.

⁷⁸ Equal education opportunities are also referred to as equity in education and can be described as a measure of achievement, fairness and opportunity in education.

⁷⁹ Snayers and Du Plessis 2006 *TG* 52-53.

mother tongue of a minority of learners) are used throughout the "minority learners" school career through the use of compartmentalisation. Compartmentalisation, in turn, aims to maintain and increase the use of the minority language and to promote and expand the history and culture of the minority learners. The mainstream model's objective is to make use of two majority languages throughout the learner's school career. The pedagogical goals of both these models are pluralism and enrichment. It is therefore submitted that these two models accentuate the "maintaining and preservation of mother tongue within an education system and the pursuit of strong bilingualism". Mother-tongue education is dominant in both these models, which is excellent evidence of how crucial mother-tongue education is.⁸⁰

Bilingual-education models in Germany, where teaching/instruction takes place in German and a minority language, are very unusual and scarce and evaluation studies on the aforementioned are very difficult and almost non-existent. It is therefore no secret that Germany gives unsatisfactory support to learners whose mother tongue is not German – as regards both bilingual programmes and education for immigrant learners (children).⁸¹

The question still needs to be asked whether bilingual education is a sufficient, successful and effective type of instruction which is favourable and advantageous for improving academic achievement. Is there not another type of education model that promotes mother-tongue education to a greater extent? This will be discussed in 4.2 below.

4.2 *Mother tongue-based multilingual education (MT-based MLE)*

Multilingualism and multilingual education in South Africa differ from multilingualism and multilingual education in Germany. To a certain degree, the circumstances of the two countries are comparable. South Africa has, on the one hand, a multilingual society with its eleven official languages, and Germany, on the other hand, has eventually developed into a multilingual society since the country became an attractive destination for immigrants.⁸² It is therefore essential that both these countries should consider an education model(s) that promote multilingualism. One of the most important education models in this regard is the so-called MT-based MLE model.

⁸⁰ Chürr 2013 *Obiter* 284.

⁸¹ Söhn "Introduction" 2.

⁸² Altmayer 2009 *SPiL PLUS* 101, 103-104.

MT-based MLE signifies "mother tongue first" in education. This means that a child starts his or her schooling (education) in his or her mother tongue and subsequently changes over to additional languages. MT-based MLE can also be described as the use of students' mother tongue and two or more other or added languages as languages of instruction (LoI) in school. In other contexts, the term is used to describe bilingual education across various language groups, with each group using its own mother tongue along with the official school language of instruction.⁸³

There is ample evidence that MT-based MLE is advantageous and an auspicious solution for bridging language gaps and inequalities in education, especially in countries with multilingual communities. One can therefore say that children who have access to MT-based MLE are better equipped with language skills in their mother tongues and national languages. When knowledge of a second language (L2) is added to a strongly developed first language (L1), a child is enabled to form multifaceted knowledge networks, which is also known as additive bilingualism. MT-based MLE is the foundation for lifelong learning, since learners are enabled to build a strong educational basis in their mother tongue (L1) as well as a good bridge to a second language (also known as the official language), and, later on, to more additional languages (L3 and L4).⁸⁴

The educational value of mother-tongue education with regard to learner performance cannot be measured in monetary terms. Moreover, it can be submitted that the key to school success is based on providing learners with equitable and even-handed learning opportunities. This can be done through the use of mother-tongue education, since such education is fundamental in order to increase access to school and to facilitate learning as well as the learning of a second language.⁸⁵ Mother-tongue education also promotes the acquisition of knowledge and understanding, and it advances the development of a learner's cognitive, affective and social skills (also see 1 above). It is also self-evident that mother-tongue education furthers the development of a learner's academic prowess, and the

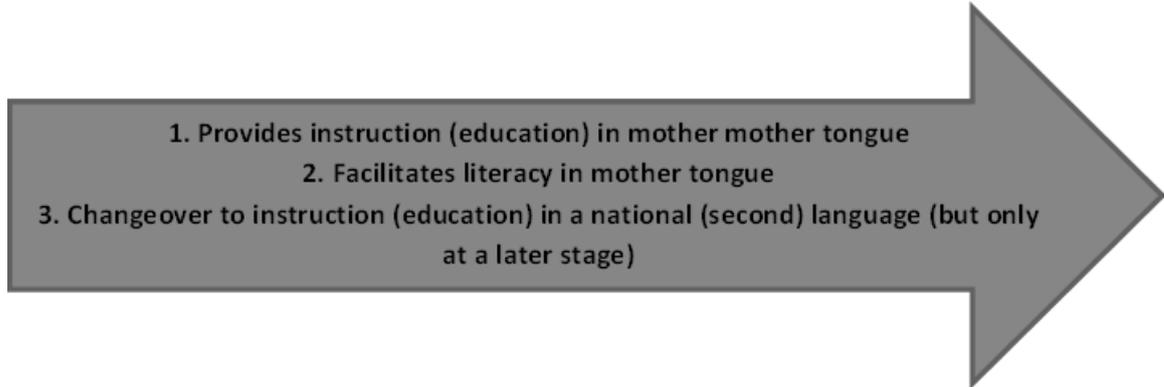
⁸³ Malone "Mother Tongue-Based Multilingual Education"; also see Brown 2014 <http://www.sites.miis.edu/katiebrown/files/2014/06/K-Brown-Best-Practices-Report.pdf>.

⁸⁴ Malone "Mother Tongue-Based Multilingual Education"; also see Brown 2014 <http://www.sites.miis.edu/katiebrown/files/2014/06/K-Brown-Best-Practices-Report.pdf>.

⁸⁵ MTB-MLE Network 2015 <http://www.mlenetwork.org/caseformtbmle>.

importance of the social, psychological and cultural functions of language within the educational context are taken into consideration.⁸⁶

Mother-tongue education has the following objectives:



When children start their schooling and education, it is a new social environment for them, and, in order to ease this transition, learning in a mother tongue is pivotal, since it provides a bridge from the "known" to the "unknown".⁸⁷

The following table is an example of how a progression plan regarding teaching (using languages in a three-language MT-based MLE programme) should look:⁸⁸

Kindergarten 1	Kindergarten 2	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Grade 6
Build fluency in oral L1	Continue fluency in oral L1	Continue oral and written in L1; systematically start oral in L2	Continue oral and written in L1 + L2	Continue oral and written in L1 + L2	Continue oral and written in L1 + L2; systematically start oral in L3	Continue oral and written in L1, L2 + L3	Continue oral and written in L1, L2 + L3
	Begin written in L1	Begin written L2 (later in the year)		Begin oral in L3	Begin written in L3		
	Begin oral L2 (later in the year)						
L1 for teaching	L1 for teaching	L1 for teaching	L1 for teaching	L1-L2-L1 for teaching	L1-L2-L1 for teaching	L1-L2-L1 for teaching	L2-L1 for teaching

⁸⁶ Le Cordeur 2011 *Litnet Akademies* 436.

⁸⁷ MTB-MLE Network 2015 <http://www.mlenetwork.org/caseformtbmle>.

⁸⁸ MTB-MLE Network 2015 <http://www.mlenetwork.org/caseformtbmle>. The abbreviations L1, L2 and L3 stand for Language 1, Language 2 and Language 3. In other words: a 1st language (L1), 2nd language (L2) and 3rd language (L3).

It is clear from the above table that the mother tongue is used as the dominant language during instruction and that a second language (a national language other than the mother tongue) and third language are systematically introduced to the child. The child first masters and becomes fluent in his/her own mother tongue, which will enable him or her to learn a new language(s) more easily.

It is true that there is no "one-size-fits-all" method for integrating multiple languages into an education system, but it is not impossible or too far-fetched. Language learning in multilingual contexts should be a cohesive process. Languages should not be completely separated from one another, but should rather be placed in collaboration with each other. This will enable learners to develop sensitivity and receptiveness in respect of different languages; to learn several languages and the respective cultures at the same time; to realise and understand the complications and difficulties which exist among languages and cultures; and to become skilful and proficient communicators in multilingual settings.⁸⁹ As a result of this, a culture of tolerance and respect will be fostered to the benefit of a world where multilingualism is becoming increasingly important.

It is therefore unequivocally clear that multilingual education has become a burning concern. Multilingual education encompasses multiple practices and challenges at different times for different individuals in various parts of the world and it plays a pivotal role in protecting, safeguarding and maintaining different languages, speech communities, their identities, as well as their linguistic longevity.⁹⁰ Although the costs of multilingual education are high, this is but a small price to pay, since the long-term benefits are much more promising. Multilingual education promotes multilingualism, which, in turn, contributes to the development of communication, culture, intellect and economic prosperity.

Lastly, an MT-based MLE model can be advantageous for both the South African and German education systems, since this model means that a child's education will start with his or her mother tongue and additional languages (national languages) will be added at a later stage only. Nonetheless, as to which model will work best remains an open question and it is necessary to consider the unique situation and circumstances of each country. It must not be forgotten that monolingual education is not sustainable in multilingual and fast-growing multilingual nations.

⁸⁹ UNESCO *Why and How Africa Should Invest in African Languages* 26.

⁹⁰ Stavans and Hoffmann *Multilingualism* 228.

5 International instruments

There are several international instruments that emphasise the cardinal importance of language and mother-tongue education. It is impossible to discuss all of them in one article, so, for the purposes of this article, only two international instruments will be discussed. Both South Africa and Germany are states parties to them.

5.1 *Convention against Discrimination in Education*

Article 5(1)(c) of the Convention stipulates that states parties agree that

... it is essential to recognise the right of members of national minorities to carry on their own education activities, including the maintenance of schools and, depending on the educational policy of each state, the use or the teaching of their own language.

5.2 *United Nations Convention on the Rights of the Child*

The *United Nations Convention on the Rights of the Child* is also important in the discussion of language and education, and child rights and parental rights need to be emphasised:

5.2.1 *Child rights*

Article 30 provides that, in those states in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous, shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.

General Comment 7 provides that

[Y]oung children are holders of all rights enshrined in the Convention. Early childhood (from birth to 8 years) is a critical period for realisation of these rights. Programmes and policies are required to realise rights in early childhood. These policies and programmes must recognize and incorporate diversities in culture, language, and child rearing.⁹¹

5.2.2 *Parental rights*

Article 29(1)(c) provides that

[S]tates parties agree that the education of the child shall be directed to the development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own.

⁹¹ See, in general, Prinsloo 2007 SALALS 34-35.

Article 5 also stipulates that

States parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the Convention.

It is clear that both South Africa and Germany are bound by international instruments (treaties) such as the two discussed above, and that these countries should try their utmost best to promote mother-tongue education where reasonably possible, achievable and practicable.

6 Lessons for South Africa and Germany

It seems that the education systems of South Africa and Germany fall short where multilingual education is concerned. Both these countries can learn valuable lessons in order to promote multilingual education.

In South Africa, the implementation of mother-tongue education (especially with regard to the official African languages) needs drastic attention. In Germany, the implementation of mother-tongue education for immigrant children also needs urgent attention. Both these countries can benefit from an education system which promotes mother-tongue education with regard to official African languages (in the case of South Africa) and, in Germany's case, with regard to the mother-tongue education of immigrant children. Literacy difficulties and poor school performance can be attributed to a lack of mother-tongue education, since many learners in the foundation phase and the majority of learners in the intermediate and secondary phases in South Africa as well as in Germany are not instructed in their mother tongue.

The South African government must encourage and promote official African languages in order for learners of these languages also to have the opportunity to be instructed in their mother tongue. The vocabulary and lexis of these languages have to be expanded and emphasis should be on the proper training of teachers as well as on improving the skills of teachers who are inexperienced and who are struggling with the workload and responsibilities. Dr Nick Taylor of the National Education Evaluation and Development Unit (NEEDU) at the Department of Basic Education in South Africa states:

The country's failing education system is embedded in teachers who can't teach and largely do not have a grasp of the curriculum, which is the fundamental problem.⁹²

Moreover, parents and teachers need to undergo an "attitude shift" in respect of the importance of mother-tongue education in order to develop and promote such education, especially with regard to non-dominant official languages in South Africa.

It is submitted that the German government should strongly consider a language policy Act pertaining to education. This can be a national Act, or every federal state should adopt its own language policy Act setting out clearly how the mother tongue of children (immigrant children) whose mother tongue is not German, can be accommodated. This will be an extremely difficult task, but Germany can, for example, incorporate the following in such a language policy Act: mother-tongue education will be given to learners whose mother tongue is not German, but only when it is reasonably practicable. It would be deemed "reasonably practicable" to make provision for mother-tongue education in a language other than German if no fewer than 40 learners in grades 1 to 4 or 35 learners in Grade 5 and upwards request a preferred language at a particular school. This must, of course, be done in collaboration with all the stakeholders and by taking into account the circumstances of the school in general. The cost of accommodating education in a preferred mother-tongue as well as the availability of facilities and educators are also important factors to take into consideration. Germany is being fiercely criticised owing to the poor school performance of immigrant children. In order to rectify the situation, it is necessary to adopt a language policy Act pertaining to education that provides for these children.

Therefore, in situations and circumstances where "pure" mother-tongue education is not reasonably practicable, an MT-based MLE model is proposed in order to promote mother-tongue education and also multilingualism. This will enable students from non-dominant communities to achieve their educational goals and to successfully take part in the education system. Moreover, with an MT-based MLE model, special rights are given to the dominant language(s), but protection and legal rights are also given to minority languages.⁹³

⁹² Cook 2015 <http://www.medioclubsouthafrica.com/youth-and-education/43-culture/culturenews/3555-south-africa-s-mother-tongue-education-problem>.

⁹³ See, in general, Malone "Mother Tongue-Based Multilingual Education".

In short, South Africa and Germany should

... normalise multilingualism for social cohesion, individual and social development through language policies that build the natural mastery of two or more languages. Such policies should be embedded in the social vision of a country, operationalised in legislation, and reflected in planning, budgeting and research covering all societal sectors.⁹⁴

7 Conclusion

Use of the mother tongue is seen as one of the most effective ways of promoting sound citizenship. It is said that use of the mother tongue works automatically in the mind of a person promotes emotional stability.⁹⁵ Moreover, mother tongue and identity are interrelated, and the mother tongue is of cardinal importance for the protection and safeguarding of one's own culture. The importance of mother-tongue education must therefore not be underestimated. Mother-tongue education is undoubtedly regarded as pivotal for a learner's academic prowess, for good school performance and for the shaping of a dynamic identity and sense of belonging. Mother-tongue education not only develops a learner's abilities in his or her own mother tongue, but also develops and promotes a learner's abilities in a second (or more) language(s).⁹⁶ The extent to which a learner's mother tongue is developed and promoted is also a strong indicator and prognosticator of the development of such a learner's second (or more) language. In turn, a solid foundation in one's mother tongue also has a favourable impact on multilingualism.

The universal importance and growth of multilingualism have created a linguistic reality that results in new educational requirements. Technological advances and progress, as well as the high demand for international communication and mobility, have led to the need for and desire of people to have knowledge and a better understanding of more than one language. Furthermore, far greater recognition and acknowledgement of minority languages in countries all over the world have produced an immense increase in and intensification of multilingualism.⁹⁷

South Africa with its eleven official languages and Germany, which has developed in the last few decades (due to immigration) into a multilingual society, have no choice but to promote multilingualism. It is therefore proposed that both these countries should, in order to promote multilingualism, implement MT-based MLE models where "pure" mother-

⁹⁴ UNESCO *Why and How Africa Should Invest in African Languages* 10.

⁹⁵ Möller "Die Relevanz der Sprache" 158.

⁹⁶ Ammann *Im Kollektiv ist Sprache Macht* 10.

⁹⁷ Stavans and Hoffmann *Multilingualism* 228.

tongue education is not possible. Of course, this is dependent on the reasonable practicability thereof as well as factors such as learner numbers, the availability and readiness of facilities and educators, and the financial impact of such a model.

The implementation of an MT-based MLE model does not mean that ethnic individuality, identity or roots should be lost. Rather, such a model aims to recognise differences and it advances the maintenance of the linguistic distinctiveness of different people who come in contact with one another.

In a multilingual world, the following should always be remembered: "Language is the blood of the soul into which thoughts run and out of which they grow".⁹⁸

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⁹⁸ Lee 2013 <http://www.harvardpolitics.com/hprgument-posts/blood-of-the-soul/>.

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List of Abbreviations

DBE	Department of Basic Education
EU	European Union
FEDSAS	Federation of Governing Bodies of South African Schools

IJLPF	International Journal of Law, Policy and the Family
L1	mother tongue
L2	second language
L3	more additional languages
L4	more additional languages
LoI	Language of instruction
MTB-MLE	Mother Tongue Based-MultiLingual Education Network
NEEDU	National Education Evaluation and Development Unit
OECD	Organisation for Economic Cooperation and Development
PELJ	Potchefstroom Electronic Law Journal
PISA	Programme for International Student Assessment
Popul Res Policy Rev	Population Research and Policy Review
TG	Tydskrif vir Geesteswetenskappe
TSAR	Tydskrif vir Suid-Afrikaanse Reg
SAJHR	South African Journal on Human Rights
SALALS	Southern African Linguistics and Applied Language Studies
SASA	South African Schools Act 84 of 1996
SGB	School governing body
SPiL PLUS	Stellenbosch Papers in Linguistics PLUS
UNESCO	United Nations Educational, Scientific and Cultural Organisation
ZaöRV	Zeitschrift für ausländisches öffentliches Recht und Völkerrecht
ZFE	Zeitschrift für Erziehungswissenschaft